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Documents of the Plenipotentiary Conference (Nice, 1989)

To reduce download time, the ITU Library and Archives Service has divided the conference documents into sections.

- This PDF includes Document No. 201-300
- The complete set of conference documents includes Document No. 1-529, Document DT No. 1-82 and Document DL No. 1-57

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to

Document 201-E

27 June 1989

Original: French/
English

SUMMARY RECORD

OF THE

THIRD MEETING OF COMMITTEE 4

1. Insert the following statement immediately after the opening sentence:

"The delegate of the Islamic Republic of Iran made the following statement:

In response to this kind gesture, the Iranian Delegation thanks the distinguished delegates and the officers of the Union who have expressed their sympathy and have offered condolences to our Delegation upon the tragic and untimely demise of Imam Khomeini, the founder of the Islamic Revolution.

The Iranian Delegation is at a loss to find words with which to express the intensity of its sorrow on this very sad occasion. Suffice it to say that we have been painfully deprived of a kind father and a great leader.

With the rest of the Islamic World, we shall mourn the loss of this brave man, and we shall endeavour to preserve the legacy he left us.

Thank you again, Mr Chairman, and you, dear colleagues."

2. Paragraph 2.11

Amend as follows:

"2.11 The delegate of the United States said he was in favour of keeping all expenditure and revenue together on one account, ...".

3. Paragraph 2.14

Amend as follows:

"2.14 The delegate of the Federal Republic of Germany thought that no savings would be achieved merely by transporting publication costs to the ordinary budget ...".

4. Paragraph 2.17

Replace "the delegate of the Democratic Republic of Germany" by "the delegate of the German Democratic Republic".

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 201-E

9 June 1989

Original: French

COMMITTEE 4

SUMMARY RECORD

OF THE

THIRD MEETING OF COMMITTEE 4

(FINANCES OF THE UNION)

Monday, 5 June 1989, at 0930 hrs

Acting Chairman: Mr. P. GAGNE (Canada)

then Chairman: Mr. M.H. GHAZAL (Lebanon)

Subjects discussed:

1. Draft first report of Committee 4
to the Plenary Meeting
2. ITU publications policy

Documents

DT/22

24

AUS/69/10

AUS/69/11

J/111/4

47

(Opinion 79-1)

IFRB Weekly Circular

47

(2.2.6.6(5))

KEN/86/24

At the request of the Acting Chairman, the delegates observed a minute's silence in memory of the recently deceased Imam Khomeini, guide of the Islamic Revolution of Iran.

At the request of the Acting Chairman, the delegates observed a minute's silence in memory of those killed and injured in the accident of the Transsiberian in the USSR.

1. Draft first report of Committee 4 to the Plenary Meeting (Document DT/22)

1.1 The Acting Chairman invited delegates to offer their comments on the text and annexes of the draft first report of Committee 4.

1.2 The delegate of Byelorussia expressed support for the first paragraph of the draft report. When the report was presented to the Plenary Meeting, however, he thought that the Chairman should express Committee 4's concerns regarding the use of the ITU's resources to finance the activity of the Independent Commission for World-Wide Telecommunications Development, set up under Resolution No. 20 on the Nairobi Plenipotentiary Conference. The Chairman should also welcome the fact that in recent years the Independent Commission had been financed in compliance with the provisions of the above-mentioned Resolution. He said his comment should be considered as a proposal submitted to the Committee for consideration.

1.3 The Acting Chairman took note of the proposal by the delegate of Byelorussia.

1.4 The Acting Chairman said that, as there were no objections, he considered Document DT/22 adopted. He would ask the Chairman, Mr. M. Ghazal, to give an oral report to the Plenary Meeting.

It was so decided.

2. ITU publications policy (Documents 24, 47, Proposals AUS/69/10, AUS/69/11, J/111/4, Opinion 72-1)

2.1 The Secretary of the Committee introduced Document 24 and outlined planned ways of reducing the cost of publications.

2.2 The delegate of Australia, after introducing his country's proposals (69/10 and 69/11), said that the Conference should ask for a review of the publications currently produced and that those which were no longer necessary or could be replaced should be either withdrawn or modified.

2.3 The delegate of the United States supported Australia's proposal in general. She also suggested that the planned study on publications should be included on the agenda of the next world administrative radio conference.

2.4 The delegate of Japan introduced his country's proposals (111/4) for the lowering of publication costs, the rationalization of distribution, rational copyright policies and the formation of a Study Group.

2.5 The Secretary of the Committee introduced Opinion 79-1 of the CCIR, to the effect that the Administrative Council, in its report to the Plenipotentiary Conference, should draw attention to the difficulties of dissemination of publications and should suggest that the sale price of publications should as far as practicable reflect the direct cost of reproduction and distribution. The views expressed were in fact similar to those of Document 24.

2.6 The delegate of the USSR supported the proposals of Australia and Japan. He pointed out, however, that any study would entail expense, which would need to be financed. He suggested that the income from publications be used for that purpose.

2.7 The delegate of the United Kingdom said that wide dissemination of ITU publications for as low a price as possible was essential. With regard to Australia's proposal, he said that some publications were of an administrative nature, in the sense that they were referred to in the Regulations, and that, if they were to be reviewed, the task should be entrusted to an administrative radio conference. With regard to the three factors governing publications, namely content, format and frequency, he was not sure that many more changes could be made in the light of what had already been done.

With regard to section d) of the Note by the Secretary-General (Document 24), he did not see any reason for transferring costs from one budget to another. He was not sure in particular about the meaning of the sentence [in the case of the second variant] ... : "the Administrative Council could ... use the profits accordingly".

2.8 The delegate of France endorsed the views of the delegate of the United Kingdom and said that a distinction should be drawn between the proposals of Australia and Japan on the one hand and Document 24 on the other. Anyone familiar with the discussions of the Administrative Council over recent years would be aware that the supplementary publications budget had always produced a surplus, except in 1988. The surplus income had even been used in part on occasion to finance the Reserve Account. Moreover, the sales price of publications was decided by the Secretary-General, with the object of covering reproduction and distribution costs. While undoubtedly the price of documents was relatively high and might ideally be reduced, the solution proposed in Document 24 was not the right one, since transferring staff costs from the supplementary publications budget to the ordinary budget could only mean an increase in the staff costs of the ordinary budget and therefore in contributions. Before going ahead, therefore, and considering that the supplementary publications budget had so far worked satisfactorily for the period 1982-1988, he suggested looking for ways of reducing costs and especially of trying to improve the sales policy.

2.9 The delegate of Mali supported Japan's proposal and said that the cost of publications should be related to direct reproduction and distribution costs, and should remain in the supplementary publications budget. She thought that the price of publications should as far as possible be reduced.

2.10 The delegate of Byelorussia, endorsing the views of the delegates of the United Kingdom and France, did not see any need to change a long-standing practice if it had proved successful. A study should be made of what was done in other international organizations. There was a danger that, if the publications sector was transferred to the ordinary budget, the Union might turn into a paper factory.

He also supported the proposals of Australia and Japan to set up a Group to study ways of reducing publication costs. He proposed that the Group should be financed from the Supplementary Publication Account, so that it would have a direct interest in reducing the cost of publications.

2.11 The delegate of the United States said he was in favour of keeping all expenditure on one account, in the event of the Supplementary Publications Account, and she was opposed to charging to the ordinary budget of the Union expenses relating to the 13 permanent posts and ordinary budget subsidies. Pricing policy should be reviewed, however, and consideration might be given to electronic document distribution.

2.12 The delegate of the Netherlands supported Japan's proposal and said that the results of the planned study should be made available as soon as possible.

2.13 The delegate of the Philippines supported the proposals of Japan and Australia. Agreeing with the delegates of France, the United Kingdom, the United States and the Netherlands, he was in favour of maintaining the two existing items in the Supplementary Publications Account.

2.14 The delegate of the Federal Republic of Germany, like the United Kingdom delegate, thought that no savings would be achieved by transferring publication costs to the ordinary budget. He also supported the proposals by Australia and France to improve sales policy.

2.15 The delegate of Italy said he felt sure that the increased use of modern techniques, especially computing, combined with a reorganization of the Union's management, would solve existing problems, without the need for any special measures, such as setting up a Working Group.

2.16 The Acting Chairman noted that a very large majority of speakers were opposed to the budget proposals set out in Document 24, although several delegates were in favour of a review of the current publications policy. He advocated setting up a sub-committee to prepare a draft Resolution, which would in the first instance be submitted to Committee 4 and later to the Plenary Meeting.

He recalled the capital importance of publications for the Union in general. He advocated the establishment of a Working Group and asked those delegates who wished to take part to give him their names.

2.17 The delegate of the United Kingdom, supported by the delegate of the Democratic Republic of Germany, wondered why Committee 4 could not announce in the Plenary Meeting that the delegates had simply rejected the proposals contained in Document 24. The terms of reference proposed for the sub-committee in fact exceeded the scope of Committee 4, which was only to consider the financial implications of the Union's activities. He added that Committee 4 was to consider only the financial aspects of publications policy.

2.18 The delegate of Indonesia pointed out that Chapter IV of Document 24 concerned factors relevant to the ITU publications policy (user needs, special needs of developing countries, appropriate costing and pricing practices, budgetary considerations, secondary distribution and copyright protection against unauthorized reproduction). He proposed that the terms of reference of the sub-committee should be based on those six factors. He was supported by the delegates of Chile, the Republic of Iraq and Algeria.

2.19 The delegate of India said that the terms of reference of Committee 4 included the study of other questions relating to the Union's finances. He therefore approved the terms of reference of the sub-committee, as proposed by the delegate of Indonesia, considering that those matters were not dealt with by any other Committee at the Plenipotentiary Conference.

2.20 The Acting Chairman proposed the establishment of a sub-committee to study the factors listed in Chapter IV of Document 24 together with the proposals by Australia and Japan.

It was so decided.

IFRB Weekly Circular (Document 47, point 2.2.6.6.5, KEN/86/24)

Mr. M.H. Ghazal took the chair.

2.21 The Secretary of the Committee, introducing the document on the IFRB Weekly Circular, explained that it enjoyed special treatment. One collection was distributed free to all countries Members of the Union. The publication costs were covered by sales of additional copies. The cost of such copies was accordingly very high, which discouraged Members from buying additional collections. The figure for the past year was about 6,000 Swiss francs. The Administrative Council therefore proposed that the publication costs should be entered in the ordinary budget, one copy still being distributed free.

2.22 The delegate of Malaysia, supported by the delegate of Indonesia, proposed that the question of entering the costs in the ordinary budget should be decided by Committee 4 and that point b) in section 2.2.6.5 should be referred to the sub-committee.

The proposal was adopted unanimously.

2.23 The Secretary of the Committee, replying to the delegate of the United Kingdom, who asked about the financial implications of including the Circular's publication costs in the ordinary budget, explained that the printing costs amounted to some 500,000 to 600,000 Swiss francs a year, which would thus be added to future budgets. Replying to another question from the delegate of the United Kingdom, he said that the increase would reduce the supplementary publications budget accordingly, but that there would be no change in the price of other publications.

2.24 The delegate of Mexico called for the status quo to be maintained until the next Plenipotentiary Conference and proposed some kind of self-financing to avoid increasing expenditure under the budget.

2.25 The delegate of the United States asked for information on income which might be used to cover the increase in costs if the publication costs were charged to the ordinary budget.

2.26 The delegate of France considered that charging the costs to the ordinary budget would be too easy a way out. He wondered whether it was a good idea to go on publishing the Circular weekly and what measures could be taken to increase income. Like the delegate of Mexico he would prefer the status quo to be maintained, but thought that the question should continue to be studied with a view to finding a more appropriate solution.

2.27 The Secretary of the Committee said that self-financing would increase the price of other publications and was not in his view the right solution. As an estimate, the total cost of 600,000 Swiss francs, divided by 250 copies, would give a price of 2,400 Swiss francs each. On the question of increasing income, he did not see much chance of doing so by selling more copies, given the present high price of 6,000 Swiss francs.

2.28 The Chairman confirmed that the question would remain under study and would be submitted to the Working Group, which would put forward its conclusions.

2.29 The delegate of the United Kingdom saw no advantage in charging the costs to the regular budget. The Secretary of the Committee agreed that there was not really any advantage. It was mainly a way of avoiding difficulties. Requests were more often being made for information on a magnetic medium, but changing over to such a medium would mean fewer collections to cover the costs, because there would be lower sales of additional collections.

2.30 The delegate of the United Kingdom asked for information on the price Members would be charged for copies provided on a different medium.

2.31 The delegate of Algeria pointed out that transferring the costs to the ordinary budget would mean that countries receiving a free copy would be helping to pay for publication.

2.32 The Secretary of the Committee said that on a magnetic medium the Circular collection would be much cheaper and that some countries were in favour of replacing additional copies by copies on such a medium. Some 50% of Members, however, could not do without the collection on paper, which would therefore have to continue. Transferring the costs to the ordinary budget would mean an increase in the contributory unit of 0.3% for all Members.

2.33 The delegate of Chile, referring to the Secretary's comment, expressed the opinion that one copy should continue to be distributed freely, which was a great advantage for developing countries. He could not accept the idea of subsidized publication and considered that due consideration should be given to the Algerian delegate's comment in that connection.

2.34 The Chairman said that the relevant documents would be sent to the Working Group for consideration and then included in the report to the Plenary Meeting.

2.35 The delegate of the United Kingdom said once again that he saw no advantage for anyone in either the first or the second alternative proposed in Document 24, which involved increases of 0.3% and about 5% in the ordinary budget respectively.

2.36 The Secretary of the Committee said that all publications covered their costs except two: the Telecommunication Journal and the List of Addresses. If the Circular was not to be charged to the ordinary budget, but to the supplementary publications budget, there would be one more publication that did not pay its way, with an increase in the budget of 5-10%.

2.37 The delegate of Mexico said he would like a chance to discuss the matter with the Secretary of the Committee and also to hear the conclusions of the Working Group.

2.38 The delegate of France reminded the Committee that its role was to consider budgetary matters, which required it to be reasonably clear and methodical. The existence of three budgets in fact made it possible to isolate functions and attribute income to them. This immediate response was that he was in favour of keeping the Circular in the publications budget. To transfer the publication costs to the ordinary budget would not make things any clearer and was not the right solution.

2.39 The Chairman stated that the Working Group would consider the question of the supplementary publications budget, taking into consideration all items of income and expenditure.

The meeting rose at 1220 hours.

The Secretary:

R. PRELAZ

The Chairman:

M.H. GHAZAL

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 202-E

9 June 1989

Original: English

COMMITTEE 5

SUMMARY RECORD

OF THE

THIRD MEETING OF COMMITTEE 5

(STAFF MATTERS)

Monday, 5 June 1989, at 0930 hours

Chairman: Mr. F. MOLINA NEGRO (Spain)

Subjects discussed:

Documents

1. Expression of condolence on the death
of Imam Khomeini, Founder of the Revolution
of the Islamic Republic of Iran
2. Expression of sympathy to the
Government of the USSR
3. Pension matters
4. General staff policy and management

47
(section 2.2.5),
30, 131, DL/6

29

1. Expression of condolence on the death of Imam Khomeini, Founder of the Revolution of the Islamic Republic of Iran

1.1 On the suggestion of the Chairman, the Committee observed a minute's silence in memory of Iman Khomeini, Founder of the Revolution of the Islamic Republic of Iran.

1.2 The delegate of the Islamic Republic of Iran thanked delegations and officers of the Union for their expressions of sympathy on the untimely death of Iman Khomeini.

2. Expression of sympathy to the Government of the USSR

2.1 On behalf of the members of the Committee, the Chairman expressed sympathy to the Government of the USSR on the recent loss of life following a railway accident in that country.

2.2 The delegate of the USSR thanked the members of the Committee for their expression of sympathy.

3. Pension matters (Documents 47 [section 2.2.5], 30, 131, DL/6)

The Chairman recalled that the Committee had agreed at its previous meeting, that the official document prepared by the Secretary of the United Nations Joint Staff Pension Board and comments by the ITU Staff Council should be circulated for information. The Secretary of the UNJSPB had, however, indicated that distribution of the former document was limited and that it could be circulated only as a personal note from himself and not as an official document of the Board. Pending distribution of that document the Chairman therefore suggested that the Committee should defer its discussion on pension matters.

It was so agreed.

4. General staff policy and management (Document 29)

4.1 The Secretary, said that Document 29 dealt with a number of issues, listed on page 2 of the document, with comments on any differences between ITU policies and those recommended by ICSC. He invited particular attention to section 14 of the document which contained a list of the issues calling for a decision. While the ITU policy concerning post classification was in accordance with that of ICSC, implementation of that policy had not been possible because of lack of the necessary resources in the Personnel Department. On the other hand the Union did not fully comply with ICSC policies concerning recognition of long service and promotion. Those issues merited the Committee's attention in providing guidance to the Administrative Council.

4.2 The Chairman invited the Committee to concentrate its attention on section 14 of the document.

4.3 The delegate of Sweden asked the Chairman of the Staff Council to present the information document from the Staff Council, and requested explanations in connection with section 5.6 of that document (Extension of Salary Scales). She was particularly interested in the salary grades employed in ILO, which apparently differed in number from those of ITU.

4.4 The Chairman took it that the Committee agreed to discuss the information document.

4.5 The Chairman of the Staff Council said that the subjects dealt with in the Staff Council's information document were practically the same as those in Document 29, seen from a different standpoint. The section on extension of salary scales in the Staff Council document put forward the idea of providing additional steps to counteract the decline in salaries and purchasing power. Other organizations of the common system had been able to introduce flexibility in the application of ICSC rules and had provided for merit steps and longevity steps. ITU had apparently examined those measures and rejected them.

4.6 The Secretary explained that in ILO, which had a different grading structure, there were grades such as Under-Secretary-General and Assistant Secretary-General as in the United Nations, as well as D2s which did not exist in ITU. In connection with the statement by the Chairman of the Staff Council, he pointed out that merit and longevity steps were in fact dealt with in the note (Document 29) transmitted to the Plenipotentiary Conference by the Secretary-General on the instructions of the Administrative Council.

Section 14.1 - Recruitment policy and procedures

4.7 The delegate of the United States said that his Delegation found the procedures for recruitment of ITU staff satisfactory. He supported the inclusion of a strong statement concerning the recruitment of women and suggested a slight rewording of paragraph 14.1.1 to make it clear that Member States should be encouraged to put forward qualified women candidates and that the Secretariat should recruit them.

4.8 The Chairman said that he took it that the Committee agreed to that course.

Section 14.2 - Types of appointment

4.9 The Chairman said he assumed that the conclusions of section 14.2 were acceptable to the Committee.

Section 14.3 Post classification

4.10 The Chairman pointed out the budgetary implications of the proposals in section 14.3, which included the recruitment of three additional posts at an annual cost of 247,000 Swiss francs, as shown in paragraph 2 a) on page 1 of the document.

4.11 The delegate of the Federal Republic of Germany supported the proposals in section 14.3. Although the details of the administration of the General Secretariat were normally decided by the Administrative Council on the proposal of the Secretary-General, since figures were available to the Committee it might wish to confirm the provision for additional posts so that the financial implications could be taken into account by Committee 4.

4.12 The delegate of the United States endorsed those comments. Correct classification of posts was essential to a good personnel system, and the ICSC post classification standards could improve the work of the staff. However, since the necessary funds were not available he proposed that the activity be given high priority within the overall limits.

4.13 The delegate of the United Kingdom pointed out that decisions releasing resources might be taken in other Committees of the Conference.

4.14 The Chairman suggested that the Committee should decide in principle that the activity should be financed and leave it to Committee 4 to discuss the financial allotment to be made.

It was so agreed.

Section 14.4 - Staff appraisal system

4.15 The Chairman of the ITU Staff Council expressed disappointment that the ICSC recommendations for accelerated within-grade increments and cash awards had not been taken into account by the ITU administration, whose policy was highly conservative. In the view of the ITU staff, the suggestions made in Document 29 should have been stronger.

4.16 The delegate of the United States approved the fact that the current staff appraisal system in ITU closely followed the present ICSC recommended model. However, since ICSC was carrying out a comprehensive review of pay and benefits which might result in recommendations, he suggested that the Administrative Council be authorized to implement any new procedures arising from that review when it was completed.

4.17 The Chairman suggested that those remarks be taken as the Committee's conclusion on section 14.4.

Section 14.5 - In-service training

4.18 The Chairman indicated that the financial implications of section 14.5, were referred to in paragraph 2 b) on page 1 of Document 29.

4.19 The delegate of the Federal Republic of Germany said that the amount of 0.25% of the budget allocated to in-service training had never in recent years been spent for that purpose. With computerization and the language requirements of ITU there was an urgent need for in-service training and more must be done in that respect.

4.20 The delegate of Sweden endorsed that view. Her Administration, which spent a far larger amount on in-service training, was in favour of at least 0.25% of the budget being allocated to it.

4.21 The Chairman of the ITU Staff Council said that the staff also felt that the budget allocation of 0.25% was inadequate for training needs, while recognizing that there had been inadequate resources in the Personnel Department for the appropriate training and research.

In any case training was only one aspect of the much larger concern of career development, which unfortunately did not exist in ITU. ICSC had issued admittedly complicated recommendations on the matter; but to run a training programme without career development as the basic structure was in some ways a waste of money. The Staff Council therefore suggested that the necessary resources be made available for career development.

4.22 The delegate of the Netherlands said that since his country was not a Member of the Administrative Council it was perhaps not in possession of all the information available on the matter under discussion. Document 29 was very well put together but ITU did not seem to be spending a great deal on in-service training in view of the purposes of such training set out in paragraph 8.2. He asked whether the training involved was simply to develop human resources or whether it was seen as instrumental in adjusting the Organization to changes, particularly those of a technical nature.

4.23 The delegate of the United Kingdom asked whether the rules for in-service training mentioned in Resolution No. 60 still applied or whether they had been updated, and whether the Secretariat had developed any global plan for such training.

4.24 The delegate of Zimbabwe inquired what figure was actually represented by 0.25%, which the staff considered inadequate, and what sum would be adequate.

4.25 The Secretary, replying to the delegate of the Netherlands, said that it was extremely difficult for ITU to retrain staff in changing communication structures. The practice was therefore to recruit from Member Administrations the expertise needed for work in new technologies with the Study Groups of the CCIs.

In-house training was a continuous process and one which was not always included in the 0.25% allocation. The introduction of electronic data material mentioned in paragraph 8.5 of Document 29 would clearly be useless without a parallel effort by the ITU Computer Department to train officials in the use of such material. Such training was an in-house activity covered by other conference documents relating to developments in the Computer Department of interest to the Union as a whole.

In reply to the delegate of the United Kingdom he explained that the rules for in-service training had not been modified since their adoption. There was no overall plan for in-service training although attempts were currently being made to prepare one. There were plans for language training and the Secretariat relied on Chiefs of Department to put forward requests from staff as far as other training was concerned.

In reply to the delegate of Zimbabwe, he said that 0.25% in real terms represented for 1989, 176,000 Swiss francs but it was impossible to say how much would actually be regarded as adequate for in-service training.

4.26 Summing up the discussion so far, the Chairman said that the Committee endorsed the Secretariat report (Document 29) and agreed with the delegate of the Federal Republic of Germany that 0.25% should be the minimum amount allocated for staff training.

4.27 The delegate of Japan said he did not believe that there was a consensus on the figure of 0.25%. The delegate of Côte d'Ivoire said that not all Union Members sat on the Administrative Council and, in his view, Document 29 did not contain sufficient information to enable delegates to decide whether the 0.25% ceiling should be kept or raised.

4.28 The delegate of the German Democratic Republic said that he would like a document on ITU's overall in-service training programme to be submitted to a future session of the Administrative Council.

4.29 The Chairman said that no more detailed documentation had been submitted to the Administrative Council than was submitted to the Committee, and the summary records of the Administrative Council were circulated to all ITU Members so that the basic information was available to all. The figures discussed by the Administrative Council changed yearly and it was not easy to produce specific figures for the Plenipotentiary Conference.

4.30 The delegate of the United States said his Delegation entirely agreed with those who had said that in-service training was a very important aspect of staff policy and it supported the fullest implementation of such training within the limits of the overall budget. He was glad to note that, as the Committee Secretary had indicated, the figure in question did not cover all training requirements. The amount of money involved in in-service training was relatively small and he would suggest that a ceiling of 0.25% would be an appropriate amount.

4.31 The Chairman said that the exact figure was a matter for decision by Committee 4 but Committee 5 might indicate that it strongly endorsed in-service training, and that adequate resources must be provided for it subject to the annual programme to be submitted to the Administrative Council. The views of the staff should be taken into account in determining the annual programme and, as suggested by the United Kingdom delegate, steps should be taken to ensure that the programme was not implemented on an ad hoc basis.

Section 14.6 - Promotion policy

4.32 The Chairman said that section 14.6 was linked with section 9 and Annex 5 of the report (Document 29) and called for a decision by the Committee.

4.33 The delegate of the United States supported paragraph 14.6.1 and said he could accept paragraph 14.6.3. So far as paragraph 14.6.2 was concerned, he understood that "personal promotions" had been introduced to cope with the situation in organizations which had widespread field duty staff. In general, his Delegation opposed that procedure and believed that promotion should be based on merit.

4.34 The Chairman said that every organization had a grading system based on the time served: that might result in a very frustrating and anomalous situation for young staff members who had reached the top of their grade and had no further promotion prospects.

4.35 The Chairman of the Staff Council said that it had been widely recognized during discussions in the Nairobi Plenipotentiary Conference that because of budgetary restrictions promotion opportunities in the ITU were fairly rare. As a result, staff members might find that they had reached the top of their grade scale and that there was no post available to which they could be promoted. An additional problem arose from the deterioration in salaries and the fact that most of the higher grade posts in ITU went to external candidates had repercussions throughout the whole structure of the organization. One situation not mentioned in section 14.6, but which needed to be looked into, was that of staff members promoted from General Service category grades to the lower Professional grades who found that, although promoted, their new salary was lower. It was not enough for the Committee merely to note the recommendations of the ICSC; it must make well founded recommendations designed to improve the situation.

4.36 The delegate of Sweden strongly endorsed the need to do something to solve the anomaly of those promoted from General Service to Professional level as mentioned by the Chairman of the Staff Council.

4.37 The delegate of Morocco said that there appeared to be some inconsistencies between paragraphs 14.6.1, 14.6.3 and 9.10, which made it unclear exactly what the Committee was being asked to do.

4.38 The Secretary said that the question at stake was how to implement the ICSC recommendations so as to standardize any procedures adopted for "personal promotions". The Committee should not therefore reject the scheme but should ask the Secretary-General to undertake a study on how it could be implemented within the ITU.

4.39 The delegate of Morocco said that in that case he would suggest the establishment of a Working Group to study the ICSC recommendations and report to the Administrative Council so as to ensure equitable treatment as mentioned in paragraph 9.10. There should, of course, be staff participation in such a study.

4.40 The delegate of the United States, supported by the delegate of the United Kingdom, said that any Resolution by the Committee concerning such a study should be

designed to ensure that the study was in conformity with ICSC policy and should have due regard to the ICSCs comprehensive review of conditions of service.

4.41 The Chairman of the Staff Council said that to wait for the completion of the comprehensive review was a nice way of delaying the matter. However, if, in due course, recommendations were to be made for improving the situation, that might entail consequences for the Union budget and he wondered how the Plenipotentiary Conference would make provision for that.

4.42 The Secretary explained that the Financial Protocol normally provided for the Administrative Council to authorize the Secretary-General to implement any decision taken concerning remuneration scales for General Service and Professional Category staff and those scales were adjusted automatically and were not confined to the ceiling. The ICSC comments on promotion policy, as indicated in Annex 5, clearly could apply to ITU but could not be considered as a change in remuneration scales. The ICSC's comprehensive review itself was not intended to deal with that type of problem.

4.43 The Chairman said that the Committee should adopt a Resolution establishing guidelines for a promotion policy which would be supplemented by the financial limits fixed by the Conference. The financial aspects of staff policy would be governed by the Financial Protocol and the annual budget examined by the Administrative Council would determine the extent of staff salary costs. Any decision regarding staff promotion policy taken by the Administrative Council must take into account the ICSC recommendations.

Section 14.7 - Linked grades

4.44 The Chairman of the Staff Council said that the ICSC had gone to considerable lengths to point out that linked grades were no substitute for career development. Since career development had not been implemented in the ITU, he wondered what would be left to the staff if linked grades were rejected. The question was one which needed consideration and in greater depth than was presented in the document.

4.45 The Chairman said that he interpreted section 10 of the document as meaning that linked grades should not be used as a solution to other problems but that each problem should be solved within its own individual framework.

Section 14.7 was approved.

Section 14.8 - Recognition of long service

4.46 The delegate of the United States said that the issue of long service step increments had a long history. A number of United Nations specialized agencies, particularly those which had been set up before the United Nations itself, had such a system and in most cases it predated the ICSC decision. His Delegation was opposed to the introduction of long-service steps and would prefer the merit concept to be used as a basis for additional increments. Indeed he took exception to a number of comments made in the meeting. The Chairman had referred to the concern experienced by young staff members but, in his view, the ambition of a newly employed staff member should be to achieve promotion and to make a good career for himself and not merely to be contented with long-service steps. The Chairman of the Staff Council had referred to long-service steps as a compensation for falling salaries. His Delegation could not accept that concept. It had been considered some years previously that the salaries of international civil servants were exceeding by too wide a range that of the comparator service and it had been decided that they should be allowed to be eroded by inflation and other factors. It was therefore inappropriate to use the mechanism of long-service steps to compensate for salary decreases and his Delegation opposed the decision recommended in paragraph 14.8.1.

4.47 The delegate of the Federal Republic of Germany endorsed the United States delegate's views. The ICSC had repeatedly recommended the introduction of long-service steps, but the proposal had been turned down three times by the United Nations General Assembly. His Delegation therefore could not accept the proposed recommendation.

4.48 The Chairman of the Staff Council said that the subject of long-service steps could not be divorced from the other points raised in connection with promotion. When the common system had created posts at the top of the Professional grade and the beginning of the D grade it had decided to have fewer steps, and he thought that the view of the designers of the System had been that promotion should occur at the end of each of those steps. Each step provided an increase in salary of approximately 1.3%, which in Geneva was much lower than the current rate of inflation. He therefore believed there was something wrong with the system and that the common system had shown itself incapable of responding satisfactorily to changes. The idea behind the Noblemaire Report had been that salaries should be comparable with the best available nationally but statistics showed that for a number of years the comparator service had lagged behind the average of national salaries. Thus the freezing of United Nations salaries would constitute a serious distortion of the Noblemaire principle.

4.49 The Observer from the Universal Postal Union corrected the information given in section 11.3 regarding the different system followed in the UPU.

4.50 In view of the lateness of the hour, the Chairman said that he would suspend the discussion at that juncture.

The meeting rose at 1245 hours.

The Secretary:

A.B. MACLENNAN

The Chairman:

F. MOLINA NEGRO

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 203-E
28 June 1989
Original: English

SUMMARY RECORD
OF THE
THIRD MEETING OF COMMITTEE 6
(TECHNICAL COOPERATION)

Replace paragraph 2.11 by the following:

"2.11 The delegate of the United States asked if the sum quoted in Document 33 for regional development conferences should be multiplied by four to signify that there would be a yearly conference for each region. In light of Ethiopia's proposal for world/regional development conferences being considered in Committee 7, he requested clarification regarding the nature of such conferences, particularly their jurisdiction. It seemed to him that the proposal under consideration also involved structural implications."

Replace paragraph 2.20 with the following:

"2.20 The delegate of the United States said that, after consideration of the technical cooperation and assistance programme of the ITU as a specialized agency, it would be necessary to establish an order of priority of its activities that would best achieve the Union's objectives within available resources."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 203-E

14 June 1989

Original: French

SUMMARY RECORD

OF THE

THIRD MEETING OF COMMITTEE 6

(TECHNICAL COOPERATION)

Monday, 5 June 1989 at 1430 hrs

Chairman: Mr. H. VIGNON (Benin)

Subjects discussed:

Documents

- | | | |
|-----|--|---|
| 1. | Condolences on the death of the founder of the Revolution of the Islamic Republic of Iran and on a railway accident involving loss of life in the USSR - Death of an associated technical cooperation expert | - |
| 2. | The changing nature of ITU technical cooperation and related field activities (continued) | 33 |
| 2.1 | Development plan of action | INS/MLA/PHL/SNG/THA/52/1,
ARS/60/3
CME/180/1 |
| 2.2 | Financing of technical cooperation | INS/MLA/PHL/SNG/THA/52/2,
ALG/57/1 and 2
ETH/80c
SEN/94/1
GRC/98/6
CHL/113/2 and 3
MRC/128/1,
CTI/147/1
CME/180/3 |

1. Condolences on the death of the founder of the Revolution of the Islamic Republic of Iran and on a railway accident involving loss of life in the USSR - Death of an associated technical cooperation expert

1.1 The Committee observed a minute of silence in homage to the memory of the Imam Khomeyni, founder of the Islamic Revolution of Iran, the victims of the railway disaster in the USSR and Mr. Bruin, an associated expert from the Netherlands.

1.2 The delegates of the Islamic Republic of Iran and the USSR thanked the Committee for its condolences.

2. The changing nature of ITU technical cooperation and related field activities (continued) (Document 33)- Development plan of action, financing of technical cooperation

The agenda was adopted without change.

2.1 The Chairman said that the document brought out the dual role of the ITU in technical cooperation, namely, that of specialized agency of the United Nations for telecommunications and that of executing agency for technical cooperation projects (UNDP and funds-in-trust).

He then read out proposal No. 1, in paragraph 2.3 of Document 33, of the Group of Experts entrusted by the Administrative Council with a study of the changing nature of ITU technical cooperation activities and referred the Committee to paragraph 4.5 of the document.

2.2 The Deputy Secretary-General emphasized that proposal No. 1 was fully consistent with the ITU's role as the United Nations specialized agency for telecommunications. It derived from, among other things, the Maitland Commission's Report and the Arusha Declaration. Its aim was to promote the role the Union ought to play as a catalyst for development. In his view, the long-term action plan was one of the measures the Union had been called upon to take, in particular by regional development conferences (such as those held in Tunis and New Delhi), which were not to be confused with regional administrative conferences. The cost of those conferences was given at the end of paragraph 4.5.2, and he pointed out that some offsets might be achieved by reviewing the present activities of the regional plan committee meetings.

2.3 The delegate of Saudi Arabia stressed the importance of such a long-term plan and advocated amending paragraph 36 in Article 6 of the Nairobi Convention (which referred to Article 4) so that the necessary steps should be taken for the ITU as the specialized agency for telecommunications to prepare a plan for world-wide telecommunication development.

2.4 The delegate of Indonesia, turning to the question of the ITU's regional presence, said that he accepted the proposals of the Group of Experts as a whole, which appeared to him to be largely designed to strengthen that presence. He considered that the studies on the organization of the Union's regional presence were inadequate. Once completed they should be submitted to the Administrative Council in 1990 for practical application in 1991. Furthermore, the recommendation submitted by Thailand and other Asian countries (Document 52) should be strengthened with a view to reinforcing the ITU presence. He supported Proposal No. 1 of the Group of Experts, considering that the ITU's activities for telecommunication development throughout the world should be encouraged, and hoped that the preparation of the plan would be completed in time for 1991.

2.5 The Chairman pointed out that the proposal involved setting up machinery for the preparation of an action plan and noted that the Committee ought to decide whether the views put forward on the subject in Document 33 were correct.

2.6 The delegate of India accepted the proposals set out on pages 14 and 15 of Document 33 (section 4.5), and stressed in particular the key role which the ITU would play in identifying, coordinating and promoting the activities of all the parties concerned in the development of the world-wide telecommunication network. In addition, he thought regional development conferences provided a very useful opportunity for simultaneous meetings with other agencies.

2.7 The delegate of France said that the document under discussion emphasized only one feature of the action plan, namely, its regional aspect. In an activity of that type, however, continuity was a factor of paramount importance. For that reason, while supporting the proposals of the Group of Experts, he felt them to be only a partial solution to the problem and reserved the right to return to the subject.

2.8 The delegate of Ethiopia declared his support for the idea of holding regional conferences. Document 67, which would be studied in Committee 7, was consistent with the proposals currently being discussed. Such conferences would certainly serve the cause of development.

2.9 The delegate of Indonesia supported the proposals contained in Document 33 (pages 14 and 15). The emphasis placed on development programmes should facilitate contacts with financing agencies.

2.10 The delegate of the United Kingdom expressed his country's agreement with the general principles underlying the action plan, which would make it possible to bring all the partners involved together. It might also be useful to refer to the activities of certain private independent organizations. However, he requested some explanation concerning the cost of holding regional conferences under the head of technical cooperation, and in particular wanted to know if data base costs were included. The Deputy Secretary-General replied that they were and that the estimates referred to the cost of a single one-week meeting a year.

2.11 The delegate of the United States said that the figure quoted should be multiplied by four to represent one conference per continent. He would also like to know what measures the Ethiopian Delegation had in mind. It seemed to him that the proposal would have structural implications.

2.12 The Chairman stated that an action plan viewed from the regional standpoint would not provide a complete solution to the technical cooperation problem. The question of structures was not a direct responsibility of the Technical Cooperation Committee, although it could help to improve them. The outcome of the present discussions would also be communicated to Committee 4 (Finance).

2.13 The delegate of Burkina Faso said that the Chairman's summing up precisely met his country's expectations. However, he felt that the problem of technical cooperation was regarded as concerning only the developing countries, whereas it was of interest to the countries Members of the Union as a whole, although he recognized that the developing countries were the first to benefit from it. The expression "technical cooperation" should not in any circumstances be confused with "technical assistance".

2.14 The delegate of Colombia said that regional conferences would be of great importance for the Members of the Union; however, it would be useful to have some further details, and in particular to know whether the figures quoted related to conferences held at Headquarters or in the regions concerned. The Deputy Secretary-General replied that the regional conferences would be held annually in the regions and that the costs quoted were not yet provided for in the budget.

2.15 The delegate of the Federal Republic of Germany said that, although regional conferences raised no problem for his Delegation, it was necessary to bear in mind the existence of the CCITT regional plan committees and avoid any duplication. The regions involved should be specified, since the ITU now had different regions for radio conferences, the Administrative Council and the regional conferences.

2.16 The Deputy Secretary-General replied that the regions contemplated for the regional conferences under discussion were different from those dealing with specific radio topics. The four regional development conferences would be held in the interval between two Plenipotentiary Conferences in the Africa, Asia-Pacific, Americas, Europe and Middle East regions (see The strategy for a world-wide development plan of action, section 4.5.2 of Document 33). A clear distinction had to be made between the regional plan committees and the conferences now being proposed.

2.17 The delegate of Chile said that the regional conferences would constitute an innovation and provide a suitable forum for expressing the requirements arising in telecommunications development. The proposed participation of the Ministers of planning and finance of all countries would help to arouse in each country a greater awareness of the part played by telecommunications in development. He reminded the Committee that Nairobi Resolution No. 34 was along those lines.

2.18 The Deputy Secretary-General, recapitulating the purposes under section 4.4 of Document 33, pointed out that Resolution No. 18 of the Nairobi Conference specified the technical cooperation and assistance activities which could be financed by the ITU out of its own resources. They included a fellowship programme and special assistance for the least developed countries. (See also the Report of the Administrative Council to the Plenipotentiary Conference - Document 47.) No budgetary provision had been proposed in Document 33 for those two items, fellowships and assistance to the least developed countries, because it was hoped that the Plenipotentiary Conference itself would propose and decide on the appropriate amount.

2.19 The Chairman of the IFRB said that a study had been prepared in the IFRB on ways of making regional seminars more effective. The document had been submitted to the Administrative Council for transmittal to the Conference and would be circulated shortly.

2.20 The delegate of the United States said that, after consideration of the programme of the ITU as a specialized agency, with particular reference to its assistance activities, it would be necessary to establish an order of priority to be adopted in the light of requirements.

2.21 The delegate of Ethiopia said that despite countries' obvious interest in attending seminars, Document 33 did not in fact contain any budgetary provisions. The Finance Committee would have to decide on the allocations for that purpose when it had considered all the proposals.

2.22 The delegate of Gambia said that an evaluation report would be required following the programme in order to provide a more precise idea of any shortcomings so that appropriate improvements could be introduced and the necessary credits increased.

2.23 The Chairman said that the Report of the Administrative Council to the Plenipotentiary Conference (Document 47) reviewed all the Union's activities since the last Plenipotentiary Conference and was an excellent reference document. The Secretariat was nevertheless at Plenipotentiaries' disposal for any explanations they might require.

2.24 The delegate of Burkina Faso referred to Resolution No. 18, which in his view implied an on-going activity. Requirements had increased since the previous Plenipotentiary Conference, as had the Union membership. It was certainly for Committee 4 to decide on the level of budgetary financing. In any case, the credits would have to be increased.

2.25 The Deputy Secretary-General said that fellowships earmarked for developing countries should be of the order of 1 million Swiss francs and special assistance to the least developed countries around 2 million Swiss francs.

2.26 The delegate of Cameroon said that technical assistance was one of the Union's basic purposes, like technical cooperation among developing countries (TCDC). Such activities were in no way subsidiary, but should be among the ITU's priorities.

2.27 The delegate of France said that the budgetary information concerning fellowships and experts' missions made no mention of UNDP funds, which led to an underestimate of the resources available to the ITU. The amounts indicated were in fact too low, and it was essential to give a complete account of the resources supplied by UNDP and the ITU.

2.28 The Secretary of the Committee, referring to Resolution No. 27, entitled "Special Measures for the Least Developed Countries", said that that category had, at the time of the Nairobi Plenipotentiary Conference in 1982, comprised 31 countries, a figure which had now risen to 42, an increase of over 25%. The figures relating to the implementation of Resolution No. 18 for the allocation of fellowships and assistance to the least developed countries were given under budgetary items 7.150 and 7.190, showing for the period 1983-1988 amounts of approximately 2.2 million and 1.06 million Swiss francs respectively, with a figure of less than 100,000 Swiss francs for technical cooperation among developing countries (TCDC) in the same period under item 7.260.

A distinction should therefore be drawn between the resources allocated by UNDP and those provided by the ITU.

The report of the Group of Experts (Document 33) clearly took the view that the activities in question should in future be pursued and expanded. The Deputy Secretary-General had just said that it was for delegates to express their views on that point.

2.29 The delegate of Gambia said that the number of least developed countries had increased since the Nairobi Plenipotentiary Conference. It was clear that their requirements had likewise increased, which should automatically entail an increased budget.

2.30 The delegate of the United States said he found it difficult to comprehend the method of working used by Committee 6; he had understood that Committee 4 would submit guidelines on that subject. He emphasized however that his Delegation supported the exemplary role of technical cooperation which should be regarded as the third pillar of the Union's activities.

2.31 The Deputy Secretary-General said that the fellowships awarded by the ITU were charged to the ordinary budget of the Union and should not be confused with UNDP funded fellowships which usually came under specific projects. The figures in the document before the Committee related solely to credits allocated by the Union.

2.32 The Chairman said that those activities should be continued and that, following the discussions which had already been held, the budgets for fellowships and for the least developed countries should be increased from 320,000 to 1,000,000 Swiss francs and from 200,000 to 2,000,000 Swiss francs.

2.33 The Secretary of the Committee replied briefly to those delegates who had requested explanations on the holding of regional development conferences; one such conference should be held for each region in the interval between two Plenipotentiary Conferences, and the figures quoted in the proposal on page 15 referred to the cost of one conference.

2.34 The delegate of the Yemen Arab Republic also expressed agreement on the need for increasing the funds allocated to the least developed countries, in particular for the development of human resources.

2.35 The delegate of Nepal said that the report brought out clearly the usefulness of the programme of fellowships and assistance to the least developed countries. He requested therefore that the activities concerned should be incorporated in the ordinary budget of the Union.

2.36 The delegate of France said that he did not fully understand the figures quoted by the Deputy Secretary-General, namely, 1 million Swiss francs for the fellowship programme and 2 million Swiss francs for assistance to the least developed countries. In his opinion, it was the responsibility of Committee 6 to take a decision on priorities.

2.37 The delegate of Ethiopia, supported by the delegates of Senegal, Nigeria and India, referred to his previous statement to the effect that the Committee should confine itself to a discussion of the issues, after which it would be up to Committee 4 to allocate the necessary credits.

2.38 The delegate of Australia, supported by the delegate of the United Kingdom, said that a table should be prepared showing all current activities together with the corresponding budgetary allocations, and also the new activities as indicated in Document 33 with a set of budgetary estimates. On that basis it would be possible to take decisions.

The Committee took note of the proposal by the delegate of Australia.

2.39 The delegate of Yugoslavia felt that, although it was essential to list the priorities, they nevertheless varied according to country, administration and even region.

2.40 The delegate of China supported the position adopted by Senegal and said that the programme of fellowships granted to developing countries and special assistance to the least developed countries were two essential items. Greater resources should therefore be allocated to those two activities. The detailed allocations might be discussed by Committee 4.

2.41 The delegate of Morocco shared the view that the Committee should decide on the question of principle and then refer the budgetary questions to Committee 4. The terms of reference of Committee 6 did not refer to the question of priorities.

2.42 The delegate of the United States said that the Conference had made definite progress since the inaugural meeting in its attempts to spell out the technical assistance role of the Union. He wanted to ascertain however in what fields the ITU could be most useful. In that respect, the Australian proposal appeared sound, since it provided the means of establishing the framework and objectives for technical cooperation. The first step was for the Committee to identify its objectives and principles and choose its options, and then refer the budgetary matters to Committee 4.

2.43 The delegate of Chad expressed his agreement with the views expressed by the delegates of Senegal and China and supported the Chairman's conclusions.

2.44 The delegate of Algeria said that it would be difficult to reach a decision on the order of priority, since priorities varied from one region to another. They should therefore confine themselves to matters of principle. The detail would be added later and the competent bodies would decide the priorities in accordance with the budget established.

2.45 The delegate of the USSR said that it was essential to establish priorities. Since no precise amount was quoted in Proposal 4.4 of Document 33, the normal order of magnitude should be maintained. He approved the Australian proposal for the compilation of the table containing priorities and possibly also provisional estimates. He supported the idea of regional development conferences to be held between Plenipotentiary Conferences because they could establish their own priorities.

2.46 The Chairman understood that the USSR was in favour of the present budgetary allocations for fellowships, the least developed countries and technical cooperation among developing countries. He then introduced the question of staff with reference to sections 4.6 and 5.5 of Document 33.

2.47 The Deputy Secretary-General referred to the recommendations of the Group of Experts concerning the need to maintain a nucleus of technical cooperation management staff on a stable and continuous basis (section 4.6). According to those recommendations, a technical cooperation core staff should be given long-term contracts. That meant that posts of a permanent or quasi-permanent character should be recognized as such, irrespective of the budget. Contracts for posts should be granted for the longest possible duration.

2.48 The delegate of France said that the question of the permanence of posts should be decided on a case-by-case basis and not as a matter of principle. Excessive permanence involved a risk of sclerosis. A measure of staff rotation in all functions was essential, including those of technical cooperation. To decide that 70% of the posts should be made permanent might perhaps improve performance for a while, but would create difficulties for the future. The delegate of the United Kingdom shared that opinion.

2.49 The delegate of the Federal Republic of Germany agreed with the delegate of France that experts who came from administrations to work as project administrators in technical cooperation at ITU Headquarters should be familiar with the latest technical advances; so far as possible, therefore, they should not stay too long in the ITU. It would be useful to know the average period of duty of technical cooperation staff in the ITU. He understood that it was about five years and wondered whether that was the most appropriate length of service. The Federal Republic of Germany might consider accepting the proposal under section 4.6, but the present situation would have to be taken into account.

2.50 The Deputy Secretary-General explained, with regard to the question of the length in technical cooperation contracts, that officials under section 21 (special technical cooperation accounts) were granted two - or three - year fixed-term contracts renewable, depending on the requirements.

Moreover, the proposals under section 4.6 had no budgetary implications. The intention was to set up a nucleus of staff in order to enable the Union to perform its tasks as a special agency. The purpose was to make the posts permanent, since the duties were already so in fact. What was proposed was that the amount concerned, namely 3,850,000 Swiss francs, should be included in the ordinary budget of the Union.

2.51 The delegate of Senegal said that it appeared difficult to obtain satisfactory results from staff if they were given relatively short contracts and left in uncertainty about their future. Numerous administrations had experienced considerable delays in project implementation, in cases where the entire project had been called into question when Headquarters staff had left and new staff arrived. Furthermore, at the economic level, excessively frequent replacements entailed considerable travel costs which could be avoided. A further problem concerned the continuity of responsibility. It was advisable for the same team to take responsibility for the complete performance of the project, from conception to completion.

2.52 The delegate of Zambia said that he understood the need to provide technical cooperation with more stable management. The present situation was characterized by a lack of continuity in project implementation. That situation might be remedied by giving technical cooperation the status of an organ of the Union, on a par with the CCIs. That would enable the ITU to make better use of the skills at its disposal and to keep them available. That problem should be considered as part of the restructuring of the ITU and more particularly of technical cooperation.

2.53 The Chairman of the IFRB gave further explanations about various posts associated with the specialized agency functions which were charged to section 21 (special Technical Cooperation accounts) instead of to the regular budget, which gave rise to a "shortfall in income".

2.54 The delegate of Byelorussia wondered, in connection with the shortage of funds, whether the arrangements proposed in Document 33 would be adequate to solve all the problems. Other factors might come into play, for example, fluctuations in the exchange rate of the US dollar versus the Swiss franc.

The meeting rose at 1800 hours.

The Secretary:

A. EMBEDOKLIS

The Chairman:

H. VIGNON

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 204-E

20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD
OF THE
FIFTH MEETING OF COMMITTEE 7
(STRUCTURE OF THE UNION)

Saturday, 3 June 1989, at 0935 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. General discussion on proposals and associated principles relating to the basic structure of the Union (continued)

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1. General discussion on proposals and associated principles relating to the basic structure of the Union (continued)
 - 1.1 The Chairman said that statements made by delegates would be followed by statements of principle relating to the basic structure of the Union made by the Chairman of the IFRB, the Director of the CCIR, the Director of the CCITT and the Secretary-General. He would then conclude with a summary of the main aspects of the general debate.
 - 1.2 The delegate of Colombia said it was necessary to revise the Union's structure, modernize its working methods, facilitate procedures for adopting standards, and devise a mechanism for the Union to respond adequately to change as a result of the demands of the present technological environment. The "federal" structure of the Union had been adequate in the past, but strong arguments in its favour no longer existed. Without prejudice to its work, it was absolutely indispensable to move towards coordination of its organs. One of the main tasks of the Conference should be to establish a mechanism for changing the Union's structure and the possibility of doing so. It would be useful to set up a working group with representatives from all the regions to analyse the structure from the point of view of the current technological environment and to propose alternatives for change to be considered at an extraordinary plenipotentiary conference or an administrative conference specifically mandated to study the matter and take decisions. With that in mind, it would be appropriate to include any changes in the basic instrument. Any study would have to take into account the need for an organ especially dedicated to technical cooperation. His Delegation had proposed promoting the setting up of preferential credit lines, with the cooperation of international finance organizations, in favour of the development of projects for the social good, namely, bringing the telephone service to totally isolated areas.
 - 1.3 The delegate of Malawi spoke in favour of a consolidated structure of the Union, a merger of the CCIs, equal status for a permanent organ to deal with development and a part-time IFRB Board with a Director.
 - 1.4 The delegate of Peru said that due to current technological developments it was no longer possible for the CCIs to act in isolation of each other. Coordination of their activities was necessary to avoid duplication of work and increase in costs. The IFRB should become more dynamic to allay the decreased efficiency of its activities. Technical cooperation activities and the regional presence of ITU should be reinforced. Before taking a definitive position it was necessary to carry out a study which would also consider a possible merger of the CCIs or any other alternatives. The study should examine whether a merger could be effected in either "federal" or centralized systems. It was also important to examine the recomposition of the IFRB or other alternatives which, while maintaining the structure, would permit more efficiency. It would be interesting to make a financial analysis of the various options with a view to investment in technical cooperation activities. Technological development demanded greater efforts in technical cooperation and a strengthened regional presence would make such activities more efficient. It was not only important to have a stable and permanent budget for technical cooperation but also to institutionalize its activities in the Union. His Delegation was in favour of the creation of a permanent body for development having the same status as the other permanent organs.
 - 1.5 The delegate of Morocco said that although the basic structure of the Union had not changed in all the years that his country had been closely following Union activities, important progress had been made. However, the progress achieved by the Union had not always been commensurate with actual

needs and the wishes of Member states. Despite the changing technological environment, the emergence of new value-added services and the trend towards deregulation, an upheaval of the fundamental structure of the Union was not necessary. There should nonetheless be more stringent management, more effective working methods and procedures and internal reorganization of the various organs so as to adapt them to the objectives of the Union which the Conference was to define more precisely. In addition, cooperation within the Union had to be structured in a better way to be able to respond to the needs of the developing countries.

Referring to the proposal for merging the two CCIs and those for modifying the structure of the IFRB, he said that any decision to make basic changes to the structure of the Union should be based on an in-depth study for which more time would be needed than that available at a plenipotentiary conference. He was, however, open to discussion on gradual and reasonable reform. He said that he was in favour of a federal structure for the Union. The CCIs should remain separate organs but proposals concerning the CCI Secretariats, for example, could be discussed at a later stage. The situation of the IFRB was satisfactory. It was indispensable to strengthen technical cooperation to comply with Article 4 of the Convention. It was important that technical cooperation have stable resources, effective cooperation responding to the aspirations of the developing countries with respect to the development of their telecommunication networks and be acceptable to all the Members.

1.6 The delegate of Sri Lanka, although believing that some changes were necessary, was not in favour of drastic changes without a proper study and thought that a management audit might be useful. Rapid digitalization of telecommunications technology had brought about an overlap in the functions of the CCIs which was bound to increase and they might indeed have to be merged in the future. The areas of overlap had to be examined to ensure that there was no duplication of work or effort. Cautioning on the dangers of "federalism" which could lead to separatism he advocated the consideration of the feasibility of a structure with a single chief executive.

He was in favour of the establishment of a permanent organ for technical cooperation activities and felt that a decision on the matter could be taken at the present conference.

He proposed the appointment of a committee to study and report on a restructuring of the IFRB, a merger of the CCIs, a change of the management structure to one with an executive head to whom the various organs would be responsible, and a common secretariat.

1.7 The delegate of Syria said he shared in principle the opinion expressed by Greece in Documents 98(Rev.1) and 110. He wished to see an efficient and effective structure of the Union in step with the evolution of telecommunications. This in turn should help the Union achieve its aim in improving telecommunications and serving its Members and getting value for money which it was hoped would be reflected in the interest of the Members. He was in favour of a functional unified structure of the Union, and consolidation or some form of merging of the CCIs should be considered. There should be a permanent organ in the Union for technical cooperation with its own funds for meeting its objectives. Some changes could be considered at the present Conference, but those that were unable to be considered due to lack of material should be left to a future conference and a committee could be mandated to deal with such questions in the interim.

1.8 The delegate of the USSR believed a merger of the CCIs would be harmful. Although the two permanent organs would be working together, less attention would be paid to separate items. RPOAs and SIOs would only be contributing once to the work of the CCIs. The Secretary-General and the Directors of the CCIs should be invited to report just how much money would be lost to the Union if the CCIs were to merge. The "federal" structure and the technological progress of the Union would not be the same after such a merger. Participants might turn to other organizations.

1.9 The delegate of Paraguay said his Delegation was not in favour of introducing major changes to the structure of the Union. It considered that in general the present structure of the Union was effective. Before making radical changes to the structure, organization should be improved in the interests of efficiency. With respect to more in-depth changes to the current structure as were being proposed, he felt that more time was needed to study the matter than was available and that it had to be certain that such changes would achieve the efficiency expected. On a note of caution, he suggested analysing the proposals and said that thought should be given to a future extraordinary plenipotentiary conference in three to four years time to examine those important matters.

1.10 The delegate of Mexico said that his Administration had submitted no proposals for change because there would be no benefit in modifying the existing system without prior analysis. The current constitution and activity of the IFRB were satisfactory and the CCIs should not be merged, although parts of their secretariats might be combined after due consideration. Mexico thought that the Conference should try to enable the Union to reassert its role, but avoid making abrupt changes unless greater efficiency and no increase in costs were guaranteed. On the other hand, the Conference should seek to improve the Union's methods of work and the coordination between its various organs.

1.11 The delegate of Thailand said that there should be no change in the structure of the ITU unless there was an obvious need for it. But as a result of their experience to date, the developing countries would like to see the Union working to greater effect. Thailand therefore co-sponsored the proposals already introduced by the delegate of Indonesia. The future of the ITU was of great importance to the developing countries which wished, in particular, to see the establishment of a permanent organ to enhance the Union's technical cooperation activities.

1.12 The delegate of Pakistan said that the changes taking place in telecommunications called for an urgent review of the Union's structure. His Administration considered that unification of the CCIs' specialized secretariats would be a positive move, enabling the ITU to respond more quickly to its tasks of standardization and regulation. In Pakistan's view, the IFRB did not need a full-time Board and part-time members with a permanent Director would be more efficient. There was a need to strengthen the Union's technical cooperation activities and the Conference should formulate arrangements to establish a permanent organ with its own Director in that field.

1.13 The delegate of Guinea said that his Administration would support a rational reorganization of the Union's structure to make it more effective and harmonize the activities of its various organs. A merger of the CCIs could result in the saving of funds, leaving more available to reinforce the Union's technical cooperation activities in developing countries. It was also desirable to introduce the principle of rotation for filling places on the Administrative Council since that would enable more countries to take part in its work and ensure a more equitable distribution of seats.

1.14 The delegate of Switzerland said that the Union's existing structure was well fitted to meet the new telecommunications environment with its emphasis on deregulation and decentralization. But he would welcome moves to simplify and improve the Union's working methods and enhance coordination between its various organs. He believed that it was important to create good working conditions for ITU staff and that any savings from increasing the efficiency of the Union should be directed towards intensifying its technical cooperation activities.

1.15 The delegate of Madagascar said that the Union's existing structure should be retained for some time to avoid upheavals that might endanger its achievements. But the working methods of its permanent organs should be rationalized. For example, unification of the CCIs' specialized secretariats would be a positive move towards better coordination of the Union's research studies. The IFRB might consist of part-time members who would take collegiate decisions, with a permanent Director responsible for the international frequency registration process. There should also be a more equitable distribution of seats on the Administrative Council, where the principle of rotation should be introduced, and a greater emphasis on technical cooperation activities. The latter required both more resources and a more prominent place in the work of the CCIs, which was currently too remote from the needs of the developing countries.

1.16 The delegate of Nepal said that his Administration was against any radical changes to the existing structure before they had been adequately examined. It therefore advocated the establishment of a committee to consider any proposals for change. In particular, a merger of the two CCIs would be premature, although there might be advantages in combining their secretariats. Consideration should definitely be given to the establishment of a permanent organ for technical cooperation activities in developing countries.

1.17 The delegate of Lesotho said that his Administration had made no formal proposals to change the existing structure but believed that reforms were necessary to enable the ITU to respond to current and future requirements. In particular, technical cooperation activities should be strengthened by meeting their requirements for funds from the regular budget, so far as possible, and by establishing a permanent organ for development with its own Director elected at the current Conference. The post of Secretary-General should also be strengthened along the lines proposed by the delegate of Greece in Document 98(Rev.1), (GRC/98/7), making him in effect the Chief Executive of the Union to whom the Directors of the permanent organs would be responsible. The Coordination Committee would then have a regular rather than an ad hoc function, and the IFRB would also have a Director elected by the Plenipotentiary Conference. However, such changes should be evolutionary, with their timing and implementation subject to study by a panel or panels of experts reporting to the Administrative Council or an extraordinary Plenipotentiary Conference.

1.18 The delegate of Côte d'Ivoire reserved his right to speak again on the question of the equitable distribution of seats on the Administrative Council, for which his Administration's proposals were set out in Document 132. Côte d'Ivoire believed that the current collegiate structure of the IFRB was a sensible one but that it might be possible to rationalize the division of work between the IFRB and the General Secretariat. It might also be prudent to keep the CCIs separate for the time being, although amalgamation could eventually prove to be a sound idea.

1.19 The delegate of Nigeria said that his Administration advocated a gradual rather than a radical approach to changing the Union's structure, but action could be taken straight away to organize the proper study of such change. On the

other hand, there was an immediate need to establish a permanent organ to coordinate all ITU technical cooperation activities. This was not a radical proposal and no one had so far opposed the formation of such a body. He therefore suggested that preparations could be begun for the establishment of a permanent technical cooperation organ by the current Plenipotentiary Conference.

1.20 The delegate of Indonesia drew attention to the Secretary-General's remarks on the need for change in his address to the second Plenary Meeting. A number of delegations had taken a similar line and others had expressed their readiness to consider changes with an open mind. He believed that economies could be made by streamlining the work of the CCIs and the IFRB. The exact structure required to promote the Union's technical cooperation activities remained a matter for consideration.

1.21 The delegate of Congo said that the existing structure was the result of an evolutionary process which had not always taken account of the need to harmonize the work of all the permanent organs. But changing the structure in the current environment might be dangerous and should be subject to further study. That did not preclude the Conference seeking ways to improve the effectiveness of the working methods of all four permanent organs. In addition, technical cooperation should be accorded a more important place in the Union's activities. In particular, the financing of technical cooperation could be improved by devoting the same percentage of the Union's regular budget to development as was currently allocated to the work of the CCIs and the IFRB.

1.22 The delegate of Jamaica said that changes to make the ITU more efficient needed to be identified quickly. Unification of the CCI Secretariats might be considered as an immediate rationalization measure which could eliminate duplication and produce savings. The IFRB might also be made more cost-effective by having part-time members of the Board and a permanent Director responsible for the international frequency registration process. Any savings made by such rationalization could be channelled to technical cooperation activities in the developing countries, on which the ITU must place much greater emphasis. He hoped that the Secretary-General could provide more information about the possibility of making such savings to assist the Committee in its deliberations.

1.23 The delegate of Mali stressed the need for the ITU to have a permanent organ for technical cooperation and advocated that it be established by the current Conference. With regard to the Administrative Council, he considered that the principle of rotation should be adopted to allow more countries to participate in its work and that the under-representation of the African region on the Council should be corrected by a more equitable distribution of seats at the current Conference.

1.24 The delegate of Burkina Faso said that the current Plenipotentiary Conference provided a unique opportunity for a revision of the ITU's structure, which was essential if the Union was to retain its standard-setting and regulatory role in a world of rapid evolution. The CCIs, with their total of some 30 Study Groups, were ripe for restructuring, especially in the light of advances in technology, which were blurring former distinctions such as those between switching and transmission. With regard to the IFRB, the collegiate system of decision-taking was essential in order to reflect the various regions' needs; but perhaps the Board members could be part-time, under a Director elected by a Plenipotentiary Conference. In the Administrative Council, Regions D and E were under-represented. There should be some rotation in membership.

1.25 The delegate of the Yemen Arab Republic said that his Delegation was in favour of merging the CCIs. It supported retention of the IFRB's current structure, although a better representation of the developing countries should be considered. The system of independent specialists should be retained, provided that the Board maintained complete cooperation with the ITU Secretariat. His Delegation endorsed the findings of the Panel of Experts. There should be balance and rotating membership in all the Union's bodies, especially in regard to technical cooperation. For the latter, an independent body was needed, with which the Centre for Technical Cooperation should be merged. His Delegation reiterated that the participation of RPOAs as well of both scientific and industrial organizations should be encouraged in developing a world-wide telecommunications network.

1.26 The delegate of Saudi Arabia said that the problems relating to the ITU's structure were long-standing, different for each of the permanent organs, and must therefore be approached with care. With regard to the CCIs, a merger could lead to savings and greater efficiency, particularly on account of the developments in technology. Discussion of the IFRB must keep in mind the need to safeguard its independence. Any radical change would be untimely. With regard to technical cooperation for development, he reaffirmed his Administration's wish to see a new permanent organ created and given equal status with the existing bodies. His Delegation looked forward with interest to the further documentation promised and to the statements to be made by the Secretary-General and other elected officials.

1.27 The delegate of Zambia said that his Delegation endorsed the call for changes in the Union's basic structure, not as a reflection on past performance but rather in a desire to make the ITU more responsive to current and future challenges. In particular, the current Conference was an opportunity to remove budgetary constraints by streamlining activities and redefining responsibilities. Restructuring could be carried out without any sacrifice of principles and objectives. For example, CCI amalgamation, although it might seem revolutionary to some, would be the right response not only to technological evolution but to the need for economy. Considerable savings could be made in the current secretariat services, Members' attendance costs, and staff expenses for the meetings of two separate CCIs. A new CCI structure should be headed by an elected Director, responsible to the Secretary-General. There should also be a post of Director, accountable to the Secretary-General. The IFRB's independence must of course be safeguarded as much as possible. His Administration had no revolutionary intentions and could support proposals to the effect that any restructuring should be subject to prior review by a group of experts.

1.28 The delegate of Lebanon said that one of the major steps taken at the Nairobi Plenipotentiary Conference had been the expansion of the purposes of the Union, under Article 4, to cover the maintenance and the extension of international cooperation and the promotion of technical assistance to developing countries. There had to be a linkage, therefore, between Articles 4 and 5. Since the previous Plenipotentiary Conference, his Administration had participated in all international and relevant regional forums of the Union's bodies and had discerned a number of shortcomings. One was in technical cooperation activity, which needed a permanent organ in order to do away with the current diffuse and inadequate response to requirements in that field. There should also be a single budgetary heading for that subject, to which UNDP and voluntary funds could be channelled through the regular budget, instead of the current situation in which UNDP support costs had to be supplemented by ad hoc appropriations gleaned from economies elsewhere. To that end, perhaps Committee 4 could submit a suitable proposal to the Plenary Meeting. His Delegation agreed that the Administrative Council's membership should be increased in order to give developing countries better representation, and that a Coordination Committee was indispensable to the Secretariat. The huge workloads of the CCIs should perhaps be rationalized in order to economize resources and ensure the most effective means of dealing with standard-setting, in view of the risk that regional bodies might assume the role in that regard. It was certainly

essential to rationalize their secretariat structures, but to merge the two legislative bodies immediately might be hasty. The status quo should be preserved for the time being with regard to the IFRB, too. It might be as well to mandate a panel of experts to study the structure of all the permanent organs, so as to report and make recommendations to a subsequent Plenipotentiary Conference. Perhaps a resolution could be adopted to that effect. It was also advisable to have a single World Plan Committee, leaving it to the regions themselves to hold conferences on matters within their purview, such as arrangements for industry to cooperate with developing countries' administrations in national network development.

1.29 The delegate of the Islamic Republic of Iran requested that the texts of the statements to be made by the elected officials be made available as quickly as possible.

1.30 The delegate of the USSR, supported by the delegates of Greece, the United States, Algeria, Canada and the Philippines, proposed that further discussion, including the delivery of the above statements, be postponed until the Committee reconvened on Monday, 6 June.

1.31 The delegate of Peru, supported by the delegates of India and Cameroon, proposed that the Committee reconvene that afternoon.

1.32 The Secretary-General said he noted the serious concern voiced to the Secretariat by many speakers and delegations about the delay in progress in the Committee's work.

1.33 The delegate of Papua New Guinea, requested adjournment of the discussion until the following Monday morning.

The meeting was suspended at 1245 hours and resumed at 1405 hours.

1.34 The Chairman said that, as a result of consultations, it had been proposed not to resume the Committee's work that day but to reconvene on Monday, 5 June, for two meetings at 0930 hours and 2030 hours.

It was so decided.

The meeting rose at 1410 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 205-E
19 June 1989
Original: French

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 8

Replace section 4.40 by the following text:

"The delegate of France agreed that the debate held at WATTC-88 should not be re-opened. Although he could not support the Argentine proposal, he thought that certain principles concerning technical interference might be embodied in the second sentence of Article 27 (150)".

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 205-E

7 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Monday, 5 June 1989, at 1435 hrs

Acting Chairman: Mr. V. CASSAPOGLOU (Greece)

Subjects discussed:

Documents

- | | | |
|----|--|--|
| 1. | Tribute to the memory of the Head of State of the Islamic Republic of Iran and of the victims of the rail disaster in the USSR | - |
| 2. | Approval of the minutes of the first meeting of Committee 8 | 170 |
| 3. | Organization of the Committee's work | - |
| 4. | Presentation and discussion of national proposals related to the draft Constitution (continued): Articles 24, 25, 26 and 27 | Document A,
DT/8, DT/9
+ Add.1 (Rev.1) |

1. Tribute to the memory of the Head of State of the Islamic Republic of Iran and of the victims of the rail disaster in the USSR

1.1 The Committee observed a minute's silence in tribute to the memory of the Head of State of the Islamic Republic of Iran and of the victims of the rail disaster in the USSR.

1.2 The delegates of the Islamic Republic of Iran and of the USSR thanked the Committee for its expressions of condolence.

2. Approval of the minutes of the first meeting of Committee 8 (Document 170)

The minutes were approved as amended (see Document 170/Corr.1).

3. Organization of the Committee's work

3.1 The Acting Chairman said, in reply to a question by the delegate of Canada, that it was for a Plenary Meeting to rule, on a proposal by the Steering Committee, whether Committee 7 or Committee 8 was to deal with the programme of future conferences. With regard to the tentative schedule of meetings, he would request to the Steering Committee, at its next meeting, not to schedule meetings of the Plenary or Committees 7, 8 and 9 for the afternoon of 16 June or any time on 19 June, since participants from European Community Member countries might have to return to their respective capitals in connection with the forthcoming elections.

4. Presentation and discussion of national proposals related to the draft Constitution (continued) (Documents A, DT/8, DT/9 + Add.1(Rev.1))

Article 24

4.1 The Acting Chairman said that the sole proposal relating to Article 24 was one by the Administration of Brazil (Document 58) for no change.

4.2 The delegate of the Federal Republic of Germany supported the Brazilian proposal.

The text of Article 24 of the draft Constitution was approved without change.

Article 25

4.3 The Chairman said that there were two proposals to make no change to the text as it stood in the draft Constitution: one submitted by Brazil (DT/9 + Add.1(Rev.1)) and one by Paraguay (Document 95). There was also a proposal by the USSR (Document 16) for a slight amendment to Article 25 and to No. 148.

4.4 The delegate of the USSR, introducing his Delegation's proposal (Document 16), said that the purpose was to provide protection for telecommunications of exceptional urgency for hospital ships.

4.5 The delegate of the German Democratic Republic supported the USSR proposal.

4.6 The delegate of France said that the text of the Article as it stood was aimed at protecting human life in whatever type of craft; to specify hospital ships could lead to difficulty, since the term was not defined in the Radio Regulations.

4.7 The delegates of Sweden, the United States, the United Kingdom, Côte d'Ivoire, the Federal Republic of Germany, Mali, Japan and Spain agreed with the delegate of France.

4.8 The delegate of Switzerland said he supported the purpose of the USSR proposal. Perhaps the latter could be reworded to refer to medical transport communications, for which there are provisions in the Radio Regulations.

4.9 The delegate of the Netherlands said that, despite the reference pointed out by the delegate of Switzerland, he saw no need to redraft Article 25; he supported the proposals by Brazil and Paraguay not to make any change.

4.10 The delegate of the USSR said he would be willing to consider a revised draft along the lines proposed by the delegate of Switzerland. In response to a suggestion by the Chairman, he agreed not to press his proposal on the understanding that the Committee would reconsider the matter when discussing Annex 2.

On that understanding, Article 25 was approved without change.

Article 26

4.11 The Acting Chairman said that, in addition to the proposal by the Delegation of Brazil for no change (Documents 58 and DT/9 + Add.1(Rev.1)), there was a Turkish proposal to amend the title (Document 65), proposals by China for a modification and a supplement (Document 78), a proposal by Senegal for textual alignment pursuant to decisions taken at WATTC-88 (Document 94) and a proposed modification to the title and the text by Côte d'Ivoire (Document 132).

4.12 The delegate of Turkey introduced his Delegation's proposal (Document 65), whose purpose was to change the title from "Priority of Government Telegrams and Telephone Calls" to "Priority of Government Telecommunications", in order to conform to the change made in the title by WATTC-88 (Melbourne, 1988).

4.13 The delegate of Côte d'Ivoire suggested that the word "telecommunications" could be changed to "communications".

4.14 The delegate of Morocco said he saw no need to amend the title. In any case, to replace the words "Telegrams and Telephone Calls" by the word "Telecommunications" alone might imply that the Article's provisions included broadcasting too.

4.15 The delegate of Sweden agreed that there seemed no need to modify the title.

4.16 The delegate of China said that he too saw no need to modify the title since Article 26 referred to two different aspects, not to government communications alone.

4.17 The delegate of the United States said that his Delegation had originally shared the concern expressed by the delegate of Morocco, but after further perusal could accept the proposed amendment to the title, since government telegrams and telephone calls were defined in Annex 2. Moreover, following the WATTC-88 decisions, forms of communication other than telegrams and telephone calls had been defined. His Delegation, therefore, could support the modification proposed by Turkey, with consequential modifications to No. 149 and Annex 2.

4.18 The delegates of the USSR, Niger, Switzerland and Spain said that they could support the proposal made by Turkey, for the reasons voiced by the delegate of the United States.

4.19 The delegate of Kuwait said that the Resolution adopted by WATTC-88 meant that the text of Article 26 itself would have to be discussed before its title was considered.

4.20 The delegates of Norway and of France said they could support the proposal to modify the title; but the text of the Article itself would have to be considered first and amended accordingly,

4.21 The delegate of the United States proposed that, in order to overcome the difficulty mentioned by the Moroccan Delegation, the two sentences of No. 149 could be combined in a single text, reading:

"Subject to the provisions of Articles 25 and 31 [36] of this Constitution, Government Telecommunications to the extent practicable shall enjoy priority over other telecommunications upon specific request by the sender."

4.22 The delegate of Saudia Arabia agreed that the text of the Article itself was an important consideration. His Delegation could support the United States proposal or any similar form of wording provided that all modern forms of communication were embraced.

4.23 The delegate of Mali said that he supported the Turkish proposal; the United States proposal to amend the body of the text might give rise to a difficulty stemming from the fact that government communications had absolute priority.

4.24 The delegate of Morocco said that a modification of the title could lead to complications, since there were many services which the current Conference was not in a position to define. In that connection, the text of No. 148 referred to international telecommunication services. If the title was to be amended, perhaps it should refer to state telecommunication services.

4.25 The delegate of Côte d'Ivoire, speaking on a point of order, said that the Committee should first of all consider proposals relating to the title before starting to discuss the body of the text.

4.26 The Chairman suggested that the title should be placed within square brackets for the time being and that the Committee should proceed to consider the text of the Article itself.

That suggestion having received support, it was so agreed.

4.27 The delegate of China explained that his Administration's proposal to insert the phrase "to the extent practicable" in Article 26 (CHN/78/9, MOD 149) was motivated by the fact that priority for government telegrams could not always be guaranteed.

4.28 The delegate of Côte d'Ivoire, introducing his Administration's proposal CTI/132/17 (MOD [144] 149), said that the substitution of the word "communications" for "telegrams" in the first sentence of the draft article was intended to cover all relevant telecommunications as a whole and thus rendered the second sentence redundant. However, he shared the delegate of Morocco's doubt about the wisdom of substituting the word "telecommunications" instead, as suggested by the delegate of the United States, because it might be interpreted too broadly. Whatever word was used, it must be clear what it covered.

4.29 The delegate of the United States apologized to the previous two speakers for anticipating the introduction of their written proposals, explaining that his suggested text had been intended to facilitate the Committee's task in aligning Article 26 with the decisions taken by WATTC-88, as proposed by Senegal (SEN/94/7). The problem raised by the delegates of Morocco and Côte d'Ivoire about the suggested substitution of government "telecommunications" for government "telegrams" and "telephone calls" was covered by the fact that Annex 2, No. 2018 of the International Telecommunication Convention contained a precise definition of the meaning of "government telecommunications".

4.30 The delegate of the USSR pointed out that a similar definition was to be found in paragraph 2.3 of Article 2 of the International Telecommunication Regulations reproduced in Document 38.

4.31 The delegate of the Federal Republic of Germany said that he supported, in principle, the text as modified by the United States, but proposed the establishment of a Drafting Group to prepare an agreed text for the Committee's next meeting.

4.32 The delegate of Sweden, expressing concern that the Committee might inadvertently put words into the draft Constitution which were not in accord with parts of the Radio Regulations, endorsed the proposal to establish a Drafting Group to ensure that no such difficulty was created.

An open-ended Drafting Group was established consisting of the delegates of Brazil, China, Côte d'Ivoire, France, Japan, Morocco, Senegal, Sweden, Turkey, the USSR, the United Kingdom, the United States and Venezuela, under the chairmanship of the delegate of the Federal Republic of Germany (Mr. Strick).

4.33 The delegate of Mexico said that unless the Drafting Group reviewed the definition in Annex 2, No. 2018 as well as the title and contents of Article 26, the results of its work would have to be placed in square brackets until that was done.

4.34 The Acting Chairman said that there were specific national proposals on Annex 2 which would have to be introduced before its contents could be considered. He therefore suggested that any decision on the exact formulation of Article 26 be deferred until the substance of No. 2018 of Annex 2 had been approved.

It was so agreed.

Article 27 (150)

4.35 The delegate of Colombia, introducing his Administration's proposal to substitute the word "agreements" for "arrangements" in the title of Article 27 (CLM/151/7), explained that the change would be more in keeping with usage in international law and clearer in Spanish.

4.36 The delegate of the Federal Republic of Germany said that, since WATTC-88 had adopted the expression "special arrangements" in a similar context, the proposed change might create difficulties and should be rejected. The delegates of the United Kingdom and the Netherlands also opposed the change on the grounds that the word "arrangements" was used to cover a much wider field than agreements between States in international law. The delegates of Mexico and Mali agreed that the connotations of the word "agreements" were too formal for the change to be accepted.

4.37 The delegate of Colombia withdrew his Administration's proposal.

4.38 The delegate of Argentina introduced his Administration's proposal to add a paragraph (150A) to Article 27 (ARG/115/15).

4.39 The delegate of the Netherlands, supported by the delegate of the Federal Republic of Germany, opposed the proposal on the grounds that it would re-open the debate at WATTC-88 on special arrangements.

4.40 The delegate of France agreed that the WATTC-88 debate should not be re-opened. He could not support the Argentine proposal but thought that the principle embodied in it might be incorporated into the second sentence of Article 27 (150).

4.41 The Acting Chairman said that in the absence of any proposal to modify Article 27 (150) other than that made by Colombia (CLM/151/8), which had in effect been withdrawn, his understanding was that the text had already been approved without change, as proposed by Brazil and Paraguay. The question was whether to add a further paragraph (150A) to the Article.

4.42 The delegate of Argentina, disagreeing with that view, said that Article 27 should be approved as a whole, after consideration of his Administration's proposal.

4.43 The delegates of Indonesia and Niger supported the Argentine position.

4.44 The delegates of New Zealand and Mali endorsed the view that Article 27 (150) should be approved without change.

4.45 The delegate of the United Kingdom said that the Argentine proposal raised a number of problems which the French suggestion did not go far enough to overcome. He agreed with those delegations that would prefer to keep the existing draft unchanged.

4.46 The delegate of Argentina suggested that consideration of the Article be suspended until the next meeting of the Committee, in anticipation that he would then be able to make a specific proposal following consultation with other delegates.

4.47 The Acting Chairman said that, if there was no objection, Article 27 (150) would be placed in square brackets until the Committee's next meeting.

It was so decided.

The meeting rose at 1745 hours.

The Secretary:

D. SCHUSTER

The Acting Chairman:

V. CASSAPOGLOU

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 206(Rev.1)-E

25 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD
OF THE
SIXTH MEETING OF COMMITTEE 7
(STRUCTURE OF THE UNION)

Monday, 5 June 1989, at 0945 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

1. Expressions of condolence on the death of the Founder of the Revolution of the Islamic Republic of Iran and on the deaths resulting from a railway accident in the USSR
2. General discussion on proposals and associated principles relating to the basic structure of the Union (continued)

Statement by the Secretary-General

Statement by the Chairman of the IFRB

Statement by the Director of the CCIR

Statement by the Director of the CCITT

1. Expressions of condolence on the death of the Founder of the Revolution of the Islamic Republic of Iran and on the deaths resulting from a railway accident in the USSR

1.1 At the request of the Chairman, the Committee observed a minute's silence to mark the death of the Founder of the Revolution of the Islamic Republic of Iran and deaths resulting from a railway accident in the Soviet Union.

1.2 The delegate of the Islamic Republic of Iran thanked the delegates and the staff of the Union for their expression of sympathy to the people of his country.

1.3 The delegate of the USSR expressed the sincere gratitude of his Delegation to all delegates and staff of the Union for their expression of condolence.

2. General discussion on proposals and associated principles relating to the basic structure of the Union (continued)

2.1 The Chairman said that he felt bound to comment on the proceedings of the Committee, emphasizing his earnest wish to facilitate as far as possible the work of the Committee, since the difficult situation in which it found itself was of concern to all Members of the Union.

On the previous Saturday - and at the point where he had proposed termination of the debate - the Committee had been on the point of reaching a conclusion and three options had been presented, namely to continue the morning session for a short period, to return and conclude the discussions on Saturday afternoon, and to hold a night meeting to conclude the discussions and speed up the procedure in order to move on to the specific issues which the Committee had to deal with.

In a spirit of goodwill he had taken up the second option in order to meet with a large group of delegations dissatisfied with the situation.

He presented his excuses for any inconvenience that had been caused - and for which he assumed responsibility - and asked the Committee to accept his apologies. With that, he hoped the Committee could now proceed to deal with the important tasks entrusted to it.

The agenda was accepted.

2.2 Having been invited to deliver a statement, the Chairman of the IFRB said that the members of the IFRB had paid great attention to the statements made by the Heads of Delegations at the Plenary Meetings and took their comments into account. The Board had asked him to speak in its name on the future of the IFRB and its relations with the CCIR, but he thought that the discussions on that aspect of the work of the permanent organs of the ITU should be opened by the Secretary-General.

2.3 Statement by the Secretary-General

The Secretary-General made the following statement:

"I have been actively associated with the international telecommunication matters for over 30 years; initially as a national representative in many fora of the Union and associated with the preparatory activities of Plenipotentiary and administrative conferences of the Union Consultative Committees, Plan Committees, Administrative Council, Working Groups, etc. I had also been associated with many bilateral and multilateral undertakings leading to the considerations in other fora and in the United Nations, for example for the creation of organizations like INTELSAT, and various submarine cable partnerships and other intercontinental matters.

Since 1968, first as Deputy Secretary-General, and later as Secretary-General from 1983, I have been intimately involved with the life of the Union. Visiting Member countries and meeting with their officials, I learned of their concern and preoccupations with the Union. Being privileged with their confidence I have done and continue to do my level best to create mutual understanding and to promote global telecommunications development for the benefit of all Members.

As you all know, for various and in particular personal reasons, I have decided not to seek a second term and will leave the service of the Union, on whatever date you determine for later this year. I wish to emphasize this year, in order to put an end to certain speculations which have come to my notice.

My principal concern is the future of our Union and in particular its primacy and effectiveness in meeting the challenges of the changing telecommunication environment, in the Information Age in which we live today.

With this background and experience, I believe that I am duty bound to share with you my perceptions, and urge you to take them into account in your capacity as decision-makers.

As we move towards the realization of the global village and the impact of adequate sharing of information technology in society as a whole, the interest of the entire membership of the Union has to be addressed. Otherwise, the history of other ages will prevail but with much more serious consequences than perhaps in early eras of the industrial and electric power and related development.

I will not repeat the address which I gave at the inauguration of the Conference and at the second Plenary Meeting. They are recorded in Conference Document 119 (in which I think you also should revisit the address of Minister Paul Quilès), and Document 121.

From many points of view we have to think about telecommunications on a global basis. This raises not only questions of primacy and timely response, but also the Union's continued effectiveness as the United Nations designated specialized agency for Telecommunications. In particular, I invite attention to a designation, which on the one hand, enables the Union to go about its work at the global level without too much interaction from the political body of the UN and yet at the same time has brought certain basic responsibilities to the Union, if we think of the post 1945 era.

In particular, I would like now to invite attention to some points:

- the strategic nature of the sector in all economic and social activities of peoples and nations;
- the ever-increasing multiplicity of interest groups that are now involved and the challenges they pose to the Union to accommodate their needs or demands and consequences of their considerations. Many of these interest groups turn to the Secretary-General for advice. Many of these groups already realize that the Union does not have the capacity to respond to their wishes and in the absence of response you will find that they will go their own way having been turned away from the designated agency.

There are other points to be taken also into consideration:

- the role of the Union vis-à-vis global bodies such as ISO, GATT, restricted groups like OECD, etc;

- the regional bodies such as the emerging standardization bodies which have a wider conception of their mission with regards to the media transmission in this period of digitalization, convergence of services and technologies irrespective of the media, ISDN and so on. In a recent symposium in Asia Telecom, some great industrial leaders referred to the problem of implementation of standardization, the duplication, and so on.

Let me now call your attention to the distinction that needs to be made between:

- on the one hand, the legislative or decision-making processes - such as conferences, Plenary Assemblies of Consultative Committees, Study Groups, which are activities that are directly handled by the Members themselves, because there seems to have been a great deal of mis-information established. It is a distraction! and
- on the other hand, the work of the Secretariats which are executed by civil servants, and let me say international civil servants, to support and/or implement the decision of the Members.

Now, in this meeting, I have noticed the very sudden resurgence of the word or term "Federalism" or "Federalism Structure".

What does it mean in the ITU context? In all these years, the ITU and its Convention never utilized it, nor did it give it any definition. Are we now to introduce new concepts in the already unwieldy structure of the secretariats of the various organs, when the telecommunication technology is obliterating distinctions in media or services? Are we to go back and put aside certain trends and evolutions in the four preceding Plenipotentiary Conferences: 1959, 1965, 1973 and 1982. I have been associated with them in one or other capacity and the last three as delegate, Deputy Secretary-General and Secretary-General elect. I think we need to look at this question a little more.

As I said, I was rather surprised to notice the sudden emergence of the reference to the Union as a "Federal Structure". Had it been described as a "fragmented structure", I would agree. But even that fragmentation has been progressively changing.

What is "Federalism"? In its essence, it is seen as a means of 'balancing' power among different major functions of a state, for example, between the legislative, executive and judicial or between central and local authorities. How is this relevant to or, applicable, in the case of what is entirely a Secretariat set up, such as of the Union's Headquarters. The policy and programmes of the Union are agreed upon solely by the Members among themselves; the expenditure ceilings for the entire period between Plenipotentiary Conferences are set by them with certain authority entrusted to the Administrative Council.

For the entire period between Plenipotentiary Conferences we have the evolution of the annual budget credits, within those ceilings. They are applied through the Administrative Council which also establishes or is responsible for even individual posts in the Secretariat itself and has set out some legislative framework in the way of financial regulations, for the use of credits, etc.

Given this, where does real power lie? Am I to believe, that this rests with the Secretary-General? No doubt he is supposed to be the Chief Executive of the Union and he is the legal representative of the Union. In fact he is the only permanent, shall we say, person in a situation to represent the Members in an overall point of view. If I may say so, speaking for the Union, in the absence of sessions of the Plenipotentiary Conference itself and the Administrative Council.

Then I would ask again what are the real powers of the Secretary-General? And is there a case for 'balancing' it, least he should exercise those powers, in an unbridled way? - I urge you, nay appeal to you, to give some deep thought to this matter and be not carried away by pet expressions and slogans which have no meaning and relevance.

The Administrative Council establishes its regulations which guide the conduct of the Secretary-General to use the credits and make financial applications. The same applies to personnel matters. In truth there is just a Secretariat, with a number of elected and appointed officials. The purpose of the Secretariat, in brief is to give effect to the instructions laid down by the membership, and report back on the extent to which this has been done, and eventually on the problems encountered in this regard, and then to seek further guidance and additional resources, where necessary.

The principal mandates of the Union vis-à-vis standardization, regulation and universal development of world-wide telecommunication in a harmonious way and the associated task of information exchange and dissemination together constitute an inseparable whole in the context of today.

The functional separations seen in the Union are indeed a legacy of a past which saw the stage-by-stage coming together of entities which started separately, with distinctive constituencies which strove for well-known reasons, for some Members (and perhaps not so well known to other Members) to preserve the so-called limitation or independence, but who nevertheless had to give way to the relentless march of technology and services and the widening, yet unifying horizon of telecommunication.

Don't you think the time has come to overcome the inhibition and habits of a historical past; a past which has continually marched with change, particularly since 1947 and 1959. I mention 1959 because in 1959 we had the admission of the universality of the membership at that time to all activities of the Union; universality in that all Members became part of, in theory, all activities of the Union. I do not want to go into historical past of some Members being "associate", but not as full partners, in all activities and the reasons for that. We have to deal with things as they are today. We have to act so that the Union can now function as a cohesive single entity and not just be seen as one, but in fact also acts as one.

This does need the Secretariat of the Union to function as a single integrated whole, with the Secretary-General heading it effectively, and in every way, and to be fully accountable to its functioning. Only then can resource optimization and speedy responses to the needs of the membership and the challenges of the changing environment can be hoped to be achieved.

I am aware of the emphasis which has been put on specific collegial considerations associated with the IFRB which are viewed towards the concept of an independent Board. You have a document on the long-term future of the Board before you and the Conference will decide, in the appropriate way, to consider and resolve that question in the light of the various proposals. But all this can be done while also adopting measures for unifying a large part of the present specialized secretariats with other parts of the Headquarters Secretariats. I am aware that in other areas one can assure provision in the Convention for the appropriate collegiality and all people acting towards the total objectives of the Union.

What the ITU needs today at the level of secretariat activity is a unified and fully accountable leadership while at the same time eliminating the bureaucracy and providing effective information and advice on policy options to enhance the decision-making process of the Members, as well as to ensure timely implementation.

The ITU as a UN specialized agency has to meet the obligation to respond to the needs and wishes of the totality of the membership as a result of the privileged status it willingly contracted with the family of Member Governments at the highest political level and the UN itself.

Failure to honour its obligation casts doubt on its survival as an effective organization and thus I believe threatens its future.

I am an ardent believer that the Union has the capacity and the collective political will to meet its responsibilities. What you, as Plenipotentiaries are required to do are in my view to provide it with:

- adequate budgetary resources to ensure the ever-increasing workloads for traditional activities, such as coordination of reciprocal exchange of information and data exchanges through the organs, the work of the Consultative Committees, and in my first comment I was referring to all the organs: IFRB, General Secretariat, the work of the CCIs and newer activities such as the constitution of advice and information for network development;
- there is a responsibility to provide the management flexibility to organize its work, and here the secretariat has an important role. Again in using the word "secretariat" I am talking of the Headquarters (because the Headquarters is only a collection of secretariat responsibilities) to help to introduce new working methods, to facilitate decision-making, as indicated by the Melbourne spirit at the IXth Plenary Assembly of the CCITT and WATTC-88 advice to this Conference.

There is responsibility to serve the Union in regards to our two standards-making bodies. The technical standards function rests largely with the CCITT and the CCIR. What is required is to enable them to introduce new working methods which will reduce the existing costs and avoid the existing fragmented and unsynchronized work programmes that are generated by the traditional approaches. They include the loosely called "question and answer method". Be assured that I have noted the more recently established bodies who set out objectives and are turning in very fast results. In this connection, no one questions that the CCIR also has specialized functions and the associated adjuncts of technical activity and analysis of research and development, radio science or spectrum management or spectrum applications. Indeed there are also some specialized elements of broadcasting that do not appear under the generic terms of standards. However, we are concerned in this debate with the aspect of secretariat services, in an era when things where service convergence development were never so important from the viewpoint of interaction and interconnection. We are concerned with assuring timely synchronized programmes and results. I think there are many examples. Even in the last week it became apparent in a special meeting in one area. Incidentally is the direction of a combined secretariat which consists of 75 officials at the moment too difficult a task for one competent person to handle?

Let us not forget also it is not merely timeliness and effectiveness of their work, but huge expenditure being met by others which is involved. A number of those leaders are expressing concern - i.e., various industry leaders have drawn my attention on their intellectual and corporate efforts, their preparations and participation - in expanded meeting programmes of ITU bodies, regional bodies and the like. They point to the duplication. They have gone public on the issue.

I come now to a third element and that is the contribution to development which, apart from the International Telecommunication Convention has had an increasing significant responsibility as a specialized agency, and an ever pressing demand since the late 1950s. You are well aware of discussions in the previous Plenipotentiary Conferences, but are we dealing with the consequences of many major changes since 1982? Today, the contribution has to be perceived within the context of assuring effective participation or operation in the global network. The Report presented by the Administrative Council provides adequate background on the growing importance of such activity, and the economic and social significance towards the Information Age.

Here I think, there is another piece of misinformation that has to be corrected. I am sorry to use the word misinformation because there is speculation which was even in the press. As some of you know, I sought also to do it in the Administrative Council, because I have always been aware of the sensitivity of the development question. No one is speaking of investment or large scale projects, but rather establishing machinery including cooperation with others and appropriate resources within the Union itself to enable the timely provision of independent and impartial advice to the greatest degree practical and information to enable countries to set out their strategies to plan, develop and operate services efficiently in their segments which are part of the global network. Advice on what the Union formulates at the global regulatory or standards context has to be tailored to the requirements of individual countries and obviously the countries themselves will do the tailoring but they need information.

These are not issues that can stop simply at the seminars where we pass on information and seminar activity, which you would see since the last Plenipotentiary Conference has had a major upswing, because not only has it been the small focal point inputs from the Union but also provide an interesting record of contribution. This has shown the value of the Union as a focal point catalyst. It is a question of tailoring further down to the actual country situation. Of course, the ITU has no monopoly and never has sought it. I just wish to add there are no common formulas that are applicable to all of this tailoring. Countries are different. Their levels of development are different.

The planning and effective operation and efficient telecommunication necessitate timely international coordination and registration of the radio frequency spectrum and orbital position, which is the function of the IFRB together with other elements of the general secretariat, which handles a significant amount of reciprocal information and data flow, including for operational radiocommunications through the General Secretariat. I have already touched on this question a little earlier when I referred to the issue of the IFRB.

Information exchanges have also brought a growing convergence in information systems development with the computer and such convergence must continue if we are to optimize information technology within the ITU in the most efficient and effective way. I took special action to establish various user groups for particular issues but in the end someone has to develop the system in a coherent and objective fashion. We must have internal compatibility for information exchange.

These are the challenges that you have to face in your decision-making to enable the Union to match its responsibilities with adequate actions.

Let me now draw some general points to your attention:

Consolidation of secretariat activities, and again I want to emphasize secretariat activities, as distinct from the legislative bodies, will provide in the first place:

- a) for improved management and more effective use of resource, in regard to the Headquarters activities and the degrees of consolidation will be reflected in the degrees of more effective and economic use of resources that you wish;
- b) for greater harmony among the officials working towards a common objective of the Union rather than for, or the defence of a particular function. I believe this is a very serious matter that warrants attention;
- c) for more flexible staff deployment in certain related areas and there are many examples;
- d) for more unified representation or liaison with outside bodies (the ISO, the IEC, and the UN and the specialized agencies). How often have Members questioned me when they see three or more officials at the same external meeting. Obviously, it is quite legitimate, if there is continued division within the house. We have tried over the past few years to seek to reduce that but the nature of the structure does not give the opportunity for full optimization. How often do you see elements proceeding in the way which is not in respect of external representation or the joint groups within the particular organs not really demonstrating the full optimization of personnel, etc?

Consolidation of Secretariats will also enable the tackling of more effective review, and I am sure of the Study Group activity, to proceed more smoothly. This, of course is an area in respect of the Plenary Assemblies of the two Consultative Committees. Let me remind you that the decisions of the Plenipotentiary Conference in 1973, provided for in reality joint responsibilities of the Director of the organ concerned and the Secretary-General towards those Assemblies. As I listen to the debate, it appears that some seem to forget the changes which have been made in 1965 and 1973. This is an area of high economies with significant impact of course on the General Secretariat. I do not want to get into statistics; some of you have seen them. The cost incurred last year was huge. With another way of working it could have been avoided. Major economies are achievable if the full spirit of the IXth Plenary Assembly were now spread across the board. As a consequence there could also be economies. In regard to the Specialized Counselling services, all of the responsibilities of Specialized Counselling services, could I believe be accommodated with appropriate provision in the Convention.

I can elaborate more when you proceed to the particular structures review, but let me draw attention to another theme that has emerged in the Conference and that is priority. In the debates, reference has been made to priority of the proposals requiring additional expenditures. Is it not equally important to consider the priorities in relation to the expenditure of on-going activities? Why are we looking at one side? i.e., where certain proposals will mean increased costs? I think those governments with whom I have been trying to dialogue in the last two years around this question to find a solution would readily admit that the Secretary-General has been very conservative in endeavouring to estimate the costs on the potential outcome of the proposals here. You have the documentation that went through the Administrative Council

as a basis, but that should not in any way inhibit the full consideration of proposals put forward by all Member States some of which in principle involve higher cost and others involve major economies.

Obviously all of the changes cannot be implemented at once; but it seems to me that the Plenipotentiary Conference here needs to establish principal courses of action and phased implementation. I appeal to you to reflect seriously and take the necessary decision for the long-term primacy and effectiveness of the Union to enable it to meet the existing requirements.

The critical choice is yours as to whether or not the Union is equipped to meet its responsibility into the 21st century, given the importance of our sector, its obligations as a Union and here I want to make one point. In raising this debate in the various policy symposia, at no time did the Secretary-General come down in favour of one solution or another. He drew attention to the papers which some Members have in their archives. Again he drew attention to the issues. Let me touch the standardization question. It was natural for me that regional standardization groups would emerge and the necessary work that they do is important, inputs and outputs, but the Union has a challenge to respond to them. Let us not forget that those groups exist. I had representations from Members in one or other region concerned and particularly one of the developing regions concerned, seeking advice of what our ITU is going to do. It so happens too, that global industry leaders have also expressed their concern. It is my understanding that some of them have indeed taken it up with various Member governments.

Let me remind you that you have found restructuring a fundamental necessity in almost all of your Administrations and operating and scientific organizations. How can the ITU be denied this opportunity of rejuvenation? If there is no rejuvenation and status quo is applied, I believe the Conference will fail in its responsibility towards an effective Union leading us into the 21st Century."

2.4 Statement by the Chairman of the IFRB

The Chairman of the IFRB made the following statement:

"Commenting first on the important matters raised by the Secretary-General, I have been impressed both at the Plenary Meetings and at the meetings of Committee 7 by the seriousness of the situation as described by the Secretary-General and relating to the changing environment. I had previously thought that the ITU needed drastic changes in its structure and in its functions to enable it to cope with the changing environment but I now hear that all the problems could be resolved simply by merging two Secretariats, a matter which he will have to discuss with the Secretary-General outside the meeting. One thing, however, needs correction. There are within the ITU legislative bodies such as conferences and standardizing bodies such as the CCIs which are composed of Members of the Union; there is also a Secretariat and between the two, five members of the Board who are neither representatives of Members nor part of the Secretariat but custodians of an international public trust, the description given by the Secretary-General probably being over-simplified. I have also heard that the present Conference is to look at the problems of the Secretariat services. As I understood it, Committee 7 has the task of studying the overall problem of the structure of the Union, not only the Secretariat services but the organs themselves. My concern, therefore, is with the IFRB not only in relation to its specialized Secretariat but also with regard to its functions and its role in the international frequency management system.

Many of the comments made in Committee 7 and many of the written proposals communicated to the Conference have been encouraging to the IFRB, confirming the Board's belief that it should continue in the direction it has been pursuing up to the present time. However, some of the comments have been most discouraging, and in that respect I pay tribute to the members of the specialized Secretariat of the IFRB who have never stinted in their efforts and have regularly sacrificed their free time to enable the Board to fulfill its duties and conferences to reach successful conclusions. I also pay tribute to the staff of the CCIR who work closely with the Board during conferences and to the staff of the General Secretariat who cooperate with the Board continuously. There are hundreds of people in the Union who work and cooperate efficiently and silently and to whom being part of one organ or another is secondary.

A number of comments have also referred to the efficiency of the Board, and in that connection may I recall that the Secretariat of the IFRB during the past year, has been under the continuous supervision of the Administrative Council, either through reports presented by the Board or by a voluntary Group of Experts from administrations created by the Administrative Council. Furthermore, nowhere in the Council's report to the Conference is there any mention of the IFRB being inefficient in its work. The Board is constantly open to comments and suggestions and it takes account of such comments and suggestions whenever it considers that the situation can be improved. As a result, it has recently taken the initiative and reorganized its Secretariat, and consequently was able to propose to the Council, which had agreed, that twelve posts should be abolished.

Another aspect of the discussion concerns so-called routine tasks. That expression has been used in the deliberations of the Group of Experts on the long-term future of the IFRB and frequently occurs in Committee 7. As the Group of Experts has already stated, it is very difficult to define what is a routine task and what is not but despite that, and having regard to the discussions in the Group of Experts, the Board carried out a study with a view to identifying these tasks which do not require collegiate decisions and can therefore be delegated to the Departmental Heads in the specialized Secretariat. The specialized Secretariat is now working on that basis, performing many of the so-called routine tasks without involving the members of the Board. In addition, thanks to software development made possible with the agreement and supervision of the Council, more than 90% of the Board's Findings are now produced by the computer with limited manual intervention for formal adopting except in cases identified by the members of the Board concerned or the Secretariat as requiring special consideration by the Board itself.

As far as the non-routine tasks are concerned, it is not possible to give an exhaustive list but I can mention the following:

- the interpretation of the provisions of the Radio Regulations; on average, each meeting of the five members of the Board includes two or three interpretations of the provisions of the Radio Regulations or Regional Agreements; some of these interpretations might require a half-hour discussion and others several meetings and the preparation of a number of documents by members of the Secretariat;
- the Rules of Procedure and the Technical Standards which are the basis for the application of the Radio Regulations; they are based on CCIR Recommendations and when no information is available in the CCIR, the Board has to develop its own standards; on yearly average there are ten to twenty documents on Technical Standards and Rules of Procedure which have to be considered by the Board for adoption as a result of which twelve questions are addressed to the CCIR;

- cases of assistance to administrations, which is a very important aspect of the Board's work to which I will refer later on;
- cases of harmful interference which may either be simple, in which case an exchange of correspondence with and between the administrations concerned suffices, or highly complex, involving several countries and sometimes requiring recommendations by the Board for joint meetings to solve the problems;
- cases of contravention or non-observance of the Radio Regulations which require studies of a juridical and technical nature, involving considerable research by each member of the Board before its views can be incorporated in a report to decide whether or not an administration is in contravention of the Radio Regulations;
- preparation for radio conferences, which does not require detailed explanation since the majority of delegates present attended conferences and were well aware of the complexities;
- seminars, which are the means whereby the Board can communicate with administrations without too many formalities, and in that respect the Board has submitted a document to the present Conference with a view to improving the seminars;
- computerization problems which require decisions at a higher level;
- problems of the organization of the Secretariat which also require collegiate decisions.

To deal with these non-routine cases, the Board holds, on average, one formal three-hour meeting per week as well as several informal meetings also averaging three hours, totalling perhaps six hours a week or an average of 300 hours per year. These figures indicate the frequency of the meetings needed by any organ which might replace the permanent Board. If, for example, a part-time Board is established without modifying the present Radio Regulations, and if it is to deal with all the non-routine cases which I have described, it will require at least five meetings per year each lasting two weeks. If, on the other hand, the same Board holds only two meetings per year, some of the non-routine cases would have to be left to the Director, and in effect the permanent Board would be replaced by a Director supervised by a meeting of administrations. If the present Conference were to decide on a part-time Board which would need a modification of the Radio Regulations to take account of a Board composed of countries, then a detailed study will be required on the functions of such a Board, and the functions and responsibilities of the Director.

In considering the IFRB, the basic question to be asked is, in fact, why there is any need for an IFRB. One could go further along those lines and ask why there is any need for radio regulations. International radio regulations are necessary because radio is a resource common to the whole of mankind. Hundreds of millions of transmissions are made every day. The question thus is how to reconcile those hundreds of millions of transmissions with the sovereignty of individual States so as to avoid chaos. There have to be regulations, there has to be a law. In any civil society, the law is the only recourse for those who are not as strong as the rest. The Radio Regulations, being an international law, are the only recourse for those small users or small countries who have not or would not have the means to establish vast diplomatic machinery in order to reach all the bilateral agreements necessary for the proper operation of their services.

Since regulations are necessary, how is the frequency spectrum to be regulated and disputes settled? There are two possibilities. The first is through the adoption of plans distributing the frequency spectra among all countries, each having its share. That approach certainly has one great advantage, namely, the complete equality of all countries, whether big or small. It has, however, a drawback: it does not recognize the reality of everyday life and under the pressure of some countries needs could lead to a failure to abide by the plans, which in practice means relapsing into chaos. A second approach to regulating the spectrum would be to protect the first-comers, those who are already there. It has the advantage of being easy to apply, but the disadvantage that it is weighted against latecomers, i.e., the developing countries.

The ITU has adopted a combination of the two approaches. Where practically all countries use a frequency band and all requirements are known and real, plans are drawn up; an example is the Plan for the maritime mobile service. Where there are compelling reasons other than technical ones, plans are also drawn up; an example is the broadcasting satellite Plan, which was been drawn up at a time when such satellites were not yet in use. In all other cases, where it has not been possible to draw up plans, the ITU has developed a system which is supposed to protect State sovereignty. I wish to stress the idea of protecting State sovereignty in the use of the spectrum; the same system should make sure that every country has the chance to operate its system without suffering harmful interference. To meet that requirement, the Atlantic City Conference in 1947 set up the IFRB as a permanent organ, with the functions summarized in paragraph 11 of Document 184. That system of "first come first served" is criticized by many countries because, while it has advantages, it also has disadvantages. But it has been improved over the years. Thus the 1979 Conference, noting the difficulty developing countries had in getting access to HF bands for their fixed services, whether for national communications or for international ones, adopted a special procedure giving priority to developing countries, so that the "first come first served" rule was broken for the developing countries. Any of those countries can ask the IFRB to choose it a frequency immediately; the same procedure stresses the fact that if the IFRB encounters difficulty in choosing such a frequency because of congestion of the spectrum by the developed countries, they will be obliged to take action to modify their transmissions in such a way as to allow the IFRB to choose a frequency. Another measure taken to reduce the impact of the "first come first served" system is the procedure adopted at the most recent Space Conference, which consists, in addition to planning the fixed-satellite service, in adopting a procedure enabling any newcomer country, when the part of the orbit that concerns it is overcrowded, to request a meeting, at which all concerned will be obliged to modify their systems so as to let the newcomer find a place in the geostationary-satellite orbit.

If I have touched on those points, it is to indicate how much decisions by the Board and administrative conferences involve questions of national sovereignty. Let me now turn to the question raised by the Panel of Experts itself, as formulated in paragraph 11 d) of Document 184, which says that one of the Board's functions is to record each frequency assignment and define its status. I should like to explore the idea of registering a frequency with a status. Any study on the IFRB's future will in my view have to start from the following basic question: does the ITU want the frequency assignments used by administrations to be registered with or without a status? If they are to be registered without any status, that will mean going back to the situation before 1947, and in that event it would obviously be possible to make enormous savings, simply appointing a few clerks to record the frequency assignments notified to the ITU General Secretariat by administrations. But if you consider that frequency registrations should in each case involve specifying the assignment's status, machinery will have to be set up to determine that status. That is necessary because if, for example, one takes two administrations A and B, they might both have the same status and operate on an equal footing, or they might have different status, in which case administration A would have priority over administration B. Once again, a problem of national sovereignty is involved when it comes to determining such priority.

What structure should the IFRB have? The expert's report deals with some aspects of that question, while administrations' proposals deal with others. Suppose the five-member permanent Board were replaced by a Director, it would be necessary to bear in mind the fact that unlike the international agencies, and unlike even the CCIs or the General Secretariat, which handles questions affecting countries as a whole, the IFRB has to handle matters which affect the rights of each country individually. If the IFRB were to be replaced by a Director, it would be necessary to find someone with experience in all fields of radiocommunications, whether he was an expert in maritime mobile or aeronautical mobile broadcasting or in space communications, and he would then have to take a decision, to the best of his ability, which might advantage one country or disadvantage another. Another solution would be to replace the IFRB by a group of countries. As I said earlier, either such a group would meet often, at least five times a year, in which case the associated costs and the travel problems would be such that the Group might not be able to function properly, or else it would have only a limited number of meetings, in which case it would be obliged to unload its responsibilities on to the Director of the Secretariat. It should also be noted that in the case of a Board consisting of countries, its impartiality has been questioned by the Panel of Experts, as can be seen from section III.1.2, paragraphs e) and f), of Document 184, which mentions the difficulty for members of such a group of being physically available for meetings very often and says, with regard to the question of impartiality, "doubts were also expressed concerning the difficulty a part-time Board Member could experience in acting in an impartial manner".

At all events, experience shows that whatever group takes a decision, if it is controversial and no longer satisfies the parties concerned, its value is considerably diminished. In a part-time Board, the following question could come up: if a part-time Board was responsible for all non-routine work and if two countries A and B were involved in a particular case, how could a part-time Board made up of countries take a decision on the matter if country A was a member of the Board and country B was not? Would the Board invite country A to refrain from taking part in the decision? Would it invite country B to come and join in the Board's decision? In either case, experience shows that a meeting of countries is obliged, when a conflict arises between two of its members, simply to take note of the difference and ask them to reach agreement on a bilateral basis. There are many similar questions, which I do not think it necessary to go into here.

I had the honour as a delegate of my country to attend the 1965 Plenipotentiary Conference, at which a proposal was made to abolish the IFRB. I did all I could to oppose it, and all the developing countries joined me in defending the Board, considering it the only institution capable of protecting their interests. Most of the arguments I have been putting forward in this statement I had already advanced in 1965, and they can be found in the minutes of the meetings of the 1965 Conference. The international community needs to have a Board consisting of persons who can take decisions on an objective, independent, neutral basis. To conclude, I would say that whatever Board might be set up, it will be effective insofar as its decisions are not controversial. The golden rule is that people should have confidence in the Board's decisions. To gain that confidence, the IFRB has to be neutral and impartial. To be neutral and impartial, it has to be completely independent, with its own Secretariat under its own control.

Finally, I wish to say a word about the problem of the Union's structure. Terms such as "federation" or "federal" or "federal structure" do not of course appear in the Convention, but they are terms that people use all the time without worrying about their definition. Another such term, for example, is "standardization". That term is being used more and more often, but it does not appear in the Convention. Similarly, previous Plenipotentiary Conferences, when talking about the structure of the Union, used the term "pyramidal structure". That term itself, however, is not defined. What

has to be borne in mind is that the ITU has found its own way to manage the frequency spectrum and the geostationary-satellite orbit. It is a different way from the one followed by other international organizations and requires a different structure from other international organizations. The IFRB is not a secretariat, because if it were, it would not be independent and would not meet the conditions I stated earlier. But if the Plenipotentiary Conference decided in favour of a pyramidal structure, there would be no two ways about it: either the IFRB would have to be abolished, or the Secretary-General have to be placed under the IFRB's authority."

2.5 Statement by the Director of the CCIR

The Director of the CCIR made the following statement:

"I am mindful that Members, not the Secretariat, are responsible for ITU structure. I am grateful to give some perspective on CCIR and its horizon, facts on what it does and how it works, to assist your consideration of the future. The CCIR XVIth Plenary Assembly approved a statement of CCIR objectives within its terms of reference. The first is to provide the technical basis for use of the radio frequency spectrum and geostationary-satellite orbit. The second is to recommend technical characteristics and performance of radio systems. The third is to provide information for communication development. The Plenary Assembly saw CCIR's function in the ITU context, not as an independent organ.

Perspective

As part of ITU, the CCIR is the unique world-wide organization to develop the conceptual and technical bases for sharing and management of the frequency-spectrum resource and the geostationary-satellite orbit. A consultative, not a regulatory body, CCIR is the vehicle of administrations for their development, on an international basis, of technical bases for efficient utilization and effective management of the spectrum, and for their technical preparation for ITU world and regional administrative radio conferences.

The future of many telecommunication services is dependent on available spectrum resource. Technically suitable bands are largely already in use. The International Frequency Register has recorded as many new frequency assignments in the past ten years as in the previous history of radio. Further expansion, and the accommodation of new services and new technology require more intensive use of the spectrum already in use. New concepts and new techniques are needed for frequency allocation, band sharing, compatibility, and spectrum management. This is the horizon for two-thirds of CCIR's work.

Spectrum utilization studies are carried out in every CCIR Study Group, with respect to different services and inter-service sharing of frequencies. Study Group 4 on fixed-satellite systems, for example, is mainly devoted to techniques for efficient use of the geostationary-satellite orbit, and to techniques for sharing frequency bands with terrestrial radio-relay systems. It was this Study Group which led CCIR preparatory work for the recent WARC-ORB. The Chairman of the IFRB has mentioned IFRB/CCIR relations. This cooperation is real at the level of the Board and the Secretariat. It is an important factor helping CCIR itself to guide its work.

How does CCIR relate to CCITT?

The CCITT is the world organization for standards for telecommunication networks. CCIR recommends technical characteristics for a number of radiocommunication services defined by the Radio Regulations. Many are for radio systems other than public telecommunication networks, for example as broadcasting (terrestrial and satellite), maritime distress and safety radio systems, and radionavigation. Those which interface with telecommunication networks are done in liaison with CCITT. Those deal with radio-relay, satellite links, and mobile radio. Of some 3,500 satellites using the spectrum, about 10% are in the geostationary-satellite orbit, and many of these provide links in public telecommunication networks. Some 17 CCIR Recommendations, about 6%, involve liaison with CCITT, apart from the Joint CCIR/CCITT Study Group on network relay of broadcasting signals. In new studies of future land mobile telecommunications, and satellite mobile systems for a number of applications, there is liaison with CCITT concerning interface with public telecommunication networks. There is not duplication, only interfaces.

Technical Cooperation

CCIR and its Secretariat, in accordance with Resolutions of the Plenipotentiary Conference and the Plenary Assembly, provide assistance within resources available, to the ITU Technical Cooperation programme. Project reports are reviewed and advisory assistance given in fields of CCIR competence. The CCIR itself prepares a number of handbooks, as on satellite communications, frequency management, and spectrum monitoring. CCIR contributes to the GAS activities and with CCITT to the work of the Plan Committees. The CCIR Secretariat or Study Group leadership participates in or organizes seminars in radio fields, and provides specialized software of interest to developing countries.

Productivity and costs, improving response

Possibilities for improvement of organization and working methods should be and continue to be examined, to adapt to changing requirements, to improve quality and efficiency, and to minimize costs. The CCIR re-examined its organization and working methods at the Plenary Assembly in 1982 with the help of a Preparatory Working Party, and again in 1986. A number of steps were taken. One result was more timely and conclusive technical bases for administrative radio conferences, and new options for carrying out this work.

Another consequence was the greater use of Interim Working Parties on specific tasks to prepare for Study Group meetings of reduced duration. Other steps reduced costs of document processing during meetings. During the recent study period, the output in volumes of the CCIR increased by more than 20%. Technical contributions to Study Groups increased by 35%, and participation in meetings by 10%. In spite of these increases, costs of meetings were reduced by 15% and the secretariat staff is smaller today than in 1982. More preparation for administrative radio conferences was carried out in the regular work programme of CCIR. An accelerated procedure for Recommendations was considered, and will be reconsidered at the Plenary Assembly foreseen in 11 months time. Consolidation of Study Groups is considered carefully, because there is not necessarily a cost saving. Participants in a small Study Group consolidated with another may have to participate in larger meetings of longer duration, and documents are distributed to a larger group. CCIR has found that the block meeting system obtains economies of scale while permitting each Study Group to meet for an optimum period with limited document distribution. Delegations travelling great distances have also supported the block system.

A special meeting of CCIR Study Group Chairmen is foreseen in January, following final Study Group meetings in advance of the Plenary Assembly, for an intensive review of organization and working methods. A further session is expected with a voluntary group of representatives of Administrations and other organizations to assist the Director in preparing a report to the Plenary Assembly on CCIR structure and working methods. Further consideration will be given to the accelerated procedure, and to increasing CCIR's focus on Recommendations rather than reports. More tasks must be carried out by Working Parties and task forces in preparation for Study Group meetings to maintain their minimum duration. Depending on priorities of administrations, work programmes should be pared to essential tasks with well defined timetables.

Merger?

Any restructuring should be the considered response to analysis of objectives and problems. In architect's terms, "form follows function". Would merger improve technical response, or bring cost savings? It is clear that merger of itself brings no automatic savings. Reduction of staff or functions is required to reduce costs, with or without merger. Any plausible estimate of savings must be based on estimated cuts of functions and posts.

There is a fundamental question. Do Members want the Directors to be experts in their fields, say telecommunication networks for CCITT and radiocommunications and spectrum for the CCIR, or do they wish more general qualifications?

A merger would not lessen the need for liaison between what are now CCIR and CCITT studies. Such liaison is at the interface between specialized Working Groups; it is essential within CCIR and within CCITT, as well as between the two. For example, Groups in CCITT as well as CCIR require liaison with CCITT Study Group XI (Signalling). Present liaison is effective, and it concerns only 6% of CCIR Recommendations apart from the Joint Study Group CMTT. CCIR requires as much or more liaison with IFRB than with CCITT. Merger considerations should take account of CCIR's preoccupation with spectrum utilization and its need to respond to needs of Radio Conferences and the IFRB.

Merger of CCI Secretariats has been mentioned. This would be more complex than foreseen and could be counter-productive if the CCIs remain distinct and separate. The requirements and the working methods of the CCIR and the CCITT are different, with important implications for the work of the Secretariats. Work that can be done by a common service is already so done. Document translation, reproduction, dispatch, and many other tasks are already done by the ITU Common Services, and their work is highly appreciated. The two CCIs also use a common document registry and control system, developed jointly. But the name "Specialized Secretariats" used by the convention is correct. There is no duplication of work. The Secretariats work according to the requirements of their respective Plenary Assemblies, and there are important differences. In CCIR there are nine engineers, including Senior Counsellors, professionals specialized in the fields of their Study Groups. They are not able to serve all of the Working Group and Interim Working Party meetings. These are the staff who represent the work of their Study Groups in other forums, who assure much of the liaison with other international organizations, prepare correspondence and reports concerning the work, and advise their Chairmen and Working Groups. These are the engineers who provide many CCIR contributions to seminars in developing countries, and who assist the ITU Technical Cooperation programme. An additional three engineers with their assistants and draftsmen do technical editing, alignment, and preparation of CCIR texts. The CCIR and CCITT technical-editorial groups function differently with different requirements, and each has a continuing backlog of work. The total staff of CCIR is 31 including the Director. Together, the CCITT and CCIR Specialized Secretariats represent about 10% of the total ITU staff.

The possible advantages and disadvantages of consolidation of the Secretariats, and any problems which might give rise to this suggestion, have not been discussed in the Coordination Committee. I believe that the Coordination Committee has a much greater potential for coordination of activities than has been tapped.

I mentioned that the CCIR staff remains smaller today than it was in 1982. I have stressed that the workload and productivity have increased very much. I want to say of the CCIR personnel themselves that they have been extraordinarily devoted to improving ITU's contribution to telecommunications in spite of many difficulties and limitations. They are competent and professional in their work, and have themselves made many of the suggestions for improvement. They take pride in CCIR's role and contribution in radiocommunications. They have been responsive to requests for assistance from the Secretary-General, especially in technical cooperation. No doubt improvements can be made. I would hope that discussions of restructuring would be very sensitive to these people.

Closing

I am grateful for this possibility to explain my own perspective on the structure of the CCIs. The CCIR Plenary Assembly, of course, has not considered the possibility of merger of the CCIs or their Secretariats. If you are interested in background for what I have said, I have prepared a more complete paper, which I would be pleased to supply on request. Thank you very much."

2.6 Statement by the Director of the CCITT

The Director of the CCITT made the following statement:

"Mr. Chairman,

In the following I would like to offer some personal comments with a view to clarify somewhat the complex matter of consolidation or merging which is before your Committee. I am, of course, making no proposals because that's clearly a matter for the membership; moreover, I would like to concentrate on standardization only being one of the three basic objectives of the Union. I am therefore not giving a report on the CCITT activities in general; for this I refer you to the Report of the Administrative Council which was already approved a few days ago. When concentrating on standardization I will be more precisely concentrating on the technical viewpoints. Consequently I will make no comments on financial, constitutional or other issues. For better understanding, Mr. Chairman, I have grouped my comments in three parts. The first will deal with some rationales which could be in my mind used as reasonable guidelines when we talk about reforming standardization in the two CCIs; to make it a little bit more easy I will follow the same rationales as we have them applied when we prepared for the IXth CCITT Plenary Assembly last year. The second group of my comments will comprise of the principles and open issues which, in my mind, have to be resolved before such reform of both CCIs could be implemented. And finally, in a third part, I would like to make a few remarks on possible timeframes for the implementation of the reform, of course, with the understanding that the issues I have been referring to have been resolved.

Let me take up the first group of comments, Mr. Chairman. I am talking of rationales for reforming and rationalization of standardization and as I said I will refer to that way as we did it in the CCITT when we prepared for the IXth Plenary Assembly last year in November; these rationals can be summarized in five points.

The first point is the changing environment. Mr. Chairman, in that context I am interpreting this term somewhat differently. Here I understand by the changing environment the fact that almost all of our member organizations participating in the CCITT are undergoing an almost permanent structural change. In my mind, Mr. Chairman, it is naive to believe that all these changes which we see occurring almost permanently in our member organizations would have no feedback to the CCITT - the CCITT standing like a rock, and around this rock everything is changing.

The second point is what we saw so far and are still witnessing is the acceleration and the convergence of the so-far separated technologies and services due to digitization and integration. Subject matters which have been separated for historical reasons are now converging, are coming closer together. The ISDN to which several delegations have referred is a good example of what is meant by digitization and convergence.

The third point, Mr. Chairman, at which we looked at when we prepared for the Plenary Assembly is the liaison as a consequence of acceleration and convergence. There was indeed a rapid increase in liaison between our Study Groups because of their so-far non-functional structure. Increase of liaison results not only in delays, but also in inefficiency and increases costs. I give you an example of what I mean by functional structure. Before the last Plenary Assembly we had in the CCITT four Study Groups dealing with telecommunication services, mainly non-voice services, voice services, data services, and ISDN services. You could imagine what flow of paper was necessary to coordinate the work between these four groups. Now, after the Plenary Assembly we have one Study Group dealing almost exclusively with all services - may they be voice, or non-voice, or ISDN.

On the fourth point, Mr. Chairman, I would like to address specifically because we were very mindful when we prepared for our Plenary Assembly; it was the inter-working with other international standardization organizations. I use the word "inter-working"; I don't say "competition" although in some areas it is indeed meanwhile a kind of competition. We have standardization organizations operating on a work-wide basis; such as ISO, IEC and others. All these organizations, Mr. Chairman, are rapidly expanding their traditional areas of work and are more and more touching on issues which so far have been - let me use the word - a monopoly of the CCITT. Another group of standardization organizations are the regional standardization organizations to which reference has been made already sometime during this meeting. These three regional standardization organizations - in North America, in Japan, which is now stretching to the Pacific, and in Europe - are young, dynamic organizations. They are, because they are young, using not traditional but modern methods of work and - and this should be underlined - they are operating market-oriented. True in many discussions I had with representatives of our membership in the CCITT it was made well clear to me that all these people stress that they would like to see world-wide standards worked out by the CCITT preferred over regional standards. But if CCITT is not able to produce such standards in a reasonable time they will devote their resources (and that is not only money, that is also manpower) to those regional organizations which are setting the standards at the time when needed. Mr. Chairman, I say this with all sincerity - this is not a phantom this is standardization reality in the 1990s which we are facing, and I could give you some examples how that looks like in practice.

We had a case, more than one year ago, where one regional standardization organization, one regional organization, was arriving in Geneva and saying: "Look, this is our proposal and you have about six months' time to have this proposal turned into a CCITT Recommendation." That needed a lot of extra activity, but we managed to have this standard ready for implementation in six months' time. It was, by the way, for those of you who participated, the famous case of the so-called synchronous digital hierarchy. The same building, Mr. Chairman, in which we are meeting, saw a meeting of another regional organization just a few weeks ago. This regional organization agreed to come

up with proposals for standards for ISDN services up to the end of this year. Again, we had to react, we have meanwhile made preparations and we are confident in interworking with these people, that the CCITT standards will, in cooperation with this regional organization, be ready for approval under CCITT Resolution No. 2 in February next year.

Mr. Chairman, I have given you these examples to show you the dramatic changes in the work of standardization. A study period of four years, Mr. Chairman, is a very long period for standard-making and we have to think of means and ways to shorten that, and indeed Resolution No. 2 which is before this Conference is a tool for accelerating the production of standards.

And the last point which on we were mindful, Mr. Chairman, when we prepared our proposals for the last Plenary Assembly was the exponential output of work, for instance in documentation versus the limited resources. This is, of course, not only relating to the CCITT but it is also of concern for the Common Services of the ITU which have to produce all these paper mountains which we used to produce in the last study period. If my memory serves me correctly, the CCITT accounts at the moment between 50 and 60 percent for the workload of the Common Services in the ITU. I would not like to go back and again show you the photos of paper mountains which I demonstrated to all of you who have been in the Plenary Assembly in Melbourne - there were 150 million pages which we printed during the last study period which represents a mountain piled up as high as the Mount Everest - it's more than 8 km high!

Mr. Chairman, with these five points in mind - and I would like to underline after carefully studying the pros and cons of many different proposals - we went to the IXth Plenary Assembly. You know the results to which several speakers have made references; the CCITT has been streamlined in many areas, the famous spirit of Melbourne did in some areas produce almost miracles sometimes beyond our expectations. Secondly, we got concentration on standardization in all our Study Groups; e.g., we dropped more than thirty questions, we are proposing to close the CCITT Laboratory which is for final decision before this Conference. Thirdly, we achieved acceleration and rationalization of standardization by drafting the new Resolution No. 2. Again it's my hope that this important Resolution finds your blessing here in Nice, because this Resolution No. 2 marks the departure from the four-years-approval cycle cited which we had so far. This Resolution No. 2 will not only accelerate the production of standards, it reduces simultaneously the workload which we always had at the end of a study period, and which clogged the ITU Common Services almost completely for almost a year. Thus, we arrived at a more functional study group structure - it's not yet completed, but we are going the right way. By this we are cutting back liaison and we have increased decentralization more and more. A lot of work is done outside of the Study Groups by Special Rapporteurs, and when you compare the statistics it is interesting to note that despite the tremendous increase of workload, we have in fact reduced the meeting days of our Study Groups. And as a fifth point we implemented the IXth Plenary Assembly a new documentation system. We have only two types of contributions now with fixed deadlines; we have slimmed the reports - they consist now of two parts only - and this will increase faster delivery and result in savings.

Mr. Chairman, I have explained quite lengthily these steps we took before the last CCITT Plenary Assembly for the simple reason that we can apply the same rationales when we are looking now on the issue on merging the CCIs which is put before your Committee. Let me use instead the term 'consolidation' for what we are discussing here. In my mind, consolidation means on-going improvements in many areas; merging, in my mind, could be the ultimate result for all this consolidation. It remains to be seen whether we arrive at this final destination and this will depend on how the problems along this road can be resolved. As I have spent quite some time in explaining the five rationales which we looked at before our Plenary Assembly, I can keep it quite short when I now take the same rationales vis-à-vis the task of consolidating the two CCIs.

The changing environment, Mr. Chairman, clearly must have a feedback on both CCIs and in particular how they interwork. The convergence of technologies and services due to digitization and integration between the two CCIs is progressing. The case of microwave and optical cable transmission systems has been made already by a delegation a few days ago. These two kinds of transmission - although physically different mechanisms are following the same performance requirements. The broadband services which are under study in the CCITT are converging with similar work in CCIR and in this context I would like to add that in my mind HDTV is not only a television standard but something more. We have the field of mobile communications which are using largely the terrestrial network and to which my colleague, Mr. Kirby, has already been referring to. And it's for this reason, Mr. Chairman, that we will also face the same consequence of this convergence as in CCITT and this is an increase of liaison. True, there has always been liaison between the two CCIs. It has worked, but what will come in the near future is because of the convergence that such national liaison will increase. Apart from moving around documents, there is a speciality in this kind of liaison because the CCITT meetings are held almost all the year from January to December and we have to do that, Mr. Chairman, because otherwise we cannot react if such cases as with the regional organizations are appearing. We cannot wait for years but we have to act in as I said sometimes six months. The CCIR has its block meetings every two years and because of this we might have to wait quite some while until we get a reply. The point has been made that Joint Groups could be a way out of this situation. To some extent, this might be true, Mr. Chairman, but we should not forget that Joint Groups have always to report back to their parent organizations. If you have a Joint Group between two CCIR/CCITT Study Groups this Joint Group has to report back to its "parent" Study Group and as these Groups are meeting at different times again we have the same problem how to achieve a quick resolution of the problem dealt with in the Joint Group. And for the interworking with other international organization this is also relevant for the two CCIs as well, particularly for those subject matters which are under study in the two CCIs, like for example broadband issues. But finally for the two CCIs we have to use efficiently our resources, manpower, finances and so on.

Now, Mr. Chairman, having again taken you through the rationales which we should take into account when looking on consolidation or even a merger of the two CCIs, let me now come to the second of my comments and I will discuss some principles and open issues which in my mind are crucial before consolidation is reached. These principles and open issues would, in my mind, justify an in-depth study of the structure, working methods and so on of both CCIs to which quite a few delegations have referred and which is addressed in quite a few documents before this Committee. Let us see what are such principles and open issues.

First of all, and I think, Mr. Chairman, we all can agree on a first and in my mind most important principle, and this is the principle of continuity. That means on-going work in two CCIs, whatever decisions are taken, should by no means be disrupted or seriously hampered. If we all subscribe to that principle the consequence would be that we would have to allow first a sufficient transition time from the existing situation in both CCIs up to any changes due to consolidation; second we need also to have sufficient time for the implementation whatever decisions will be taken. In short, the first and basic principle should be to minimize disruption: "don't ruin the system by quick decisions which would be found harmful at a later stage".

I am coming to a point which was addressed by a few delegations. They have stressed the importance of standardization being one of the three main objectives of the ITU and for this reason they are advocating for the consolidation and even for a merger of the two CCIs. Let's take a look whether and to which extent this is really justified and needed. Standardization is done in the Study Groups of the two CCIs but to a different degree. In the CCITT almost all Study Groups are working on standardization while in the CCIR there are not all Study Groups exclusively working

the standardization. In CCIR there are additional other activities not directly relating to standards such as studies on propagation, frequency management etc. to which Mr. Kirby has been referring to. The situation is therefore different and the range of activities on standardization are not exactly the same in both CCIs. Mr. Chairman, if we would like to improve and accelerate standardization - that's what I understand is the motivation for all the discussions we have here on the consolidation and merging - then I don't think that there is a need for a full-blown consolidation or merger of both CCIs as it was advocated, comprising all their Study Groups. What we would have to do is that only those Study Groups in the two CCIs working on standards need to be consolidated. Again, Mr. Chairman, at the very outset I said I was not making any proposals, but just comments which can be pursued further and this is valid also here.

In this context let me take up another point. In the discussion, several times the merging of the two CCI Secretariats alone, i.e. without consolidating the Study Groups, was proposed by some delegations. After what I have said just now we will, of course, all understand that without consolidation of the Study Groups which are producing standards a merging of the two Secretariats will not resolve the objective of rationalization and acceleration of standardization. The consolidation of the two Secretariats alone might, however, produce synergy effects by pooling of resources, we could perhaps reduce somewhat supernumerary staff which we need at peak times and in general we may achieve a more efficient cooperation of our staff. But these are matters which need to be explored more in detail and I would simply like to refer to what the Secretary-General has said in this respect. Let me repeat. To avoid any misunderstanding, a merging of the two Secretariats will not directly contribute to improve standardization, but it might have other positive effects - to which degree is another question.

Mr. Chairman, I am coming to the next point. We all agree that it is desirable that the ITU's role in production of world-wide standards is to be improved. Such improvements will depend, as I have tried to make clear, on the consolidation of the relevant Study Groups. Necessarily the question arises - how this can be achieved. Here I am referring you back to what I have set out when I spoke on the functional restructuring of the CCITT Study Groups. If we would apply the principle of functionality for consolidation of those CCITT/CCIR Study Groups dealing with standardization, then we will find some areas where for historical reasons work has been in different Study Groups of the two CCIs. Let me be very careful here: it is at least worth to investigate whether a consolidation would be contributing to the desired effects of acceleration and rationalization of standardization. I give you an example, Mr. Chairman. We have in the CCIR Study Group 9 dealing with microwave services, and we have in the CCITT Study Group XV called Transmission Systems. In this CCITT Study Group there is only one type of transmission systems under study - the transmission systems on optical fibres. All other transmission systems in coaxial or symmetrical cables have gone - we have the standards but there is no work done. Both Study Groups, 9 in the CCIR, XV in the CCITT, are using the same performance requirements as worked out in CCITT Study Group XVIII. Would it not be at least worth to look whether one could consolidate these two Study Groups in one called Transmission Systems which would have two Working Groups, one which is dealing with optic fibres transmission and the other with microwaves? I do not anticipate any result of such a survey by making just this consideration, but this is the way as I would understand if we want functional restructuring of the Study Groups. And if you apply the principle of functionality you might find that you can bring together related matters in a better way as they are separated today, and this might then have also some positive feedback on the Secretariats as it will have to be seen.

Another point, Mr. Chairman, on our list which we have to look closely before we take any rapid decision, is the fact that we have different meeting arrangements in the two CCIs. Mr. Kirby has spoken about the block meetings in the CCIR, we in CCITT have meetings all over the year and we will have to investigate what would be the best solution when we are talking about consolidation. Well, Mr. Chairman, I am representing the CCITT, and I believe for our purpose the way as we do it is the appropriate one. As I said we are flexible and can arrange meetings whenever the need arises, but again it is a matter which has to be discussed and investigated in the course of a consolidation.

Another point where I have no immediate solution of the problem I am creating by mentioning it is the different documentation systems which we have in the two CCIs. They are quite different - not only in the form of the documents, but also the deadlines and so on and therefore that's another issue to be looked at.

In that context, transition towards project-oriented work has been mentioned and this is exactly the method by which all the regional organizations are already operating. They define an area where they would like to produce standards and then they go to work. We have the same in the CCITT already in some areas, particularly for those methods which despite all functional grouping still have to be scattered over different Study Groups. In my mind the project-oriented work is the way how standardization will be done in the future but I would like to invite some caution. It will take a while and we really have to look into all those matters in detail, until we can move from the conventional system of questions as we have it up to now into a project-oriented approach. It will be the eventual solution, I am convinced, and the regional organizations are demonstrating that already but if we don't want to disrupt our work this cannot be done at once; we can start to do it in suitable areas and perhaps if the results are positive we are all moving to that kind of standardization work at a suitable point of time.

Mr. Chairman, these have been some of the points which have to be addressed when talking on consolidation. Perhaps other people would add more which we should address equally; as we have seen some of them are difficult, others are more easy. But again, and I repeat; if we subscribe to the principle of not disrupting our on-going work in both CCIs, I think it is worth to look in all these issues and to weigh the pros and cons before changes are being implemented.

Now, Mr. Chairman, the third group of my comments brings me to possible timeframes. Assuming that in one way or the other all these open issues and perhaps others not mentioned here will be resolved and we find satisfying solutions then comes the question how they can be implemented. Taking the need to accelerate standardization for the reasons I have outlined, I would believe waiting up to the next Plenipotentiary Conference would be too late - time is working against us. I am not urging that it must be an unreasonable short time, it should be a reasonable time, and when we talk about the timeframe of five to six years, Mr. Chairman, I would see serious problems coming up for standardization vis-à-vis the environment in which we are operating; and, additionally, because most of the consolidation depends on working methods, Study Group structures, documentation, etc. (and such matters are not subjects for a Plenipotentiary Conference) we could easily implement such improvement at Plenary Assemblies.

Now, as far as the arrangements are concerned to proceed with consolidation whatever group is set up, whether this is a Group of Experts or a Panel, or we accept the proposal that the two Directors should come up with suggestions and solutions etc., I think this is something what your Committee should be deciding. In any case I do believe that all these open issues I have been referring to cannot be resolved here in this Committee, and at this Plenipotentiary Conference in Nice. It is for such reasons that - if consolidation is to be pursued further - one of the arrangements mentioned above has to be agreed upon to carry out studies in consolidation.

Let's assume that such a study will be conducted in one way or the other - Group of Experts, Panel, also, management audit was said here the other day. I have already stated that most of the issues, but not all, relate to working methods, study group structure, etc. Decisions arising from such a study can be implemented at a Plenary Assembly because they do not touch on the Convention. If such decisions are implemented at Plenary Assemblies, it would also meet the basic principle we all agree of continuity, i.e., that on-going work by no means should be disrupted. And if we do so, Mr. Chairman, and we take a look on the proposed dates of Plenary Assemblies which are before this Conference to agree, then we will see that the next Plenary Assembly is that of the CCIR in 1990. In my mind this time is too short because we will not be able to sort out all the problems I have been addressing. The next opportunity would be in 1992 or early 1993, at the CCITT Plenary Assembly. Looking at those dates of the Plenary Assemblies will give a kind of orientation in which time such study (if there is to be a study, if the membership so decides), should be completed so that whatever comes out could be implemented at suitable Plenary Assemblies. In my mind, 1992 would be a reasonable date but it should be borne in mind that the Plenipotentiary Conference is, of course, free to modify the dates of Plenary Assemblies in order to adjust the dates to the time when this study will be completed.

Mr. Chairman, these have been some comments. I do apologize that I took a lot of time, but I hope very much that perhaps I was able to contribute to a better understanding of what in fact we are talking about when spelling out magic words like consolidation or merging of the CCIs. I am, of course, at your disposal if any questions or more clarifications are needed. Let me thank you for giving me the time to express my views as I see the possible evolution of the consolidation and eventually a merger of the two CCIs if so desired by the ITU membership.

Thank you, Mr. Chairman."

The meeting rose at 1225 hrs.

The Secretary:

A. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

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COMMITTEE 7

SUMMARY RECORD

OF THE

SIXTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Monday, 5 June 1989, at 0945 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

1. Expressions of condolence on the death of the Founder of the Revolution of the Islamic Republic of Iran and on the deaths resulting from a railway accident in the USSR
2. General discussion on proposals and associated principles relating to the basic structure of the Union (continued)
 - 2.1 Statement by the Secretary-General
 - 2.2 Statement by the Chairman of the IFRB
 - 2.3 Statement by the Director of the CCIR
 - 2.4 Statement by the Director of the CCITT

1. Expressions of condolence on the death of the Founder of the Revolution of the Islamic Republic of Iran and on the deaths resulting from a railway accident in the USSR

1.1 At the request of the Chairman, the Committee observed a minute's silence to mark the death of the Founder of the Revolution of the Islamic Republic of Iran and deaths resulting from a railway accident in the Soviet Union.

1.2 The delegate of the Islamic Republic of Iran thanked the delegates and the staff of the Union for their expression of sympathy to the people of his country.

1.3 The delegate of the USSR expressed the sincere gratitude of his Delegation to all delegates and staff of the Union for their expression of condolence.

2. General discussion on proposals and associated principles relating to the basic structure of the Union (continued)

2.1 Statement by the Secretary-General

The Secretary-General made the following statement:

"I have been actively associated with the international telecommunication matters for over 30 years; initially as a national representative in many fora of the Union and associated with the preparatory activities of Plenipotentiary and administrative conferences of the Union Consultative Committees, Plan Committees, Administrative Council, Working Groups, etc. I had also been associated with many bilateral and multilateral undertakings leading to the considerations in other fora and in the United Nations, for example for the creation of organizations like INTELSAT, and various submarine cable partnerships and other intercontinental matters.

Since 1968, first as Deputy Secretary-General, and later as Secretary-General from 1983, I have been intimately involved with the life of the Union. Visiting Member countries and meeting with their officials, I learned of their concern and preoccupations with the Union. Being privileged with their confidence I have done and continue to do my level best to create mutual understanding and to promote global telecommunications development for the benefit of all Members.

As you all know, for various and in particular personal reasons, I have decided not to seek a second term and will leave the service of the Union, on whatever date you determine for later this year. I wish to emphasize this year, in order to put an end to certain speculations which have come to my notice.

My principal concern is the future of our Union and in particular its primacy and effectiveness in meeting the challenges of the changing telecommunication environment, in the Information Age in which we live today.

With this background and experience, I believe that I am duty bound to share with you my perceptions, and urge you to take them into account in your capacity as decision-makers.

As we move towards the realization of the global village and the impact of adequate sharing of information technology in society as a whole, the interest of the entire membership of the Union has to be addressed. Otherwise, the history of other ages will prevail but with much more serious consequences than perhaps in early eras of the industrial and electric power and related development.

I will not repeat the address which I gave at the inauguration of the Conference and at the second Plenary Meeting. They are recorded in Conference Document 119 (in which I think you also should revisit the address of Minister Paul Quilès), and Document 121.

From many points of view we have to think about telecommunications on a global basis. This raises not only questions of primacy and timely response, but also the Union's continued effectiveness as the United Nations designated specialized agency for Telecommunications. In particular, I invite attention to a designation, which on the one hand, enables the Union to go about its work at the global level without too much interaction from the political body of the UN and yet at the same time has brought certain basic responsibilities to the Union, if we think of the post 1945 era.

In particular, I would like now to invite attention to some points:

- the strategic nature of the sector in all economic and social activities of peoples and nations;
- the ever-increasing multiplicity of interest groups that are now involved and the challenges they pose to the Union to accommodate their needs or demands and consequences of their considerations. Many of these interest groups turn to the Secretary-General for advice. Many of these groups already realize that the Union does not have the capacity to respond to their wishes and in the absence of response you will find that they will go their own way having been turned away from the designated agency.

There are other points to be taken also into consideration:

- the role of the Union vis-à-vis global bodies such as ISO, GATT, restricted groups like OECD, etc;
- the regional bodies such as the emerging standardization bodies which have a wider conception of their mission with regards to the media transmission in this period of digitalization, convergence of services and technologies irrespective of the media, ISDN and so on. In a recent symposium in Asia Telecom, some great industrial leaders referred to the problem of implementation of standardization, the duplication, and so on.

Let me now call your attention to the distinction that needs to be made between:

- on the one hand, the legislative or decision-making processes - such as conferences, Plenary Assemblies of Consultative Committees, Study Groups, which are activities that are directly handled by the Members themselves, because there seems to have been a great deal of mis-information established. It is a distraction! and
- on the other hand, the work of the Secretariats which are executed by civil servants, and let me say international civil servants, to support and/or implement the decision of the Members.

Now, in this meeting, I have noticed the very sudden resurgence of the word or term "Federalism" or "Federalism Structure".

What does it mean in the ITU context? In all these years, the ITU and its Convention never utilized it, nor did it give it any definition. Are we now to introduce new concepts in the already unwieldy structure of the secretariats of the various organs, when the telecommunication technology is obliterating distinctions in media or services? Are we to go back and put aside certain trends and evolutions in the four preceding Plenipotentiary Conferences: 1959, 1965, 1973 and 1982. I have been associated with them in one or other capacity and the last three as delegate, Deputy Secretary-General and Secretary-General elect. I think we need to look at this question a little more.

As I said, I was rather surprised to notice the sudden emergence of the reference to the Union as a "Federal Structure". Had it been described as a "fragmented structure", I would agree. But even that fragmentation has been progressively changing.

What is "Federalism"? In its essence, it is seen as a means of 'balancing' power among different major functions of a state, for example, between the legislative, executive and judicial or between central and local authorities. How is this relevant to or, applicable, in the case of what is entirely a Secretariat set up, such as of the Union's Headquarters. The policy and programmes of the Union are agreed upon solely by the Members among themselves; the expenditure ceilings for the entire period between Plenipotentiary Conferences are set by them with certain authority entrusted to the Administrative Council.

For the entire period between Plenipotentiary Conferences we have the evolution of the annual budget credits, within those ceilings. They are applied through the Administrative Council which also establishes or is responsible for even individual posts in the Secretariat itself and has set out some legislative framework in the way of financial regulations, for the use of credits, etc.

Given this, where does real power lie? Am I to believe, that this rests with the Secretary-General? No doubt he is supposed to be the Chief Executive of the Union and he is the legal representative of the Union. In fact he is the only permanent, shall we say, person in a situation to represent the Members in an overall point of view. If I may say so, speaking for the Union, in the absence of sessions of the Plenipotentiary Conference itself and the Administrative Council.

Then I would ask again what are the real powers of the Secretary-General? And is there a case for 'balancing' it, least he should exercise those powers, in an unbridled way? - I urge you, nay appeal to you, to give some deep thought to this matter and be not carried away by pet expressions and slogans which have no meaning and relevance.

The Administrative Council establishes its regulations which guide the conduct of the Secretary-General to use the credits and make financial applications. The same applies to personnel matters. In truth there is just a Secretariat, with a number of elected and appointed officials. The purpose of the Secretariat, in brief is to give effect to the instructions laid down by the membership, and report back on the extent to which this has been done, and eventually on the problems encountered in this regard, and then to seek further guidance and additional resources, where necessary.

The principal mandates of the Union vis-à-vis standardization, regulation and universal development of world-wide telecommunication in a harmonious way and the associated task of information exchange and dissemination together constitute an inseparable whole in the context of today.

The functional separations seen in the Union are indeed a legacy of a past which saw the stage-by-stage coming together of entities which started separately, with distinctive constituencies which strove for well-known reasons, for some Members (and perhaps not so well known to other Members) to preserve the so-called limitation or independence, but who nevertheless had to give way to the relentless march of technology and services and the widening, yet unifying horizon of telecommunication.

Don't you think the time has come to overcome the inhibition and habits of a historical past; a past which has continually marched with change, particularly since 1947 and 1959. I mention 1959 because in 1959 we had the admission of the universality of the membership at that time to all activities of the Union; universality in that all Members became part of, in theory, all activities of the Union. I do not want to go into historical past of some Members being "associate", but not as full partners, in all activities and the reasons for that. We have to deal with things as they are today. We have to act so that the Union can now function as a cohesive single entity and not just be seen as one, but in fact also acts as one.

This does need the Secretariat of the Union to function as a single integrated whole, with the Secretary-General heading it effectively, and in every way, and to be fully accountable to its functioning. Only then can resource optimization and speedy responses to the needs of the membership and the challenges of the changing environment can be hoped to be achieved.

I am aware of the emphasis which has been put on specific collegial considerations associated with the IFRB which are viewed towards the concept of an independent Board. You have a document on the long-term future of the Board before you and the Conference will decide, in the appropriate way, to consider and resolve that question in the light of the various proposals. But all this can be done while also adopting measures for unifying a large part of the present specialized secretariats with other parts of the Headquarters Secretariats. I am aware that in other areas one can assure provision in the Convention for the appropriate collegiality and all people acting towards the total objectives of the Union.

What the ITU needs today at the level of secretariat activity is a unified and fully accountable leadership while at the same time eliminating the bureaucracy and providing effective information and advice on policy options to enhance the decision-making process of the Members, as well as to ensure timely implementation.

The ITU as a UN specialized agency has to meet the obligation to respond to the needs and wishes of the totality of the membership as a result of the privileged status it willingly contracted with the family of Member Governments at the highest political level and the UN itself.

Failure to honour its obligation casts doubt on its survival as an effective organization and thus I believe threatens its future.

I am an ardent believer that the Union has the capacity and the collective political will to meet its responsibilities. What you, as Plenipotentiaries are required to do are in my view to provide it with:

- adequate budgetary resources to ensure the ever-increasing workloads for traditional activities, such as coordination of reciprocal exchange of information and data exchanges through the organs, the work of the Consultative Committees, and in my first comment I was referring to all the organs: IFRB, General Secretariat, the work of the CCIs and newer activities such as the constitution of advice and information for network development;

- there is a responsibility to provide the management flexibility to organize its work, and here the secretariat has an important role. Again in using the word "secretariat" I am talking of the Headquarters (because the Headquarters is only a collection of secretariat responsibilities) to help to introduce new working methods, to facilitate decision-making, as indicated by the Melbourne spirit at the IXth Plenary Assembly of the CCITT and WATTC-88 advice to this Conference.

There is responsibility to serve the Union in regards to our two standards-making bodies. The technical standards function rests largely with the CCITT and the CCIR. What is required is to enable them to introduce new working methods which will reduce the existing costs and avoid the existing fragmented and unsynchronized work programmes that are generated by the traditional approaches. They include the loosely called "question and answer method". Be assured that I have noted the more recently established bodies who set out objectives and are turning in very fast results. In this connection, no one questions that the CCIR also has specialized functions and the associated adjuncts of technical activity and analysis of research and development, radio science or spectrum management or spectrum applications. Indeed there are also some specialized elements of broadcasting that do not appear under the generic terms of standards. However, we are concerned in this debate with the aspect of secretariat services, in an era when things where service convergence development were never so important from the viewpoint of interaction and interconnection. We are concerned with assuring timely synchronized programmes and results. I think there are many examples. Even in the last week it became apparent in a special meeting in one area. Incidentally is the direction of a combined secretariat which consists of 75 officials at the moment too difficult a task for one competent person to handle?

Let us not forget also it is not merely timeliness and effectiveness of their work, but huge expenditure being met by others which is involved. A number of those leaders are expressing concern - i.e., various industry leaders have drawn my attention on their intellectual and corporate efforts, their preparations and participation - in expanded meeting programmes of ITU bodies, regional bodies and the like. They point to the duplication. They have gone public on the issue.

I come now to a third element and that is the contribution to development which, apart from the International Telecommunication Convention has had an increasing significant responsibility as a specialized agency, and an ever pressing demand since the late 1950s. You are well aware of discussions in the previous Plenipotentiary Conferences, but are we dealing with the consequences of many major changes since 1982? Today, the contribution has to be perceived within the context of assuring effective participation or operation in the global network. The Report presented by the Administrative Council provides adequate background on the growing importance of such activity, and the economic and social significance towards the Information Age.

Here I think, there is another piece of misinformation that has to be corrected. I am sorry to use the word misinformation because there is speculation which was even in the press. As some of you know, I sought also to do it in the Administrative Council, because I have always been aware of the sensitivity of the development question. No one is speaking of investment or large scale projects, but rather establishing machinery including cooperation with others and appropriate resources within the Union itself to enable the timely provision of independent and impartial advice to the greatest degree practical and information to enable countries to set out their strategies to plan, develop and operate services efficiently in their segments which are part of the global network. Advice on what the Union formulates at the global regulatory or standards context has to be tailored to the requirements of individual countries and obviously the countries themselves will do the tailoring but they need information.

These are not issues that can stop simply at the seminars where we pass on information and seminar activity, which you would see since the last Plenipotentiary Conference has had a major upswing, because not only has it been the small focal point inputs from the Union but also provide an interesting record of contribution. This has shown the value of the Union as a focal point catalyst. It is a question of tailoring further down to the actual country situation. Of course, the ITU has no monopoly and never has sought it. I just wish to add there are no common formulas that are applicable to all of this tailoring. Countries are different. Their levels of development are different.

The planning and effective operation and efficient telecommunication necessitate timely international coordination and registration of the radio frequency spectrum and orbital position, which is the function of the IFRB together with other elements of the general secretariat, which handles a significant amount of reciprocal information and data flow, including for operational radiocommunications through the General Secretariat. I have already touched on this question a little earlier when I referred to the issue of the IFRB.

Information exchanges have also brought a growing convergence in information systems development with the computer and such convergence must continue if we are to optimize information technology within the ITU in the most efficient and effective way. I took special action to establish various user groups for particular issues but in the end someone has to develop the system in a coherent and objective fashion. We must have internal compatibility for information exchange.

These are the challenges that you have to face in your decision-making to enable the Union to match its responsibilities with adequate actions.

Let me now draw some general points to your attention:

Consolidation of secretariat activities, and again I want to emphasize secretariat activities, as distinct from the legislative bodies, will provide in the first place:

- a) for improved management and more effective use of resource, in regard to the Headquarters activities and the degrees of consolidation will be reflected in the degrees of more effective and economic use of resources that you wish;
- b) for greater harmony among the officials working towards a common objective of the Union rather than for, or the defence of a particular function. I believe this is a very serious matter that warrants attention;
- c) for more flexible staff deployment in certain related areas and there are many examples;
- d) for more unified representation or liaison with outside bodies (the ISO, the IEC, and the UN and the specialized agencies). How often have Members questioned me when they see three or more officials at the same external meeting. Obviously, it is quite legitimate, if there is continued division within the house. We have tried over the past few years to seek to reduce that but the nature of the structure does not give the opportunity for full optimization. How often do you see elements proceeding in the way which is not in respect of external representation or the joint groups within the particular organs not really demonstrating the full optimization of personnel, etc?

Consolidation of Secretariats will also enable the tackling of more effective review, and I am sure of the Study Group activity, to proceed more smoothly. This, of course is an area in respect of the Plenary Assemblies of the two Consultative Committees. Let me remind you that the decisions of the Plenipotentiary Conference in 1973, provided for in reality joint responsibilities of the Director of the organ concerned and the Secretary-General towards those Assemblies. As I listen to the debate, it appears that some seem to forget the changes which have been made in 1965 and 1973. This is an area of high economies with significant impact of course on the General Secretariat. I do not want to get into statistics; some of you have seen them. The cost incurred last year was huge. With another way of working it could have been avoided. Major economies are achievable if the full spirit of the IXth Plenary Assembly were now spread across the board. As a consequence there could also be economies. In regard to the Specialized Counselling services, all of the responsibilities of Specialized Counselling services, could I believe be accommodated with appropriate provision in the Convention.

I can elaborate more when you proceed to the particular structures review, but let me draw attention to another theme that has emerged in the Conference and that is priority. In the debates, reference has been made to priority of the proposals requiring additional expenditures. Is it not equally important to consider the priorities in relation to the expenditure of on-going activities? Why are we looking at one side? i.e., where certain proposals will mean increased costs? I think those governments with whom I have been trying to dialogue in the last two years around this question to find a solution would readily admit that the Secretary-General has been very conservative in endeavouring to estimate the costs on the potential outcome of the proposals here. You have the documentation that went through the Administrative Council as a basis, but that should not in any way inhibit the full consideration of proposals put forward by all Member States some of which in principle involve higher cost and others involve major economies.

Obviously all of the changes cannot be implemented at once; but it seems to me that the Plenipotentiary Conference here needs to establish principal courses of action and phased implementation. I appeal to you to reflect seriously and take the necessary decision for the long-term primacy and effectiveness of the Union to enable it to meet the existing requirements.

The critical choice is yours as to whether or not the Union is equipped to meet its responsibility into the 21st century, given the importance of our sector, its obligations as a Union and here I want to make one point. In raising this debate in the various policy symposia, at no time did the Secretary-General come down in favour of one solution or another. He drew attention to the papers which some Members have in their archives. Again he drew attention to the issues. Let me touch the standardization question. It was natural for me that regional standardization groups would emerge and the necessary work that they do is important, inputs and outputs, but the Union has a challenge to respond to them. Let us not forget that those groups exist. I had representations from Members in one or other region concerned and particularly one of the developing regions concerned, seeking advice of what our ITU is going to do. It so happens too, that global industry leaders have also expressed their concern. It is my understanding that some of them have indeed taken it up with various Member governments.

Let me remind you that you have found restructuring a fundamental necessity in almost all of your Administrations and operating and scientific organizations. How can the ITU be denied this opportunity of rejuvenation? If there is no rejuvenation and status quo is applied, I believe the Conference will fail in its responsibility towards an effective Union leading us into the 21st Century."

2.2 Statement by the Chairman of the IFRB

The Chairman of the IFRB made the following statement:

"Commenting first on the important matters raised by the Secretary-General, I have been impressed both at the Plenary Meetings and at the meetings of Committee 7 by the seriousness of the situation as described by the Secretary-General and relating to the changing environment. I had previously thought that the ITU needed drastic changes in its structure and in its functions to enable it to cope with the changing environment but I now hear that all the problems could be resolved simply by merging two Secretariats, a matter which he will have to discuss with the Secretary-General outside the meeting. One thing, however, needs correction. There are within the ITU legislative bodies such as conferences and standardizing bodies such as the CCIs which are composed of Members of the Union; there is also a Secretariat and between the two, five members of the Board who are neither representatives of Members nor part of the Secretariat but custodians of an international public trust, the description given by the Secretary-General probably being over-simplified. I have also heard that the present Conference is to look at the problems of the Secretariat services. As I understood it, Committee 7 has the task of studying the overall problem of the structure of the Union, not only the Secretariat services but the organs themselves. My concern, therefore, is with the IFRB not only in relation to its specialized Secretariat but also with regard to its functions and its role in the international frequency management system.

Many of the comments made in Committee 7 and many of the written proposals communicated to the Conference have been encouraging to the IFRB, confirming the Board's belief that it should continue in the direction it has been pursuing up to the present time. However, some of the comments have been most discouraging, and in that respect I pay tribute to the members of the specialized Secretariat of the IFRB who have never stinted in their efforts and have regularly sacrificed their free time to enable the Board to fulfill its duties and conferences to reach successful conclusions. I also pay tribute to the staff of the CCIR who work closely with the Board during conferences and to the staff of the General Secretariat who cooperate with the Board continuously. There are hundreds of people in the Union who work and cooperate efficiently and silently and to whom being part of one organ or another is secondary.

A number of comments have also referred to the efficiency of the Board, and in that connection may I recall that the Secretariat of the IFRB during the past year, has been under the continuous supervision of the Administrative Council, either through reports presented by the Board or by a voluntary Group of Experts from administrations created by the Administrative Council. Furthermore, nowhere in the Council's report to the Conference is there any mention of the IFRB being inefficient in its work. The Board is constantly open to comments and suggestions and it takes account of such comments and suggestions whenever it considers that the situation can be improved. As a result, it has recently taken the initiative and reorganized its Secretariat, and consequently was able to propose to the Council, which had agreed, that twelve posts should be abolished.

Another aspect of the discussion concerns so-called routine tasks. That expression has been used in the deliberations of the Group of Experts on the long-term future of the IFRB and frequently occurs in Committee 7. As the Group of Experts has already stated, it is very difficult to define what is a routine task and what is not but despite that, and having regard to the discussions in the Group of Experts, the Board carried out a study with a view to identifying these tasks which do not require collegiate decisions and can therefore be delegated to the Departmental Heads in the specialized Secretariat. The specialized Secretariat is now working on that basis, performing many of the so-called routine tasks without involving the members of the Board. In addition, thanks to software development made possible with the agreement and

supervision of the Council, more than 90% of the Board's Findings are now produced by the computer with limited manual intervention for formal adopting except in cases identified by the members of the Board concerned or the Secretariat as requiring special consideration by the Board itself.

As far as the non-routine tasks are concerned, it is not possible to give an exhaustive list but I can mention the following:

- the interpretation of the provisions of the Radio Regulations; on average, each meeting of the five members of the Board includes two or three interpretations of the provisions of the Radio Regulations or Regional Agreements; some of these interpretations might require a half-hour discussion and others several meetings and the preparation of a number of documents by members of the Secretariat;
- the Rules of Procedure and the Technical Standards which are the basis for the application of the Radio Regulations; they are based on CCIR Recommendations and when no information is available in the CCIR, the Board has to develop its own standards; on yearly average there are ten to twenty documents on Technical Standards and Rules of Procedure which have to be considered by the Board for adoption as a result of which twelve questions are addressed to the CCIR;
- cases of assistance to administrations, which is a very important aspect of the Board's work to which I will refer later on;
- cases of harmful interference which may either be simple, in which case an exchange of correspondence with and between the administrations concerned suffices, or highly complex, involving several countries and sometimes requiring recommendations by the Board for joint meetings to solve the problems;
- cases of contravention or non-observance of the Radio Regulations which require studies of a juridical and technical nature, involving considerable research by each member of the Board before its views can be incorporated in a report to decide whether or not an administration is in contravention of the Radio Regulations;
- preparation for radio conferences, which does not require detailed explanation since the majority of delegates present attended conferences and were well aware of the complexities;
- seminars, which are the means whereby the Board can communicate with administrations without too many formalities, and in that respect the Board has submitted a document to the present Conference with a view to improving the seminars;
- computerization problems which require decisions at a higher level;
- problems of the organization of the Secretariat which also require collegiate decisions.

To deal with these non-routine cases, the Board holds, on average, one formal three-hour meeting per week as well as several informal meetings also averaging three hours, totalling perhaps six hours a week or an average of 300 hours per year. These figures indicate the frequency of the meetings needed by any organ which might replace the permanent Board. If, for example, a part-time Board is established without modifying the present Radio Regulations, and if it is to deal with all the non-routine

cases which I have described, it will require at least five meetings per year each lasting two weeks. If, on the other hand, the same Board holds only two meetings per year, some of the non-routine cases would have to be left to the Director, and in effect the permanent Board would be replaced by a Director supervised by a meeting of administrations. If the present Conference were to decide on a part-time Board which would need a modification of the Radio Regulations to take account of a Board composed of countries, then a detailed study will be required on the functions of such a Board, and the functions and responsibilities of the Director.

In considering the IFRB, the basic question to be asked is, in fact, why there is any need for an IFRB. One could go further along those lines and ask why there is any need for radio regulations. International radio regulations are necessary because radio is a resource common to the whole of mankind. Hundreds of millions of transmissions are made every day. The question thus is how to reconcile those hundreds of millions of transmissions with the sovereignty of individual States so as to avoid chaos. There have to be regulations, there has to be a law. In any civil society, the law is the only recourse for those who are not as strong as the rest. The Radio Regulations, being an international law, are the only recourse for those small users or small countries who have not or would not have the means to establish vast diplomatic machinery in order to reach all the bilateral agreements necessary for the proper operation of their services.

Since regulations are necessary, how is the frequency spectrum to be regulated and disputes settled? There are two possibilities. The first is through the adoption of plans distributing the frequency spectra among all countries, each having its share. That approach certainly has one great advantage, namely, the complete equality of all countries, whether big or small. It has, however, a drawback: it does not recognize the reality of everyday life and under the pressure of some countries needs could lead to a failure to abide by the plans, which in practice means relapsing into chaos. A second approach to regulating the spectrum would be to protect the first-comers, those who are already there. It has the advantage of being easy to apply, but the disadvantage that it is weighted against latecomers, i.e., the developing countries.

The ITU has adopted a combination of the two approaches. Where practically all countries use a frequency band and all requirements are known and real, plans are drawn up; an example is the Plan for the maritime mobile service. Where there are compelling reasons other than technical ones, plans are also drawn up; an example is the broadcasting satellite Plan, which was been drawn up at a time when such satellites were not yet in use. In all other cases, where it has not been possible to draw up plans, the ITU has developed a system which is supposed to protect State sovereignty. I wish to stress the idea of protecting State sovereignty in the use of the spectrum; the same system should make sure that every country has the chance to operate its system without suffering harmful interference. To meet that requirement, the Atlantic City Conference in 1947 set up the IFRB as a permanent organ, with the functions summarized in paragraph 11 of Document 184. That system of "first come first served" is criticized by many countries because, while it has advantages, it also has disadvantages. But it has been improved over the years. Thus the 1979 Conference, noting the difficulty developing countries had in getting access to HF bands for their fixed services, whether for national communications or for international ones, adopted a special procedure giving priority to developing countries, so that the "first come first served" rule was broken for the developing countries. Any of those countries can ask the IFRB to choose it a frequency immediately; the same procedure stresses the fact that if the IFRB encounters difficulty in choosing such a frequency because of congestion of the spectrum by the developed countries, they will be obliged to take action to modify their transmissions in such a way as to allow the IFRB to choose a frequency. Another measure taken to reduce the impact of the "first come first served" system is the procedure adopted at the most recent Space Conference, which consists, in addition to planning the fixed-satellite service, in adopting a procedure enabling any

newcomer country, when the part of the orbit that concerns it is overcrowded, to request a meeting, at which all concerned will be obliged to modify their systems so as to let the newcomer find a place in the geostationary-satellite orbit.

If I have touched on those points, it is to indicate how much decisions by the Board and administrative conferences involve questions of national sovereignty. Let me now turn to the question raised by the Panel of Experts itself, as formulated in paragraph 11 d) of Document 184, which says that one of the Board's functions is to record each frequency assignment and define its status. I should like to explore the idea of registering a frequency with a status. Any study on the IFRB's future will in my view have to start from the following basic question: does the ITU want the frequency assignments used by administrations to be registered with or without a status? If they are to be registered without any status, that will mean going back to the situation before 1947, and in that event it would obviously be possible to make enormous savings, simply appointing a few clerks to record the frequency assignments notified to the ITU General Secretariat by administrations. But if you consider that frequency registrations should in each case involve specifying the assignment's status, machinery will have to be set up to determine that status. That is necessary because if, for example, one takes two administrations A and B, they might both have the same status and operate on an equal footing, or they might have different status, in which case administration A would have priority over administration B. Once again, a problem of national sovereignty is involved when it comes to determining such priority.

What structure should the IFRB have? The expert's report deals with some aspects of that question, while administrations' proposals deal with others. Suppose the five-member permanent Board were replaced by a Director, it would be necessary to bear in mind the fact that unlike the international agencies, and unlike even the CCIs or the General Secretariat, which handles questions affecting countries as a whole, the IFRB has to handle matters which affect the rights of each country individually. If the IFRB were to be replaced by a Director, it would be necessary to find someone with experience in all fields of radiocommunications, whether he was an expert in maritime mobile or aeronautical mobile broadcasting or in space communications, and he would then have to take a decision, to the best of his ability, which might advantage one country or disadvantage another. Another solution would be to replace the IFRB by a group of countries. As I said earlier, either such a group would meet often, at least five times a year, in which case the associated costs and the travel problems would be such that the Group might not be able to function properly, or else it would have only a limited number of meetings, in which case it would be obliged to unload its responsibilities on to the Director of the Secretariat. It should also be noted that in the case of a Board consisting of countries, its impartiality has been questioned by the Panel of Experts, as can be seen from section III.1.2, paragraphs e) and f), of Document 184, which mentions the difficulty for members of such a group of being physically available for meetings very often and says, with regard to the question of impartiality, "doubts were also expressed concerning the difficulty a part-time Board Member could experience in acting in an impartial manner".

At all events, experience shows that whatever group takes a decision, if it is controversial and no longer satisfies the parties concerned, its value is considerably diminished. In a part-time Board, the following question could come up: if a part-time Board was responsible for all non-routine work and if two countries A and B were involved in a particular case, how could a part-time Board made up of countries take a decision on the matter if country A was a member of the Board and country B was not? Would the Board invite country A to refrain from taking part in the decision? Would it invite country B to come and join in the Board's decision? In either case, experience shows that a meeting of countries is obliged, when a conflict arises between two of its

members, simply to take note of the difference and ask them to reach agreement on a bilateral basis. There are many similar questions, which I do not think it necessary to go into here.

I had the honour as a delegate of my country to attend the 1965 Plenipotentiary Conference, at which a proposal was made to abolish the IFRB. I did all I could to oppose it, and all the developing countries joined me in defending the Board, considering it the only institution capable of protecting their interests. Most of the arguments I have been putting forward in this statement I had already advanced in 1965, and they can be found in the minutes of the meetings of the 1965 Conference. The international community needs to have a Board consisting of persons who can take decisions on an objective, independent, neutral basis. To conclude, I would say that whatever Board might be set up, it will be effective insofar as its decisions are not controversial. The golden rule is that people should have confidence in the Board's decisions. To gain that confidence, the IFRB has to be neutral and impartial. To be neutral and impartial, it has to be completely independent, with its own Secretariat under its own control.

Finally, I wish to say a word about the problem of the Union's structure. Terms such as "federation" or "federal" or "federal structure" do not of course appear in the Convention, but they are terms that people use all the time without worrying about their definition. Another such term, for example, is "standardization". That term is being used more and more often, but it does not appear in the Convention. Similarly, previous Plenipotentiary Conferences, when talking about the structure of the Union, used the term "pyramidal structure". That term itself, however, is not defined. What has to be borne in mind is that the ITU has found its own way to manage the frequency spectrum and the geostationary-satellite orbit. It is a different way from the one followed by other international organizations and requires a different structure from other international organizations. The IFRB is not a secretariat, because if it were, it would not be independent and would not meet the conditions I stated earlier. But if the Plenipotentiary Conference decided in favour of a pyramidal structure, there would be no two ways about it: either the IFRB would have to be abolished, or the Secretary-General have to be placed under the IFRB's authority."

2.3 Statement by the Director of the CCIR

The Director of the CCIR made the following statement:

"I am mindful that Members, not the Secretariat, are responsible for ITU structure. I am grateful to give some perspective on CCIR and its horizon, facts on what it does and how it works, to assist your consideration of the future. The CCIR XVIth Plenary Assembly approved a statement of CCIR objectives within its terms of reference. The first is to provide the technical basis for use of the radio frequency spectrum and geostationary-satellite orbit. The second is to recommend technical characteristics and performance of radio systems. The third is to provide information for communication development. The Plenary Assembly saw CCIR's function in the ITU context, not as an independent organ.

Perspective

As part of ITU, the CCIR is the unique world-wide organization to develop the conceptual and technical bases for sharing and management of the frequency-spectrum resource and the geostationary-satellite orbit. A consultative, not a regulatory body, CCIR is the vehicle of administrations for their development, on an international basis, of technical bases for efficient utilization and effective management of the spectrum, and for their technical preparation for ITU world and regional administrative radio conferences.

The future of many telecommunication services is dependent on available spectrum resource. Technically suitable bands are largely already in use. The International Frequency Register has recorded as many new frequency assignments in the past ten years as in the previous history of radio. Further expansion, and the accommodation of new services and new technology require more intensive use of the spectrum already in use. New concepts and new techniques are needed for frequency allocation, band sharing, compatibility, and spectrum management. This is the horizon for two-thirds of CCIR's work.

Spectrum utilization studies are carried out in every CCIR Study Group, with respect to different services and inter-service sharing of frequencies. Study Group 4 on fixed-satellite systems, for example, is mainly devoted to techniques for efficient use of the geostationary-satellite orbit, and to techniques for sharing frequency bands with terrestrial radio-relay systems. It was this Study Group which led CCIR preparatory work for the recent WARC-ORB. The Chairman of the IFRB has mentioned IFRB/CCIR relations. This cooperation is real at the level of the Board and the Secretariat. It is an important factor helping CCIR itself to guide its work.

How does CCIR relate to CCITT?

The CCITT is the world organization for standards for telecommunication networks. CCIR recommends technical characteristics for a number of radiocommunication services defined by the Radio Regulations. Many are for radio systems other than public telecommunication networks, for example as broadcasting (terrestrial and satellite), maritime distress and safety radio systems, and radionavigation. Those which interface with telecommunication networks are done in liaison with CCITT. Those deal with radio-relay, satellite links, and mobile radio. Of some 3,500 satellites using the spectrum, about 10% are in the geostationary-satellite orbit, and many of these provide links in public telecommunication networks. Some 17 CCIR Recommendations, about 6%, involve liaison with CCITT, apart from the Joint CCIR/CCITT Study Group on network relay of broadcasting signals. In new studies of future land mobile telecommunications, and satellite mobile systems for a number of applications, there is liaison with CCITT concerning interface with public telecommunication networks. There is not duplication, only interfaces.

Technical Cooperation

CCIR and its Secretariat, in accordance with Resolutions of the Plenipotentiary Conference and the Plenary Assembly, provide assistance within resources available, to the ITU Technical Cooperation programme. Project reports are reviewed and advisory assistance given in fields of CCIR competence. The CCIR itself prepares a number of handbooks, as on satellite communications, frequency management, and spectrum monitoring. CCIR contributes to the GAS activities and with CCITT to the work of the Plan Committees. The CCIR Secretariat or Study Group leadership participates in or organizes seminars in radio fields, and provides specialized software of interest to developing countries.

Productivity and costs. improving response

Possibilities for improvement of organization and working methods should be and continue to be examined, to adapt to changing requirements, to improve quality and efficiency, and to minimize costs. The CCIR re-examined its organization and working methods at the Plenary Assembly in 1982 with the help of a Preparatory Working Party, and again in 1986. A number of steps were taken. One result was more timely and conclusive technical bases for administrative radio conferences, and new options for carrying out this work.

Another consequence was the greater use of Interim Working Parties on specific tasks to prepare for Study Group meetings of reduced duration. Other steps reduced costs of document processing during meetings. During the recent study period, the output in volumes of the CCIR increased by more than 20%. Technical contributions to Study Groups increased by 35%, and participation in meetings by 10%. In spite of these increases, costs of meetings were reduced by 15% and the secretariat staff is smaller today than in 1982. More preparation for administrative radio conferences was carried out in the regular work programme of CCIR. An accelerated procedure for Recommendations was considered, and will be reconsidered at the Plenary Assembly foreseen in 11 months time. Consolidation of Study Groups is considered carefully, because there is not necessarily a cost saving. Participants in a small Study Group consolidated with another may have to participate in larger meetings of longer duration, and documents are distributed to a larger group. CCIR has found that the block meeting system obtains economies of scale while permitting each Study Group to meet for an optimum period with limited document distribution. Delegations travelling great distances have also supported the block system.

A special meeting of CCIR Study Group Chairmen is foreseen in January, following final Study Group meetings in advance of the Plenary Assembly, for an intensive review of organization and working methods. A further session is expected with a voluntary group of representatives of Administrations and other organizations to assist the Director in preparing a report to the Plenary Assembly on CCIR structure and working methods. Further consideration will be given to the accelerated procedure, and to increasing CCIR's focus on Recommendations rather than reports. More tasks must be carried out by Working Parties and task forces in preparation for Study Group meetings to maintain their minimum duration. Depending on priorities of administrations, work programmes should be pared to essential tasks with well defined timetables.

Merger?

Any restructuring should be the considered response to analysis of objectives and problems. In architect's terms, "form follows function". Would merger improve technical response, or bring cost savings? It is clear that merger of itself brings no automatic savings. Reduction of staff or functions is required to reduce costs, with or without merger. Any plausible estimate of savings must be based on estimated cuts of functions and posts.

There is a fundamental question. Do Members want the Directors to be experts in their fields, say telecommunication networks for CCITT and radiocommunications and spectrum for the CCIR, or do they wish more general qualifications?

A merger would not lessen the need for liaison between what are now CCIR and CCITT studies. Such liaison is at the interface between specialized Working Groups; it is essential within CCIR and within CCITT, as well as between the two. For example, Groups in CCITT as well as CCIR require liaison with CCITT Study Group XI (Signalling). Present liaison is effective, and it concerns only 6% of CCIR Recommendations apart from the Joint Study Group CMTT. CCIR requires as much or more liaison with IFRB than with CCITT. Merger considerations should take account of CCIR's preoccupation with spectrum utilization and its need to respond to needs of Radio Conferences and the IFRB.

Merger of CCI Secretariats has been mentioned. This would be more complex than foreseen and could be counter-productive if the CCIs remain distinct and separate. The requirements and the working methods of the CCIR and the CCITT are different, with important implications for the work of the Secretariats. Work that can be done by a common service is already so done. Document translation, reproduction, dispatch, and many other tasks are already done by the ITU Common Services, and their work is highly appreciated. The two CCIs also use a common document registry and control system,

developed jointly. But the name "Specialized Secretariats" used by the convention is correct. There is no duplication of work. The Secretariats work according to the requirements of their respective Plenary Assemblies, and there are important differences. In CCIR there are nine engineers, including Senior Counsellors, professionals specialized in the fields of their Study Groups. They are not able to serve all of the Working Group and Interim Working Party meetings. These are the staff who represent the work of their Study Groups in other forums, who assure much of the liaison with other international organizations, prepare correspondence and reports concerning the work, and advise their Chairmen and Working Groups. These are the engineers who provide many CCIR contributions to seminars in developing countries, and who assist the ITU Technical Cooperation programme. An additional three engineers with their assistants and draftsmen do technical editing, alignment, and preparation of CCIR texts. The CCIR and CCITT technical-editorial groups function differently with different requirements, and each has a continuing backlog of work. The total staff of CCIR is 31 including the Director. Together, the CCITT and CCIR Specialized Secretariats represent about 10% of the total ITU staff.

The possible advantages and disadvantages of consolidation of the Secretariats, and any problems which might give rise to this suggestion, have not been discussed in the Coordination Committee. I believe that the Coordination Committee has a much greater potential for coordination of activities than has been tapped.

I mentioned that the CCIR staff remains smaller today than it was in 1982. I have stressed that the workload and productivity have increased very much. I want to say of the CCIR personnel themselves that they have been extraordinarily devoted to improving ITU's contribution to telecommunications in spite of many difficulties and limitations. They are competent and professional in their work, and have themselves made many of the suggestions for improvement. They take pride in CCIR's role and contribution in radiocommunications. They have been responsive to requests for assistance from the Secretary-General, especially in technical cooperation. No doubt improvements can be made. I would hope that discussions of restructuring would be very sensitive to these people.

Closing

I am grateful for this possibility to explain my own perspective on the structure of the CCIs. The CCIR Plenary Assembly, of course, has not considered the possibility of merger of the CCIs or their Secretariats. If you are interested in background for what I have said, I have prepared a more complete paper, which I would be pleased to supply on request. Thank you very much."

2.4 Statement by the Director of the CCITT

The Director of the CCITT made the following statement:

"Mr. Chairman,

In the following I would like to offer some personal comments with a view to clarify somewhat the complex matter of consolidation or merging which is before your Committee. I am, of course, making no proposals because that's clearly a matter for the membership; moreover, I would like to concentrate on standardization only being one of the three basic objectives of the Union. I am therefore not giving a report on the CCITT activities in general; for this I refer you to the Report of the Administrative Council which was already approved a few days ago. When concentrating on standardization I will be more precisely concentrating on the technical viewpoints. Consequently I will make no comments on financial, constitutional or other issues. For better understanding, Mr. Chairman, I have grouped my comments in three parts. The first will deal with some rationales which could be in my mind used as reasonable

guidelines when we talk about reforming standardization in the two CCIs; to make it a little bit more easy I will follow the same rationales as we have them applied when we prepared for the IXth CCITT Plenary Assembly last year. The second group of my comments will comprise of the principles and open issues which, in my mind, have to be resolved before such reform of both CCIs could be implemented. And finally, in a third part, I would like to make a few remarks on possible timeframes for the implementation of the reform, of course, with the understanding that the issues I have been referring to have been resolved.

Let me take up the first group of comments, Mr. Chairman. I am talking of rationales for reforming and rationalization of standardization and as I said I will refer to that way as we did it in the CCITT when we prepared for the IXth Plenary Assembly last year in November; these rationals can be summarized in five points.

The first point is the changing environment. Mr. Chairman, in that context I am interpreting this term somewhat differently. Here I understand by the changing environment the fact that almost all of our member organizations participating in the CCITT are undergoing an almost permanent structural change. In my mind, Mr. Chairman, it is naive to believe that all these changes which we see occurring almost permanently in our member organizations would have no feedback to the CCITT - the CCITT standing like a rock, and around this rock everything is changing.

The second point is what we saw so far and are still witnessing is the acceleration and the convergence of the so-far separated technologies and services due to digitization and integration. Subject matters which have been separated for historical reasons are now converging, are coming closer together. The ISDN to which several delegations have referred is a good example of what is meant by digitization and convergence.

The third point, Mr. Chairman, at which we looked at when we prepared for the Plenary Assembly is the liaison as a consequence of acceleration and convergence. There was indeed a rapid increase in liaison between our Study Groups because of their so-far non-functional structure. Increase of liaison results not only in delays, but also in inefficiency and increases costs. I give you an example of what I mean by functional structure. Before the last Plenary Assembly we had in the CCITT four Study Groups dealing with telecommunication services, mainly non-voice services, voice services, data services, and ISDN services. You could imagine what flow of paper was necessary to coordinate the work between these four groups. Now, after the Plenary Assembly we have one Study Group dealing almost exclusively with all services - may they be voice, or non-voice, or ISDN.

On the fourth point, Mr. Chairman, I would like to address specifically because we were very mindful when we prepared for our Plenary Assembly; it was the inter-working with other international standardization organizations. I use the word "inter-working"; I don't say "competition" although in some areas it is indeed meanwhile a kind of competition. We have standardization organizations operating on a work-wide basis; such as ISO, IEC and others. All these organizations, Mr. Chairman, are rapidly expanding their traditional areas of work and are more and more touching on issues which so far have been - let me use the word - a monopoly of the CCITT. Another group of standardization organizations are the regional standardization organizations to which reference has been made already sometime during this meeting. These three regional standardization organizations - in North America, in Japan, which is now stretching to the Pacific, and in Europe - are young, dynamic organizations. They are, because they are young, using not traditional but modern methods of work and - and this should be underlined - they are operating market-oriented. True in many discussions I had with representatives of our membership in the CCITT it was made well clear to me that all these people stress that they would like to see world-wide standards worked out by the CCITT preferred over regional standards. But if CCITT is not able to produce

such standards in a reasonable time they will devote their resources (and that is not only money, that is also manpower) to those regional organizations which are setting the standards at the time when needed. Mr. Chairman, I say this with all sincerity - this is not a phantom this is standardization reality in the 1990s which we are facing, and I could give you some examples how that looks like in practice.

We had a case, more than one year ago, where one regional standardization organization, one regional organization, was arriving in Geneva and saying: "Look, this is our proposal and you have about six months' time to have this proposal turned into a CCITT Recommendation." That needed a lot of extra activity, but we managed to have this standard ready for implementation in six months' time. It was, by the way, for those of you who participated, the famous case of the so-called synchronous digital hierarchy. The same building, Mr. Chairman, in which we are meeting, saw a meeting of another regional organization just a few weeks ago. This regional organization agreed to come up with proposals for standards for ISDN services up to the end of this year. Again, we had to react, we have meanwhile made preparations and we are confident in interworking with these people, that the CCITT standards will, in cooperation with this regional organization, be ready for approval under CCITT Resolution No. 2 in February next year.

Mr. Chairman, I have given you these examples to show you the dramatic changes in the work of standardization. A study period of four years, Mr. Chairman, is a very long period for standard-making and we have to think of means and ways to shorten that, and indeed Resolution No. 2 which is before this Conference is a tool for accelerating the production of standards.

And the last point which on we were mindful, Mr. Chairman, when we prepared our proposals for the last Plenary Assembly was the exponential output of work, for instance in documentation versus the limited resources. This is, of course, not only relating to the CCITT but it is also of concern for the Common Services of the ITU which have to produce all these paper mountains which we used to produce in the last study period. If my memory serves me correctly, the CCITT accounts at the moment between 50 and 60 percent for the workload of the Common Services in the ITU. I would not like to go back and again show you the photos of paper mountains which I demonstrated to all of you who have been in the Plenary Assembly in Melbourne - there were 150 million pages which we printed during the last study period which represents a mountain piled up as high as the Mount Everest - it's more than 8 km high!

Mr. Chairman, with these five points in mind - and I would like to underline after carefully studying the pros and cons of many different proposals - we went to the IXth Plenary Assembly. You know the results to which several speakers have made references; the CCITT has been streamlined in many areas, the famous spirit of Melbourne did in some areas produce almost miracles sometimes beyond our expectations. Secondly, we got concentration on standardization in all our Study Groups; e.g., we dropped more than thirty questions, we are proposing to close the CCITT Laboratory which is for final decision before this Conference. Thirdly, we achieved acceleration and rationalization of standardization by drafting the new Resolution No. 2. Again it's my hope that this important Resolution finds your blessing here in Nice, because this Resolution No. 2 marks the departure from the four-years-approval cycle cited which we had so far. This Resolution No. 2 will not only accelerate the production of standards, it reduces simultaneously the workload which we always had at the end of a study period, and which clogged the ITU Common Services almost completely for almost a year. Thus, we arrived at a more functional study group structure - it's not yet completed, but we are going the right way. By this we are cutting back liaison and we have increased decentralization more and more. A lot of work is done outside of the Study Groups by Special Rapporteurs, and when you compare the statistics it is interesting to note that despite the tremendous increase of workload, we have in fact reduced the meeting days of our Study Groups. And as a fifth point we implemented the IXth Plenary

Assembly a new documentation system. We have only two types of contributions now with fixed deadlines; we have slimmed the reports - they consist now of two parts only - and this will increase faster delivery and result in savings.

Mr. Chairman, I have explained quite lengthily these steps we took before the last CCITT Plenary Assembly for the simple reason that we can apply the same rationales when we are looking now on the issue on merging the CCIs which is put before your Committee. Let me use instead the term 'consolidation' for what we are discussing here. In my mind, consolidation means on-going improvements in many areas; merging, in my mind, could be the ultimate result for all this consolidation. It remains to be seen whether we arrive at this final destination and this will depend on how the problems along this road can be resolved. As I have spent quite some time in explaining the five rationales which we looked at before our Plenary Assembly, I can keep it quite short when I now take the same rationales vis-à-vis the task of consolidating the two CCIs.

The changing environment, Mr. Chairman, clearly must have a feedback on both CCIs and in particular how they interwork. The convergence of technologies and services due to digitization and integration between the two CCIs is progressing. The case of microwave and optical cable transmission systems has been made already by a delegation a few days ago. These two kinds of transmission - although physically different mechanisms are following the same performance requirements. The broadband services which are under study in the CCITT are converging with similar work in CCIR and in this context I would like to add that in my mind HDTV is not only a television standard but something more. We have the field of mobile communications which are using largely the terrestrial network and to which my colleague, Mr. Kirby, has already been referring to. And it's for this reason, Mr. Chairman, that we will also face the same consequence of this convergence as in CCITT and this is an increase of liaison. True, there has always been liaison between the two CCIs. It has worked, but what will come in the near future is because of the convergence that such national liaison will increase. Apart from moving around documents, there is a speciality in this kind of liaison because the CCITT meetings are held almost all the year from January to December and we have to do that, Mr. Chairman, because otherwise we cannot react if such cases as with the regional organizations are appearing. We cannot wait for years but we have to act in as I said sometimes six months. The CCIR has its block meetings every two years and because of this we might have to wait quite some while until we get a reply. The point has been made that Joint Groups could be a way out of this situation. To some extent, this might be true, Mr. Chairman, but we should not forget that Joint Groups have always to report back to their parent organizations. If you have a Joint Group between two CCIR/CCITT Study Groups this Joint Group has to report back to its "parent" Study Group and as these Groups are meeting at different times again we have the same problem how to achieve a quick resolution of the problem dealt with in the Joint Group. And for the interworking with other international organization this is also relevant for the two CCIs as well, particularly for those subject matters which are under study in the two CCIs, like for example broadband issues. But finally for the two CCIs we have to use efficiently our resources, manpower, finances and so on.

Now, Mr. Chairman, having again taken you through the rationales which we should take into account when looking on consolidation or even a merger of the two CCIs, let me now come to the second of my comments and I will discuss some principles and open issues which in my mind are crucial before consolidation is reached. These principles and open issues would, in my mind, justify an in-depth study of the structure, working methods and so on of both CCIs to which quite a few delegations have referred and which is addressed in quite a few documents before this Committee. Let us see what are such principles and open issues.

First of all, and I think, Mr. Chairman, we all can agree on a first and in my mind most important principle, and this is the principle of continuity. That means on-going work in two CCIs, whatever decisions are taken, should by no means be disrupted or seriously hampered. If we all subscribe to that principle the consequence would be that we would have to allow first a sufficient transition time from the existing situation in both CCIs up to any changes due to consolidation; second we need also to have sufficient time for the implementation whatever decisions will be taken. In short, the first and basic principle should be to minimize disruption: "don't ruin the system by quick decisions which would be found harmful at a later stage".

I am coming to a point which was addressed by a few delegations. They have stressed the importance of standardization being one of the three main objectives of the ITU and for this reason they are advocating for the consolidation and even for a merger of the two CCIs. Let's take a look whether and to which extent this is really justified and needed. Standardization is done in the Study Groups of the two CCIs but to a different degree. In the CCITT almost all Study Groups are working on standardization while in the CCIR there are not all Study Groups exclusively working the standardization. In CCIR there are additional other activities not directly relating to standards such as studies on propagation, frequency management etc. to which Mr. Kirby has been referring to. The situation is therefore different and the range of activities on standardization are not exactly the same in both CCIs. Mr. Chairman, if we would like to improve and accelerate standardization - that's what I understand is the motivation for all the discussions we have here on the consolidation and merging - then I don't think that there is a need for a full-blown consolidation or merger of both CCIs as it was advocated, comprising all their Study Groups. What we would have to do is that only those Study Groups in the two CCIs working on standards need to be consolidated. Again, Mr. Chairman, at the very outset I said I was not making any proposals, but just comments which can be pursued further and this is valid also here.

In this context let me take up another point. In the discussion, several times the merging of the two CCI Secretariats alone, i.e. without consolidating the Study Groups, was proposed by some delegations. After what I have said just now we will, of course, all understand that without consolidation of the Study Groups which are producing standards a merging of the two Secretariats will not resolve the objective of rationalization and acceleration of standardization. The consolidation of the two Secretariats alone might, however, produce synergy effects by pooling of resources, we could perhaps reduce somewhat supernumerary staff which we need at peak times and in general we may achieve a more efficient cooperation of our staff. But these are matters which need to be explored more in detail and I would simply like to refer to what the Secretary-General has said in this respect. Let me repeat. To avoid any misunderstanding, a merging of the two Secretariats will not directly contribute to improve standardization, but it might have other positive effects - to which degree is another question.

Mr. Chairman, I am coming to the next point. We all agree that it is desirable that the ITU's role in production of world-wide standards is to be improved. Such improvements will depend, as I have tried to make clear, on the consolidation of the relevant Study Groups. Necessarily the question arises - how this can be achieved. Here I am referring you back to what I have set out when I spoke on the functional restructuring of the CCITT Study Groups. If we would apply the principle of functionality for consolidation of those CCITT/CCIR Study Groups dealing with standardization, then we will find some areas where for historical reasons work has been in different Study Groups of the two CCIs. Let me be very careful here: it is at least worth to investigate whether a consolidation would be contributing to the desired effects of acceleration and rationalization of standardization. I give you an example, Mr. Chairman. We have in the CCIR Study Group 9 dealing with microwave services, and we have in the CCITT Study Group XV called Transmission Systems. In this CCITT Study Group

there is only one type of transmission systems under study - the transmission systems on optical fibres. All other transmission systems in coaxial or symmetrical cables have gone - we have the standards but there is no work done. Both Study Groups, 9 in the CCIR, XV in the CCITT, are using the same performance requirements as worked out in CCITT Study Group XVIII. Would it not be at least worth to look whether one could consolidate these two Study Groups in one called Transmission Systems which would have two Working Groups, one which is dealing with optic fibres transmission and the other with microwaves? I do not anticipate any result of such a survey by making just this consideration, but this is the way as I would understand if we want functional restructuring of the Study Groups. And if you apply the principle of functionality you might find that you can bring together related matters in a better way as they are separated today, and this might then have also some positive feedback on the Secretariats as it will have to be seen.

Another point, Mr. Chairman, on our list which we have to look closely before we take any rapid decision, is the fact that we have different meeting arrangements in the two CCIs. Mr. Kirby has spoken about the block meetings in the CCIR, we in CCITT have meetings all over the year and we will have to investigate what would be the best solution when we are talking about consolidation. Well, Mr. Chairman, I am representing the CCITT, and I believe for our purpose the way as we do it is the appropriate one. As I said we are flexible and can arrange meetings whenever the need arises, but again it is a matter which has to be discussed and investigated in the course of a consolidation.

Another point where I have no immediate solution of the problem I am creating by mentioning it is the different documentation systems which we have in the two CCIs. They are quite different - not only in the form of the documents, but also the deadlines and so on and therefore that's another issue to be looked at.

In that context, transition towards project-oriented work has been mentioned and this is exactly the method by which all the regional organizations are already operating. They define an area where they would like to produce standards and then they go to work. We have the same in the CCITT already in some areas, particularly for those methods which despite all functional grouping still have to be scattered over different Study Groups. In my mind the project-oriented work is the way how standardization will be done in the future but I would like to invite some caution. It will take a while and we really have to look into all those matters in detail, until we can move from the conventional system of questions as we have it up to now into a project-oriented approach. It will be the eventual solution, I am convinced, and the regional organizations are demonstrating that already but if we don't want to disrupt our work this cannot be done at once; we can start to do it in suitable areas and perhaps if the results are positive we are all moving to that kind of standardization work at a suitable point of time.

Mr. Chairman, these have been some of the points which have to be addressed when talking on consolidation. Perhaps other people would add more which we should address equally; as we have seen some of them are difficult, others are more easy. But again, and I repeat; if we subscribe to the principle of not disrupting our on-going work in both CCIs, I think it is worth to look in all these issues and to weigh the pros and cons before changes are being implemented.

Now, Mr. Chairman, the third group of my comments brings me to possible timeframes. Assuming that in one way or the other all these open issues and perhaps others not mentioned here will be resolved and we find satisfying solutions then comes the question how they can be implemented. Taking the need to accelerate standardization for the reasons I have outlined, I would believe waiting up to the next Plenipotentiary Conference would be too late - time is working against us. I am not urging that it must be an unreasonable short time, it should be a reasonable time, and when we talk about

the timeframe of five to six years, Mr. Chairman, I would see serious problems coming up for standardization vis-à-vis the environment in which we are operating; and, additionally, because most of the consolidation depends on working methods, Study Group structures, documentation, etc. (and such matters are not subjects for a Plenipotentiary Conference) we could easily implement such improvement at Plenary Assemblies.

Now, as far as the arrangements are concerned to proceed with consolidation whatever group is set up, whether this is a Group of Experts or a Panel, or we accept the proposal that the two Directors should come up with suggestions and solutions etc., I think this is something what your Committee should be deciding. In any case I do believe that all these open issues I have been referring to cannot be resolved here in this Committee, and at this Plenipotentiary Conference in Nice. It is for such reasons that - if consolidation is to be pursued further - one of the arrangements mentioned above has to be agreed upon to carry out studies in consolidation.

Let's assume that such a study will be conducted in one way or the other - Group of Experts, Panel, also, management audit was said here the other day. I have already stated that most of the issues, but not all, relate to working methods, study group structure, etc. Decisions arising from such a study can be implemented at a Plenary Assembly because they do not touch on the Convention. If such decisions are implemented at Plenary Assemblies, it would also meet the basic principle we all agree of continuity, i.e., that on-going work by no means should be disrupted. And if we do so, Mr. Chairman, and we take a look on the proposed dates of Plenary Assemblies which are before this Conference to agree, then we will see that the next Plenary Assembly is that of the CCIR in 1990. In my mind this time is too short because we will not be able to sort out all the problems I have been addressing. The next opportunity would be in 1992 or early 1993, at the CCITT Plenary Assembly. Looking at those dates of the Plenary Assemblies will give a kind of orientation in which time such study (if there is to be a study, if the membership so decides), should be completed so that whatever comes out could be implemented at suitable Plenary Assemblies. In my mind, 1992 would be a reasonable date but it should be borne in mind that the Plenipotentiary Conference is, of course, free to modify the dates of Plenary Assemblies in order to adjust the dates to the time when this study will be completed.

Mr. Chairman, these have been some comments. I do apologize that I took a lot of time, but I hope very much that perhaps I was able to contribute to a better understanding of what in fact we are talking about when spelling out magic words like consolidation or merging of the CCIs. I am, of course, at your disposal if any questions or more clarifications are needed. Let me thank you for giving me the time to express my views as I see the possible evolution of the consolidation and eventually a merger of the two CCIs if so desired by the ITU membership.

Thank you, Mr. Chairman."

The meeting rose at 1225 hrs.

The Secretary:

A. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 207-E

5 June 1989

Original: French

PLENARY MEETING

FIRST REPORT OF COMMITTEE 4 TO THE PLENARY MEETING

At its first and second meetings, the Finance Committee considered the section relating to budgetary and financial questions of the Report of the Administrative Council to the Plenipotentiary Conference, as well as other items under its terms of reference.

The conclusions of the Finance Committee were as follows:

1. Approval of the Union accounts for the period 1982-1988

Under No. 40 of the International Telecommunication Convention (Nairobi, 1982) the Plenipotentiary Conference shall examine the accounts of the Union and finally approve them.

Committee 4 therefore considered the report of the Administrative Council (Document 186) concerning the examination of the financial management of the Union by the Plenipotentiary Conference for the years 1982 to 1988, and it proposes that the Plenary Meeting should finally approve the accounts of the Union for those years. See Resolution COM4/1* adopted in this connection.

2. Cash resources

The Finance Committee noted that it had been found necessary in the years 1984 to 1986 to request advances of funds from the Government of the Swiss Confederation agreed with the Administrative Council's proposal that the Plenipotentiary Conference should express to the Government of the Swiss Confederation its appreciation of the generosity displayed in the matter of advances of funds, together with the hope that the arrangements that had been in existence for a number of years might be continued. See Resolution COM4/2* adopted in this connection.

3. Auditing of accounts

The Finance Committee took note of the appreciation expressed by the Administrative Council to the Government of the Swiss Confederation for the external audit of the Union accounts. Committee 4 endorsed the Administrative Council's proposals that its gratitude should be expressed to the Government of the Swiss Confederation, together with the hope that the external audit of accounts might continue to be carried out by the competent Swiss authorities. See Resolution COM4/3* adopted in this connection.

M. GHAZAL
Chairman of Committee 4

* The texts of Resolutions COM4/1, COM4/2 and COM4/3 have been transmitted to the Editorial Committee, which will submit them in due course to the Plenary Meeting.

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 208-E

5 June 1989

Original: French

COMMITTEE 10

FIRST SERIES OF TEXTS FROM COMMITTEE 4 TO THE EDITORIAL COMMITTEE

Committee 4 has adopted the attached texts, which it submits to the Editorial Committee for consideration and for transmission in due course to the Plenary Meeting.

M. GHAZAL
Chairman of Committee 4

Annexes: 3

ANNEX 1

RESOLUTION COM4/1

Approval of the Accounts of the Union for the Years 1982 to 1988

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

considering

a) the provisions of No. 40 of the International Telecommunication Convention,
Nairobi, 1982;

b) the Report by the Administrative Council to the Plenipotentiary Conference
(Document 47), Document 186 relating to the financial management of the Union during
the years 1982 to 1988 and the Report of the Finance Committee of the present
Conference (Document 207);

resolves

to give its final approval of the accounts of the Union for the years 1982 to
1988.

ANNEX 2

RESOLUTION COM4/2

**Assistance Given by the Government of the Swiss Confederation
in Connection with the Finances of the Union**

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

considering

that in the years 1984 to 1986 the Government of the Swiss Confederation placed
funds at the disposal of the Union to improve its liquidities;

expresses

1. its appreciation to the Government of the Swiss Confederation for its generous
assistance in financial matters;
2. the hope that the arrangements in this field may be renewed;

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss
Confederation.

ANNEX 3

RESOLUTION COM4/3

Auditing of Union Accounts

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

considering

that the external auditor appointed by the Government of the Swiss Confederation
audited the Union accounts for the years 1982 to 1988 most carefully, competently and
accurately;

expresses

1. its warmest thanks to the Government of the Swiss Confederation;
2. the hope that the existing arrangements for the auditing of the Union accounts
may be renewed;

instructs the Secretary-General

to bring this Resolution to the notice to the Government of the Swiss
Confederation.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 209(Rev.1)-E

7 June 1989

Original: English

COMMITTEE 5

Australia, United States, Netherlands, United Kingdom

PROPOSALS FOR THE WORK OF THE CONFERENCE

In response to the Chairman's invitation that delegations should consult and submit suggestions, and to a Norwegian proposal, the co-sponsors of Document 209 have acted as requested and now submit a revised text agreed following those consultations.

DRAFT RESOLUTION No. ...

Adjustment of Pensions

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

Resolution No. 61 adopted by the Plenipotentiary Conference of Nairobi (1982) in connection with the adjustment of the level of pensions;

having considered

the Reports of the Administrative Council, the Secretary-General and the ITU Staff Pension Committee;

acknowledging

the concern of ITU staff about the level of pensions in the present system and possible subsequent changes to it, as well as the potential effects of future monetary fluctuations and inflation;

concerned

by the fact that no long-term solution has yet been found which satisfies the concerns expressed by the staff on this issue;

noting that

the United Nations General Assembly has commissioned reviews of staff remuneration and conditions of service and of pensions;

noting further that

at the request of the Administrative Council the Secretary-General has brought the problem of the adjustment of the level of pensions to the attention of the appropriate United Nations bodies;

noting further that

interim measures have been taken within the framework of the United Nations Common System to reduce the impact of currency fluctuations;

reaffirming

the strong attachment of ITU Members to the UN Common System;

strongly urges

the representative of the ITU Staff Pension Committee on the United Nations Joint Staff Pension Board to take all the necessary steps to ensure that an appropriate solution is found to the problem;

invites

all ITU Members to take all the necessary steps to ensure that the concerns of ITU staff are properly understood by Members' representatives dealing with the general policy of remuneration and conditions of service of international civil servants in order that these concerns are taken into account in the decision-making process;

instructs the Administrative Council

to follow carefully the evolution of this issue in order to ensure that ITU views are fully and appropriately represented in the Common System bodies responsible for the pensions of ITU staff and to implement any decision adopted within the the framework of the United Nations Common System;

instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations and to the relevant United Nations bodies responsible for staff conditions of service and remuneration including pensions.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 209-E

5 June 1989

Original: English

COMMITTEE 5

Australia, United States, Netherlands, United Kingdom

PROPOSALS FOR THE WORK OF THE CONFERENCE

DRAFT RESOLUTION No. ...

Adjustments of Pensions

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

Resolution No. 61 adopted by the Plenipotentiary Conference of Nairobi (1982) in
connection with the adjustment of pensions;

having considered

the Report by the ITU Staff Pension Committee;

acknowledging

the concern of ITU staff about the level of pensions in the present system and
possible subsequent changes to it, as well as the potential effects of future monetary
fluctuations and inflations;

noting that

the United Nations General Assembly in resolution 42/221 has commissioned a
comprehensive review of staff remuneration and conditions of service and that this
review includes pensions and is intended to lead to an improvement in the operation of
the system overall;

noting further that

interim measures have been taken within the framework of the United Nations
Common System to reduce the impact of currency fluctuations;

reaffirming

the strong attachment of ITU Members to the UN Common System and the need for
the single unified international civil service achieved through common conditions of
service;

strongly urges

the ITU Staff Pensions Committee to take all the necessary steps to ensure that the proposal for a Pensions Purchasing Power Protection Fund (PPPPF) is fully evaluated by the relevant United Nations bodies as one possible response to the concerns of ITU staff;

invites

ITU Members to take all the necessary steps to ensure that the concerns of ITU staff are properly understood by Members' representatives dealing with the general policy of remuneration and conditions of service of international civil servants and that these concerns are taken into account in the decision making process.

instructs the Administrative Council

to follow carefully the evolution of this issue in order to ensure that ITU views are fully and appropriately represented in the Common System bodies responsible for the pensions of ITU staff;

instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations and to the relevant United Nations bodies responsible for staff conditions of service and remuneration including pensions.

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

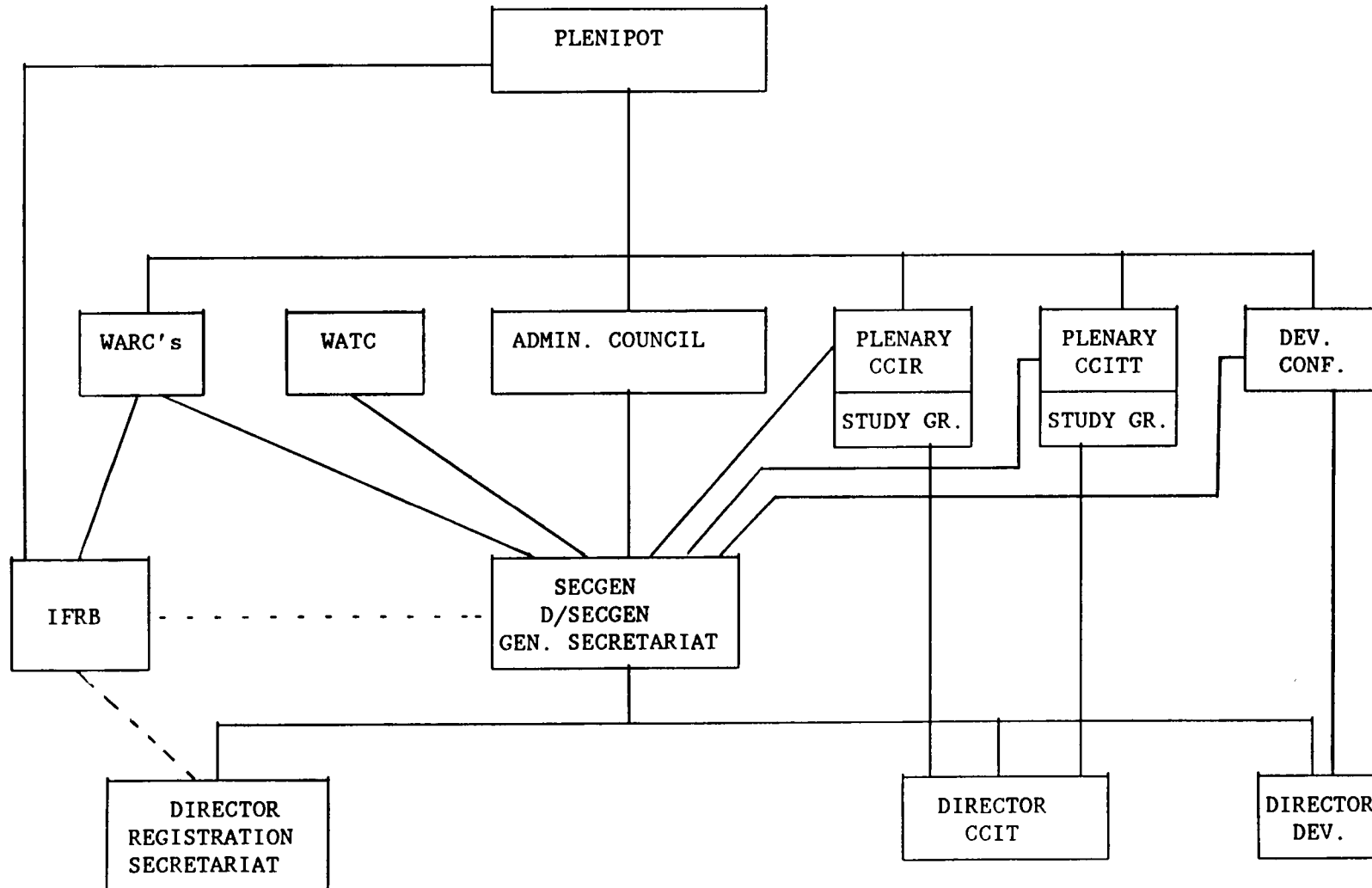
Corrigendum 1 to
Document 210-E
6 June 1989
Original: English

COMMITTEE 7

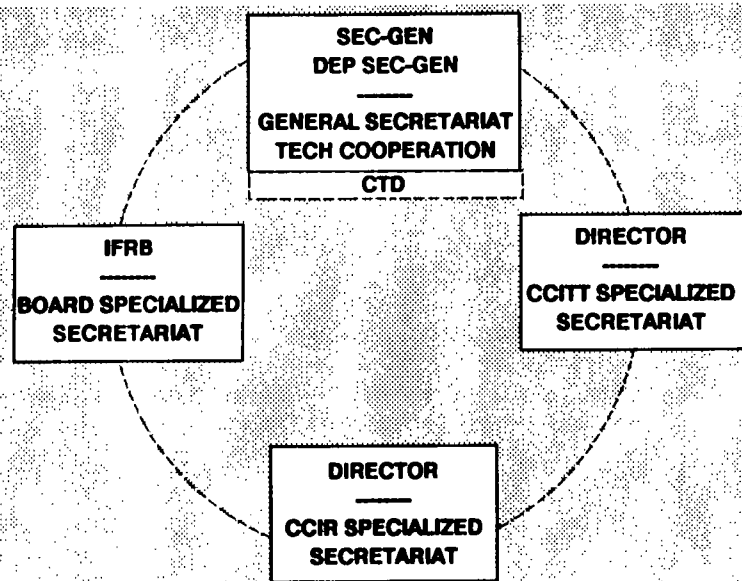
Please replace pages 6 and 7 by the attached ones.

ANNEX 2

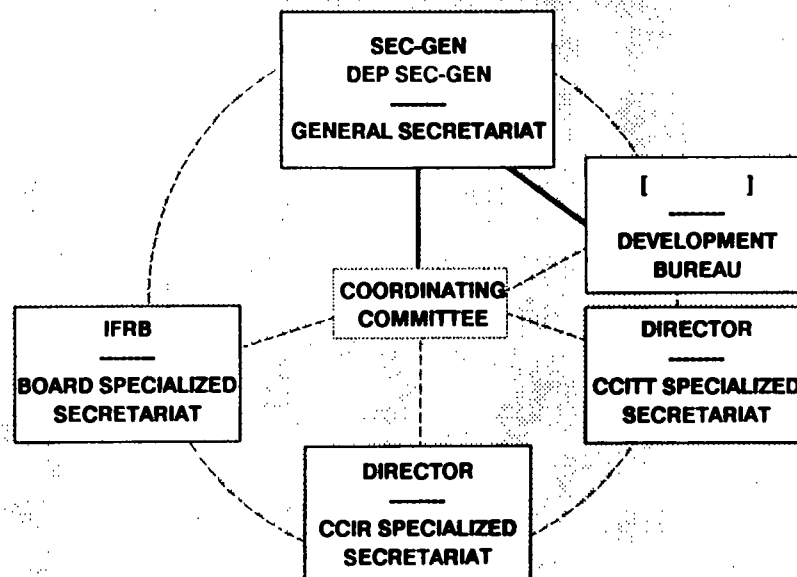
ONE POSSIBLE REVISED RELATIONSHIP OF LEGISLATIVE ORGANS WITH SECRETARIAT



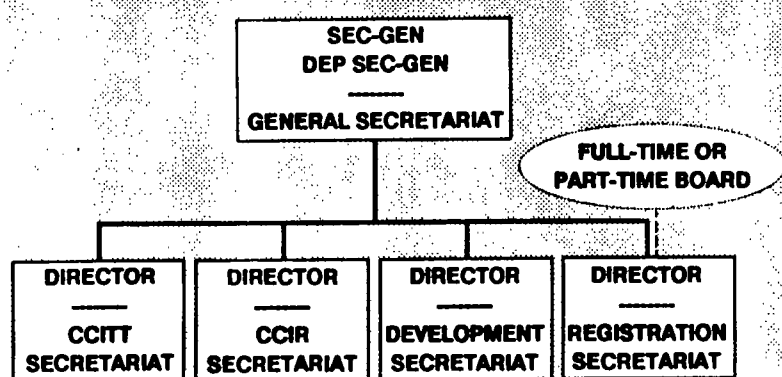
ALTERNATIVE STRUCTURAL MODELS FOR ITU SECRETARIATS



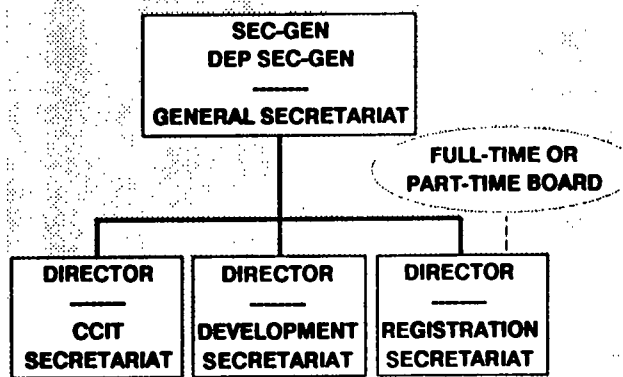
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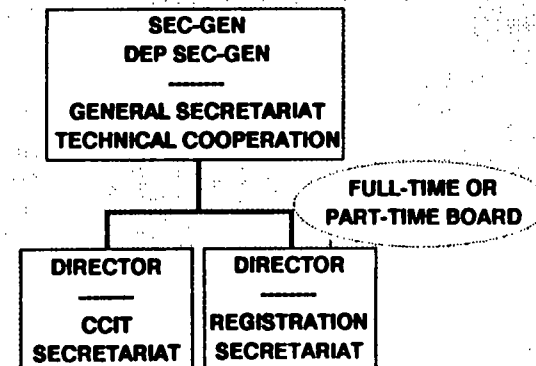
ALTERNATIVE 1



ALTERNATIVE 2



ALTERNATIVE 3



ALTERNATIVE 4

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 210-E

5 June 1989

Original: English

COMMITTEE 7

Note from the Chairman of Committee 7

Please find the summary of the debate of Committee 7 on the general discussions on proposals and associated principles relating to the basic structures of the Union.

A. VARGAS ARAYA
Chairman

Annexes: 3

CHAIRMAN'S SUMMARY

Your Committee 7 on Structures so far had six sittings to organize its work and conducted general discussion on proposals and associated principles relating to basic structures of the Union. It entertained over 90 interventions and listened to the views of the four elected heads of organs, that lead me to propose to you the following general conclusions:

1. Many expressed their general satisfaction on the structure and performance of the ITU, but all agreed that there is room for improvement in one form or another.
2. Many others expressed that the Union does not respond equally well on all its functions, underlining that its development function has not received equitable treatment; all agreed that the technical cooperation function has to be strengthened.
3. All agreed that any structural change that may be proposed should be well considered and should be implemented with minimum disturbance of on-going activities. Accordingly it was suggested that evolutionary methods should be used and no one proposed a revolution.
4. There was a consensus that all came with an open mind and were willing to listen to the views of others, which I personally found a comforting attitude in the very difficult task you have assigned to me.
5. Let me now bring out some points on which I expected to hear more discussion and commentary but unfortunately not enough was said. These are:
 - 5.1 Reference to modern science of management.
 - 5.2 Comparative analysis of structures and management.
 - 5.3 The notion that the structure or management that one recommends to another organization would on the whole be more or less acceptable if it were practiced in one's own set up.

With the above observations and understanding, I have derived or distilled from the debate the following options:

First: The general structure

A. Existing structure

Consisting of four autonomous permanent organs (characterized by some as having a "federal" relationship) headed by nine elected officials, with a Secretary-General having limited overall responsibility and hence accountability, supported by an Advisory Coordination Committee which is composed of the heads of the various organs.

B. A consolidated functional structure

Consisting of four (CCIT, IFRB, Development, General Secretariat) or five (CCIT, CCIR, IFRB, Development, General Secretariat) permanent organs each headed by one elected director, all reporting to one chief executive designated as Secretary-General or Director-General.

In either option A or B there would be an independent, elected full-time or part-time Board of IFRB that will be responsible for all collegiate matters.

Second: The specific structures

A. The CCI's

Option I: Existing structure

Consisting of:

- Two separate Plenary Assemblies (CCIR & CCITT)
- Generating two separate sets of Study Groups
- Supported by two elected Directors each heading a separate Secretariat.

Option II: Revised structure

Consisting of:

- Two separate Plenary Assemblies (CCIR & CCITT)
- Generating two separate sets of Study Groups
- Supported by one elected Director heading a single Secretariat.

Option III: Revised structure

Consisting of:

- One common Plenary Assembly (CCIT)
- Generating one set of Study Groups
- Supported by one Director heading a single Secretariat.

B. The IFRB

Option I: Existing structure

Consisting of:

- A full-time elected Board of five members responsible for all collegiate functions and the direction of the Specialized Secretariat on annual rotation basis.

Option II: Revised structure

Consisting of:

- A part-time elected Board of five or more members responsible for all collegiate functions. The Specialized Secretariat would be headed by an elected Director reporting to the Secretary-General for administrative purposes, and to the Board for substantive matters.

Option III: Revised structure

Consisting of:

- A full-time elected Board of five members responsible for all collegiate functions. It would be assisted by a Director heading the Specialized Secretariat and reporting to the Secretary-General for administrative matters, and to the Board for substantive matters.

C. The General Secretariat

Option I: Existing structure

A General Secretariat and consisting of various departments such as external relations including legal matters, information exchange, computer, common services, personnel, etc., and two units consisting of a Technical Cooperation Department and a Centre for Telecommunications Development. The General Secretariat is headed by a Secretary-General assisted by a Deputy.

Option II: Revised structure

Creation of a separate permanent development organ which will be headed by an elected Director who will report to the Secretary-General and be responsible for all network development and technical cooperation assistance matters.

There will then remain the balance of the General Secretariat headed by a truly chief executive who is empowered to direct the affairs of the Union as a whole retaining its current responsibilities and providing consolidated service to all the permanent organs.

Those are the options I have so far derived from the general discussion on principles. To come back to the analogy I used at the beginning of our session of this committee those are the contours of the different forests that I have identified.

I should like you to tell me whether I have left out other possible options that we could have described.

Our next step would then be to go to each specific structure and select one option that will obtain the consensus of all parties. Once you agree on one option, I shall go back to the detailed proposals submitted and provide you with a menu of alternatives or trees to choose from in order to create the forest of your choice.

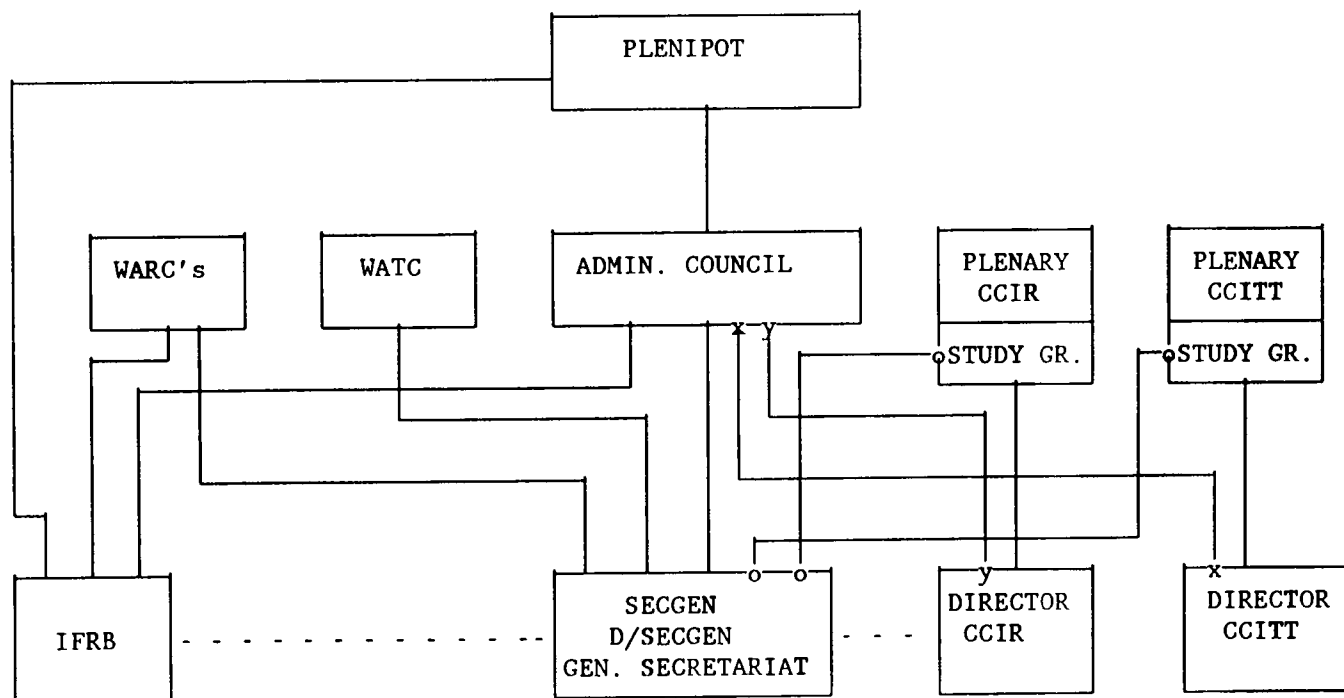
As required by certain delegations, I shall provide you this summary along with a block diagram presentation of various options.

As regards to the method on how to go about any agreed restructuring, there were different ways indicated that range from decisions to be made now and implemented, to the proposal of setting up a panel of experts, committee, management study, etc., and present it to a further conference. I suggest that we note these proposals for the time being and consider them after we have gone through all the articles assigned to us.

I hope the above will meet with your approval and I invite you now for any comments that you may have.

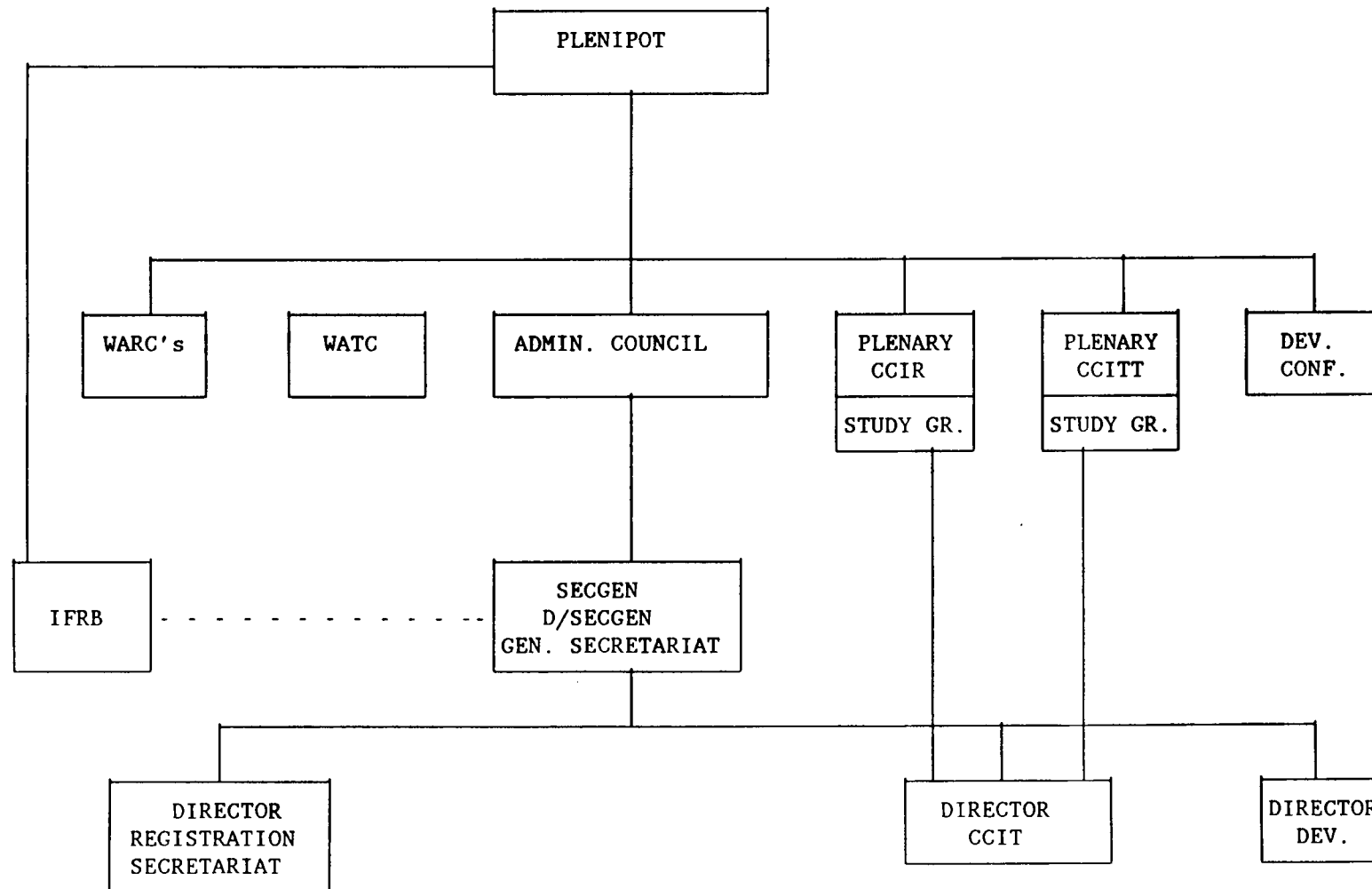
5 June 1989

EXISTING RELATIONSHIP OF LEGISLATIVE ORGANS WITH SECRETARIATS

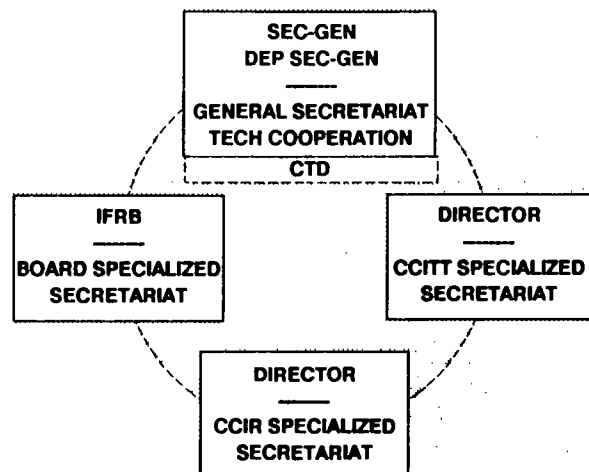


ANNEX 2

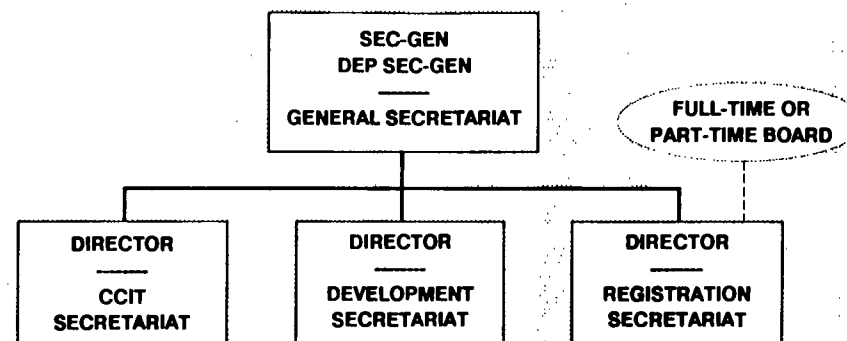
ONE POSSIBLE REVISED RELATIONSHIP OF LEGISLATIVE ORGANS WITH SECRETARIAT



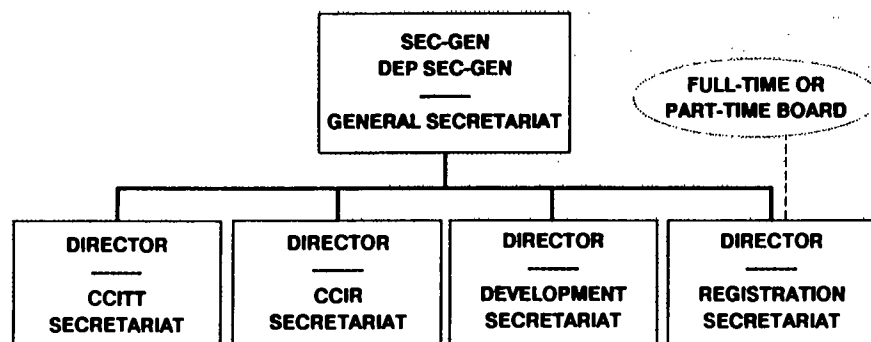
ALTERNATIVE STRUCTURAL MODELS FOR ITU SECRETARIATS



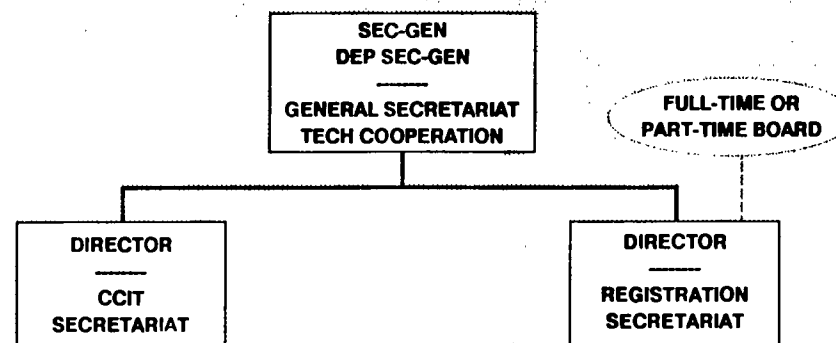
EXISTING (FEDERAL)



ALTERNATIVE 1



ALTERNATIVE 2



ALTERNATIVE 3

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 211-E
6 June 1989
Original: French

COMMITTEE 2

First Report by Working Group 2-A to Committee 2

1. The Working Group of Committee 2 (Credentials) met on 5 June 1989. It examined the credentials of the following delegations :

(In French alphabetical order)

Afghanistan (Republic of)
Algeria (People's Democratic Republic of)
Germany (Federal Republic of)
Angola (People's Republic of)
Antigua and Barbuda
Saudi Arabia (Kingdom of)
Argentine Republic
Austria
Barbados
Belgium
Bhutan (Kingdom of)
Byelorussian Soviet Socialist Republic
Burma (Union of)
Botswana (Republic of)
Brazil (Federative Republic of)
Brunei Darussalam
Bulgaria (People's Republic of)
Burkina Faso
Burundi (Republic of)
Cameroon (Republic of)
Canada
Central African Republic
China (People's Republic of)
Cyprus (Republic of)
Vatican City State
Colombia (Republic of)
Comoros (Islamic Federal Republic of the)
Korea (Republic of)
Côte d'Ivoire (Republic of)
Cuba
Denmark
Djibouti (Republic of)
Egypt (Arab Republic of)

El Salvador (Republic of)
United Arab Emirates
Spain
Ethiopia (People's Democratic Republic of)
Finland
Gabonese Republic
Ghana
Greece
Guatemala (Republic of)
Guinea (Republic of)
Equatorial Guinea (Republic of)
Hungarian People's Republic
India (Republic of)
Indonesia (Republic of)
Iraq (Republic of)
Ireland
Iceland
Israel (State of)
Italy
Jamaica
Japan
Kenya (Republic of)
Kuwait (State of)
Lesotho (Kingdom of)
Liberia (Republic of)
Luxembourg
Madagascar (Democratic Republic of)
Malaysia
Maldives (Republic of)
Mali (Republic of)
Malta (Republic of)
Morocco (Kingdom of)
Mauritius
Monaco
Nepal
Niger (Republic of the)
Norway
New Zealand
Oman (Sultanate of)
Pakistan (Islamic Republic of)
Papua New Guinea
Netherlands (Kingdom of the)
Peru
Philippines (Republic of the)
Poland (People's Republic of)
Portugal
Syrian Arab Republic
German Democratic Republic
Democratic People's Republic of Korea
Ukrainian Soviet Socialist Republic

Romania (Socialist Republic of)
United Kingdom of Great Britain and Northern Ireland
San Marino (Republic of)
Saint Vincent and the Grenadines
Singapore (Republic of)
Somali Democratic Republic
Sudan (Republic of the)
Sri Lanka (Democratic Socialist Republic of)
Sweden
Switzerland (Confederation of)
Suriname (Republic of)
Swaziland (Kingdom of)
Tanzania (United Republic of)
Chad (Republic of)
Czechoslovak Socialist Republic
Thailand
Togolese Republic
Tonga (Kingdom of)
Trinidad and Tobago
Tunisia
Turkey
Union of Soviet Socialist Republics
Uruguay (Eastern Republic of)
Venezuela (Republic of)
Viet Nam (Socialist Republic of)
Yemen Arab Republic
Yugoslavia (Socialist Federal Republic of)
Zaire (Republic of)
Zambia (Republic of)
Zimbabwe (Republic of)

(a total of 113 delegations)

These credentials are all in order.

2. The Working Group noted that some delegations present at the Conference have not yet deposited their credentials. These delegations will be contacted by the Committee Secretariat.

J. SZEKELY
Chairman of Working Group 2-A

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 212-E
17 June 1989
Original: English

COMMITTEE 5

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 5

1. After paragraph 1.20, insert the following sub-paragraph:

"The delegate of the United States of America said that in the light of the anticipated decisions of the comprehensive review at present underway, a decision at the present time to introduce a long-service step should include provision to adapt the current decision to the results of the comprehensive review."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 212-E
14 June 1989
Original: French

COMMITTEE 5

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 5

(STAFF MATTERS)

Tuesday, 6 June 1989, at 0930 hrs

Chairman: Mr. F. MOLINA NEGRO (Spain)

Subjects discussed:

Documents

- | | | |
|-----|---|--|
| 1. | General staff policy and management | 29
paragraphs 14.8
(cont.), 14.9, 14.10) |
| 2. | Pension matters | - |
| 2.1 | Report of the Administrative Council to the
Plenipotentiary Conference | 47
(section 2.2.5) |
| 2.2 | Planned Pension Purchasing Power Protection Insurance | 30 |
| 2.3 | Report of the ITU Staff Pension Committee | 131 |
| 2.4 | Draft Resolution | 209, DL/6 |

1. General staff policy and management (Document 29, paragraphs 14.8 (continued), 14.9 and 14.10)

1.1 The Chairman invited delegates to continue the discussion which had begun the previous day on general staff policy and management.

Document 29, paragraph 14.8

1.2 The Secretary-General, referring to promotion policy, said that since 1983 the ITU had been applying a strict promotion policy based on performance. He stated once again that he was in favour of performance appraisal and of promotion based on merit and efficiency.

With regard to recognition of long service, it was gratifying to note that the ICSC had sought to solve the problem of some staff members who remained blocked at the top of their grade for several years. He was concerned by the fact that the ITU sometimes adopted the decisions of the International Civil Service Commission (ICSC) and sometimes those of the General Assembly. He urged delegates to adopt the ICSC's recommendations, which also had repercussions on the recognition of pension rights.

1.3 The Chairman, reverting to paragraphs 11.1 a), b) and c) (Document 29), observed that recognition of long service would be based on both objective criteria (length of service, stability) and subjective considerations connected with performance appraisal. Recognition of long service would probably have only minor financial implications.

1.4 The delegate of the Federal Republic of Germany asked what would be the financial repercussions of adopting such a provision.

1.5 The Secretary-General replied that the estimated cost of recognition of long service was 70,000 Swiss francs per year at the present time; it was difficult to foresee what the figure might be in future years.

1.6 The delegate of the United Kingdom, supported by the delegate of Portugal, said that it would nevertheless be useful to have some information about future staff trends, having regard to the criteria set out in paragraphs 11.1 a), b) and c), at least for the period up to the next Plenipotentiary Conference.

1.7 The Secretary-General and the Secretary said that the figure of 70,000 Swiss francs, which had been estimated through the ITU Finance Department and given at the 44th session of the Administrative Council, seemed to be a reasonable annual estimate.

1.8 In reply to the delegate of Nigeria who asked whether the sum of 70,000 Swiss francs could be regarded as a maximum, the Chairman said that, given the many possible variations in grading, the future staff situation could not be foreseen and the cost of the provision could therefore not be calculated with final mathematical precision.

1.9 The delegates of Sweden and Mali said that they would support paragraph 11 if the cost of recognizing long service was kept below 70,000 Swiss francs in the coming years.

1.10 The delegate of Canada said that he too could support the introduction of a long-service step but would welcome further information in that connection.

1.11 The delegate of France was disturbed by the fact that the provision under consideration had not been adopted by the United Nations General Assembly. While noting that the proposed system would have a relatively modest effect on the ITU budget, it should - like all measures with financial implications - be assigned a priority.

1.12 The delegate of Brazil considered that the financial implications should be taken into account and the matter given further thought before any long-term commitment was made. Since it could not be ascertained whether 70,000 Swiss francs was an upper limit, he proposed that a survey should be made of the staff and that the proposed system should be costed.

1.13 The delegate of Switzerland said that he too could accept the proposal under discussion. In his view, 70,000 Swiss francs was an average figure and the annual cost would probably not exceed 100,000 Swiss francs, so that the financial implications could not be described as excessive.

1.14 The delegate of Côte d'Ivoire said that it would be useful to have an estimate for future years; it should be possible to make some calculations on the basis of dates of retirement. He observed that the proposal under consideration had not been adopted by the United Nations General Assembly and was therefore not applied in other specialized agencies such as WHO or the ILO.

1.15 The delegate of the United States of America suggested that a thorough study should be conducted and all the findings taken into consideration.

1.16 The delegate of Italy raised the general issue of financing pensions, in both a national and an international context. He was in favour of seeking a compromise solution, possibly through the establishment of a supplementary pension fund.

1.17 The delegate of the USSR said that 70,000 Swiss francs could not necessarily be used as the reference figure, since a post which became vacant when its incumbent retired might be filled by an official in the highest grade. He stressed that there was a danger of the ITU deviating from the United Nations common system and said that additional information was required.

1.18 The Secretary-General observed that the Committee was not drawing up the budget but would have to put forward a figure for meeting the cost of recognizing long service for the purpose of the ceiling. He went on to state that posts which became vacant as a result of retirement were never filled at a higher step of the grade concerned. Finally, he emphasized that in adopting the provision in question the ITU would not be abandoning the United Nations common system. Contrary to what the Côte d'Ivoire delegate had said, a number of agency heads had implemented the ICSC's recommendations.

He was rather surprised that the proposal in paragraph 11.1 (Document 29) had not met with a positive reaction. The amount involved, namely, 70,000 Swiss francs, seemed perfectly reasonable. The proposal was aimed at providing recognition not only for long service but also for performance and merit. After pointing out that the provision could not be applied by the Administrative Council before 1990, he suggested that the proposal should be adopted in principle.

Finally, he emphasized that the decision which was taken on recognition of long service would be of fundamental importance, for rejection of the proposal would undermine the ICSC's credibility and, consequently, its political weight.

1.19 The Chairman, summing up, said that any further study of the financing of recognition of long service would inevitably produce imprecise and, therefore, unsatisfactory results. It seemed to him that the ITU could approve the ICSC's recommendations, even though they had not been adopted by the United Nations General Assembly, without deviating from the common system. The recommendations of the General Assembly concerned essentially the staff of the United Nations proper rather than the staff of the entire system. As far as staff matters were concerned, the United Nations and the ITU could have different policies which were nevertheless compatible.

The discussion had shown that a majority of the delegations was in favour of the proposal. It would be for the Administrative Council to make the appropriate amendments to the Staff Regulations.

1.20 The delegate of the United Kingdom said it was his understanding that the proposal would not come into effect for some time, in which case the interval might be used to conduct a detailed study. The Secretary-General explained that the proposal could be submitted by the Secretary-General to the Administrative Council the following year.

1.21 The Chairman said that if he heard no objection he would take it that paragraph 14.8 of Document 29 was adopted.

It was so decided.

Document 29, paragraph 14.9

1.22 The Chairman invited delegates to take up the question of geographical distribution in conjunction with section 12 and Annex 6 of the same document.

1.23 The Secretary-General noted that geographical distribution had improved since 1983 and that the Union's policy was in line with the ICSC's recommendations.

1.24 The delegate of the German Democratic Republic emphasized the importance of equal geographical distribution and said that, while the results obtained hitherto were encouraging, there was still room for improvement.

1.25 The delegate of Indonesia said that equitable geographical distribution was essential and observed that ITU policy in that regard was based on No. 104 of the Convention and Resolution No. 58 adopted by the Nairobi Plenipotentiary Conference. He welcomed the steps taken by the Secretary-General to improve geographical distribution but nevertheless wished to propose that the present Conference, perhaps by means of a Resolution, should instruct the Secretary-General: 1) to continue the policy of recruiting young experts with a view to raising professional standards in several of the ITU's activities; and 2) to continue to endeavour to improve geographical distribution by selecting candidates from countries which at present were inadequately represented.

1.26 The Chairman took note of the proposal by Indonesia and said that a draft Resolution would be submitted to the Committee and the Plenary Meeting.

1.27 The Secretary-General drew attention to the importance of recruiting young specialists, not only in the services dealing with telecommunications but also in the administrative, computer and other services. In 1988, 74 nationalities had been represented among the staff as against 54 in 1982. During that period, the number of posts subject to geographical distribution had increased from 229 to 280. Geographical distribution was important at all levels and it was particularly desirable for the ITU to enlist the services of young staff from both developed and developing countries.

1.28 The Chairman observed that, in the matter of geographical distribution, the General Secretariat had been guided by Resolution No. 58 of the International Telecommunication Convention (Nairobi, 1982). That Resolution should therefore be updated, taking into account the proposal by the delegate of Indonesia, the importance of recruiting young professional staff and the need for equitable geographical distribution.

Document 29, paragraph 14.10

With regard to paragraph 14.10, which was dealt with at greater length in section 13, the Conference was being asked to note that the ICSC's recommendations with regard to retirement policy were entirely respected by the Union.

1.29 The representative of the Staff Council, speaking on behalf of the ITU staff, welcomed the position adopted in respect of long-service steps. With regard to retirement policy, he drew the Committee's attention to the fact that the repatriation grant received by staff members promoted from the General Service to the Professional category was lower than the one they would have received had they remained in the former category. As to in-service training and the present level of resources allocated for that purpose, namely, 0.25% of the budget, he observed that three governmental experts who had been asked to conduct a study of the existing situation in other organizations had recommended that 0.5% of the budget be provided for that item. Consequently, the decision taken at the Committee's previous meeting did not meet the expectations of a generally demotivated staff.

1.30 The Chairman replied that the figure, together with the arguments on which it was based, would be discussed further in the Finance Committee.

2. Pension matters

- Report of the Administrative Council to the Plenipotentiary Conference (Document 47, section 2.2.5)
- Planned Pension Purchasing Power Protection Insurance (Document 30)
- Report of the ITU Staff Pension Committee (Document 131)
- Draft Resolution (Document DL/6).

2.1 The Chairman observed that the Committee had already considered the report of the Administrative Council to the Plenipotentiary Conference. With regard to the Pension Purchasing Power Protection Insurance scheme, the additional information requested was provided in a document produced by the Secretary of the United Nations Joint Staff Pension Board (UNJSPB) which had been distributed in the meeting room and which provided the ITU staff representatives with an opportunity to comment on the comments of the Secretary of the Board.

2.2 At the request of the United Kingdom delegate, it was agreed that Document 209 containing proposals by Australia, the United States, the Netherlands and the United Kingdom on the adjustment of pensions would be taken up first and that Document 131 would be discussed at a later stage.

2.3 The delegate of the United Kingdom, speaking as one of the authors of Document 209, said that the proposal it contained was aimed at updating Resolution No. 61 adopted by the Nairobi Plenipotentiary Conference and meeting the concern of the ITU staff about the level of pensions in the present system. The draft Resolution reaffirmed the strong attachment of the Members of the ITU to the United Nations common system and instructed the Secretary-General to transmit the text of the Resolution to the Secretary-General of the United Nations and to the relevant United Nations bodies responsible for staff conditions of service and remuneration, including pensions.

2.4 The Secretary-General observed that it was incumbent upon the authors of proposals to be precise in making references, so that the plenipotentiaries could work on the basis of accurate data. The ITU Staff Pension Committee, which was required to make all the necessary arrangements for the proposal to be assessed in detail by the competent United Nations bodies, did not enjoy the same prerogatives.

2.5 The Chairman said that a few points needed to be made clear, including the low participation in the Committee's work, due to the fact that since the beginning of the Conference Committee 5 had always met at the same time as Committee 7. He invited the staff representative on the ITU Staff Pension Committee to explain the latter's document transmitted by the Administrative Council to the Conference (Document 131).

2.6 The representative of the Staff Council, referring to Annex 4 of the document distributed in the meeting room for information, said that the staff's intention was not to comment on the wisdom of distributing a text addressed to another body. Rather, the staff representatives had concentrated on drawing attention to certain comments which showed that the Secretary of the United Nations Joint Staff Pension Board had misinterpreted the proposal made by the Secretary-General of the ITU, in accordance with the Resolutions adopted by the Administrative Council, in an endeavour to solve a problem which had existed since 1973. Since the additional information had only just been distributed, it was doubtful that the draft Resolution in Document 209 made allowance for all points of view.

2.7 The Chairman recalled that at the last meeting several delegates had expressed misgivings as to the compatibility of the proposed Pension Purchasing Power Protection Insurance scheme with the United Nations common system. The point at issue was whether a legal opinion from ITU Headquarters was sufficiently authoritative to be accepted by the UNJSPB or whether it would have to be sustained by an outside legal opinion.

2.8 The Legal Adviser replied that the ITU Convention did not provide for the organs of the Union to resort to outside legal advice. An ITU organ might wish to consult the UNJSPB, but the latter's opinion would not have a strictly legal value. The Conference would therefore have to decide whether it wished to seek an outside opinion on the matter, thereby running the risk of creating a precedent in the operation of the ITU.

2.9 The Chairman, having taken note of that comment, drew attention to Document DL/6, observing that no long-term solution had been found to protect the level of pensions against recurring currency fluctuations and that, in spite of the action taken by the Administrative Council in bringing the concerns of the ITU and its staff before the United Nations General Assembly and the UNJSPB, the level of pensions had not been maintained. Since the UNJSPB would be meeting in July, its opinion on the insurance scheme would not be known before the end of the Conference. In order to make progress, the draft Resolution annexed to Document DL/6 instructed the Administrative Council to follow developments in the common system. In the light of the results of the review and the decisions taken in New York, the Administrative Council might decide either to adopt measures similar to those adopted on a provisional basis or, should the action taken in the common system fail to achieve the desired results, to implement the scheme described to the Committee. Document DL/6 would perhaps serve as a basis for reaching a consensus.

The meeting rose at 1240 hours.

The Secretary:

A.B. MACLENNAN

The Chairman:

F. MOLINA NEGRO

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 213-E
19 June 1989
Original: English

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 6

Paragraph 1.31

Replace the last two sentences by the following:

"It shared the view of many other delegations that cooperation should be given more importance than in the past and should be given necessary resources as far as possible. Furthermore there was a need of a project orientation within the scope of TCD. Finally, the ordinary budget should be balanced to fulfil the three main tasks of the Union: standardization, regulation and development."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 213-E

14 June 1989

Original: French

COMMITTEE 6

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 6

(TECHNICAL COOPERATION)

Tuesday, 6 June 1989, at 1430 hrs

Chairman: Mr. H. VIGNON (Benin)

Subjects discussed:

1. The changing nature of ITU technical cooperation
and related field activities (continued)

Financing of technical cooperation

Documents

33

INS/MLA/PHL/SNG/THA/52/2
ALG/57/1 and 2
ETH/80c
SEN/94/1
GRC/98/6
CHL/113/2 and 3
MRC/128/1
CTI/147/1
CME/180/3

1. The changing nature of ITU technical cooperation and related field activities
(continued) (Document 33)
Financing of technical cooperation

1.1 The delegate of France had no objection to resuming consideration of Document 33, but would like to have some explanation about the meeting of Committee 7, at which there had been several statements on the technical cooperation structure. If the subject was to be taken up in Committee 7, he thought there ought to be further discussion in Committee 6.

He proposed that after the Committee had considered Document 33, the Chairman should formulate its conclusions on general technical cooperation policy and the structure it required, which would then enable Committee 6 to transmit various proposals on the question of structure to Committee 7.

Thus Committee 6 should first of all consider any proposals relating to technical cooperation and then discuss the question of structure, before all those important questions were referred to Committee 7.

1.2 The delegate of the United States of America fully shared the views expressed by the delegate of France.

1.3 The delegate of Algeria, said that he did not agree with the French view of the matter. Supported by the delegate of Peru, he said that it was Committee 7's task to consider questions of structure. Once it had completed its work, it would transmit its conclusions to Committee 6 for further development.

1.4 After a summing up by the Chairman, the delegate of France said that the proposals had to be clarified by Committee 6 and then referred to Committee 7 to deal with the question of structures.

1.5 The delegate of the USSR noted that there were two different views in the Committee and that it was difficult to decide which Committee should transmit its conclusions to the other. Whatever the answer, he considered that any consideration of the proposals in Document 33 should be of a preliminary nature, because it might be necessary to review the decisions taken in the light of information communicated by Committees 7 and 4. He proposed that the Chairman of Committee 6 should meet with the Chairmen of Committees 7 and 4 to consider the question.

1.6 The delegate of India, supported by the delegate of Colombia, observed that, as the delegate of Algeria had already said, Committee 6 should discuss technical cooperation matters under Document DT/5(Rev.2), and that structures came within the purview of Committee 7.

1.7 The delegate of the Netherlands supported the French delegate's proposal: it was Committee 6's task to discuss the organization of work in the field of technical cooperation.

1.8 The delegate of the United Kingdom said it was up to the Committee to express its views on questions of structure. It was desirable that the Committee should reach a decision on Document 160 submitted by the Delegations of France and Canada.

1.9 The delegate of Canada said that it was important for Committee 6 to map out the guidelines for technical cooperation, particularly the relations which should exist between the Centre for Telecommunications Development and the Department.

1.10 The Chairman reminded the Committee of the proposal made at the previous meeting by the delegate of Australia, asking the Secretariat to prepare a table giving an overall view of the cost of all technical cooperation activities before the question was referred to Committee 4. The document was ready and would be circulated as soon as possible. He likewise confirmed that Document 160 would be examined by Committee 6 and would not be transferred to Committee 7.

1.11 The Chairman reverted to agenda item 4.6 concerning the establishment of a core staff for technical cooperation management.

1.12 The Deputy Secretary-General, replying to the delegate of the Federal Republic of Germany, said that the authorized posts (permanent or fixed-term contracts) were entered under sections 7 and 21 of the budget.

1.13 The Secretary of the Committee, adding some further details, invited delegates to consult the Administrative Council's Report to the Plenipotentiary Conference (Document 47), and in particular Annex 8, Table 2, on page 326, which gave the ITU staff posts included in the 1988, 1989 and 1990 budgets.

For example, in Table 2.1.1 - Ordinary budget - there was a total of 37 General Secretariat posts for 1990, of which 14 were permanent and 23 fixed-term. Those posts were financed under the ordinary budget, in accordance with Resolution No. 18 of the Plenipotentiary Conference (Nairobi, 1982). Table 2.2 - Special technical cooperation accounts - showed 105 posts, 72 permanent and 33 fixed-term. In all, there were thus 142 posts, of which 86 were permanent and 56 fixed-term. At 6 June 1989, out of 142 posts were available, a total of 106 had been filled, 49 professional and 57 general-service. Of the 49 professional posts, 42 were fixed-term and seven permanent. Of those seven, two were held by persons who would shortly retire, two were for training, two were in the field and one was an engineer for the Special Voluntary Programme. The 42 remaining professional posts were fixed-term.

Of the 35 general-service posts, 22 were permanent.

In percentage terms, therefore, 70.4% of the authorized posts were filled and 29.6% were frozen, only 15% of the total number of professional posts were permanent, while the figure for general-service posts was higher.

1.14 The Chairman invited the Committee to take a position on the proposal in paragraph 4.6 of Document 33 (pages 16-17) on the need to maintain a nucleus of technical cooperation management staff on a stable and continuous basis.

1.15 The delegate of Peru, who considered that the Group of Experts' work deserved recognition, thought that the ITU needed to be able to count on a nucleus of staff with longer contracts to enable it to discharge its technical cooperation management activities.

1.16 The delegate of the Federal Republic of Germany asked what the average duration of experts' contracts was. Referring to the statement by the Secretary of the Committee that seven of the 49 professional posts were permanent, representing a proportion of some 15%, he wondered whether the percentage could be raised to 25%.

In addition, he agreed with the delegate of Peru that anyone in charge of technical cooperation ought to have a contract of more than six months.

1.17 The Secretary of the Committee added that all the fixed-term contracts at Headquarters expired at the end of 1989, since the 1990 budget had not been officially approved. The purpose of a core staff was to enable the Union to perform its task as a specialized agency of the United Nations as effectively as possible. A study carried out for the Group of Experts had shown that, in the period 1983-1987, only 23% of the staff of the regional divisions of the Technical Cooperation Department (both progressional and general service) had remained, a situation which was harmful to the Department's activities. The request for the core staff was not intended to create permanent posts, but posts of a much greater duration than at present.

1.18 The delegate of Pakistan also considered that it was necessary to ensure continuity and have experienced staff. He pointed out that professional staff in the Technical Cooperation Department were treated differently from other Headquarters staff. It seemed to him essential that the posts should be filled on a much longer term.

1.19 The delegate of Byelorussia reminded the Committee that at the previous meeting he had raised a question about the shortfall. He wondered whether the machinery proposed in Document 33 would be enough to resolve all the problems, given that other factors might come into play, particularly fluctuations in the dollar-Swiss franc exchange rate. He also wanted to know what the net increase in the budget would be.

1.20 The Chairman pointed out that a recapitulation of activities, together with the budgetary implications, was being prepared, and that the financial questions would be transmitted to Committee 4.

1.21 The Deputy Secretary-General, replying to the delegate of Byelorussia, said that the shortfall had declined by comparison with previous years and that it should disappear altogether in 1990, if the Conference clearly recognized the ITU's partnership with the United Nations through its role as a specialized agency for telecommunications.

1.22 The delegate of Burkina Faso noted that one of the four proposals put forward by the Group of Experts appointed by the Administrative Council (Document 33) concerned the establishment of a nucleus of staff with long-term contracts so as to enable the Union to discharge its technical cooperation management activities. The thought that all delegations recognized that technical cooperation should be given its due place in the Union, and accordingly the staff of the Technical Cooperation Department should not be treated differently from other members of the ITU staff.

It was time to find a solution to the problem of the shortfall on technical cooperation support costs. His Delegation therefore supported the proposal by the Group of Experts (Document 33, paragraph 4.6, pages 16-17).

1.23 The delegate of Indonesia recognized that the purpose of maintaining a nucleus of staff in the Technical Cooperation Department on longer-term contracts was to ensure stability and continuity in all the Department's activities. His Delegation was therefore in favour of entering the corresponding expenditure as a rule under the ordinary budget, the remaining staff being financed from support cost income. It could therefore accept the proposal in paragraph 4.6.

1.24 The delegate of Mali pointed out that the document had been approved by the Administrative Council except on the merger of the TCD and the Centre with regard to paragraph 4.6, it would be recalled that the ITU's terms of reference for technical cooperation were clearly defined in Nos. 14, 15 and 20 of the Convention (Article 4). One way to achieve the objectives the Union had set itself was to recognize that 70% of posts were permanent and should be entered under the ordinary budget. His Delegation therefore supported the proposal in paragraph 4.6 (Document 33).

1.25 The delegate of France wanted to know the average duration of fixed-term contracts. The proposals made by the Group of Experts, particularly in paragraph 4.6 (pages 16-17) of Document 33, should be backed up by specific information. For example, Table 1 on page 42 could have distinguished between, say, staff concerned with purchasing equipment and recruiting experts and staff working in the field. If there were going to be longer-term contracts, it would be necessary first to have much more precise figures.

1.26 The Chairman recalled that the proposal by the Group of Experts for the constitution of a more stable core of staff within the Technical Cooperation Department had no particular financial consequences. Referring to the ITU's activities as executing agency, he said that the main problem, to which a solution needed to be found, was the lack of resources affecting technical cooperation activities. The question was to determine how this situation might be remedied.

1.27 The Deputy Secretary-General said that the accumulated shortfall in income for the implementation of projects financed by the UNDP had given rise to the establishment of an amortization plan by the Secretary-General, which had been submitted to the Administrative Council. The current problem was finding some final solution to the shortage of income due to various factors (such as exchange rate variations, location of the ITU Headquarters in Geneva). According to the 1970 Consensus and the subsequent decisions of the UNDP Governing Council confirming that the specialized agencies were its partners, the Nairobi Plenipotentiary Conference (see Resolution No. 16) had instructed the ITU Administrative Council to take account of those decisions when fixing the budget. The Group of Experts had recommended that the Plenipotentiary Conference should take steps to enable the Union to fulfil its obligations as a specialized agency and to solve once and for all the problem of the shortfall in income. In essence that was the proposal contained in section 5.5 of Document 33.

1.28 The delegate of Indonesia said that the problem of technical cooperation support costs was a serious one and that the Conference should make every effort to solve the problem and take the necessary decisions to settle the question of the support costs deficit once and for all, also for 1989. He drew the attention of delegates to section 5.4 of Document 33 and to section 2.2.6(4) of the Administrative Council's report to the Conference (Document 47).

1.29 The Chairman said that the question of amortizing the past income shortfall, including for 1989, had been submitted to Committee 4, which had perhaps already taken a decision in that respect. Committee 6 should therefore consider all proposals, including the one in Document 33, concerning the future so that the matter would not need to be raised again.

1.30 The delegate of the United States asked the Secretariat for an explanation regarding current negotiations with the UNDP. Two series of negotiations had been initiated. The first concerned the question of whether support costs were sufficient for the specialized agencies. The second series concerned general arrangements between the UNDP and the specialized agencies for the implementation of projects. The Committee should know how the negotiations were going before discussing support costs.

1.31 The delegate of the Federal Republic of Germany said that the matter had been discussed in the Administrative Council for a long time and that no satisfactory solution had been found. In his view, the causes of the problem were firstly the fluctuations in the dollar/Swiss franc exchange rate and the way projects were implemented, and secondly the fact that project staff could not be recruited quickly enough. Thirdly, the Technical Cooperation Department lacked a project policy adapted to the magnitude of the tasks in hand, which was one cause in particular of observed deficiencies. Fourthly, there was the fact that projects were financed partially by UNDP funds and partially by ITU funds. The delegation of the Federal Republic of Germany thought it was essential to make good the income shortfall and that every effort should be made to solve the problem. One question was how much could be set aside in the ordinary budget of the Union. It shared the view of many other delegations that cooperation should be given more importance than in the past and should be given whatever resources were necessary. Further discussion was needed concerning some of the conditions required for the implementation of projects.

1.32 The delegate of France recalled that the Technical Cooperation Special Accounts budget had shown a deficit ever since 1982, in other words since the Nairobi Plenipotentiary Conference. Some means had to be found of balancing the budget. The solution might reside in the proposal set out in section 5.5 of Document 33 (page 22). If the ITU's role as a specialized agency was separated from its role as executing agency of the UNDP and costs were allocated to each, those costs appeared either in section 21 or in section 7. In the proposals for 1990, the expenditure for the executing agency functions were covered by the UNDP, since contributions of some 5.4 million Swiss francs had been earmarked in the 1990 budget. For the sake of budgetary clarity, a clear distinction had to be drawn between the two roles as specialized agency and executing agency. Section 21 (executing agency functions) contained costs relating to the latter, whereas all the expenses related to the specialized agency function appeared in the technical cooperation budget, and should not be combined, as had been the case so far, with section 21 accounts (UNDP executing agency).

1.33 The delegate of the United Kingdom expressed his support for the proposals of the United States, France and the Federal Republic of Germany.

1.34 The Deputy Secretary-General described his experience of three meetings of the UNDP Governing Council at which supplementary support costs had been unsuccessfully requested. The Council had on each occasion firmly rejected the request.

1.35 The delegate of the Netherlands, referring to the fact that the up-dated version of the provisional budget for 1990 (Document DT/6) showed a deficit of 2,500,000 Swiss francs.

1.36 The delegate of Algeria, raising a point of order, said that the document quoted was not mentioned in the agenda.

1.37 The Secretary of Committee 4 provided some clarifications regarding the updating of the provisional budget for 1990. He drew Committee 6's attention to item 1 of the table concerning income to cover technical cooperation costs. The contribution of the ordinary budget came to 765,000 Swiss francs. That was taken into account in the plan for financing costs from 1980 to 1989. When that sum disappeared, no further charge would be made to the ordinary budget and the shortfall in income would therefore rise by 765,000 Swiss francs to 3,850,000 Swiss francs. In fact, it was not so much a question of a transfer, as a distribution of costs to cover two different functions: as specialized agency and as executing agency. If the transfer to the ordinary budget was considered excessive, it was up to the Administrative Council to take a decision and to see what could be done. That decision should be taken within one or two years.

1.38 The delegate of Algeria said that Document 57 proposed by his Administration included two proposals (ALG/57/1 and 2), where it was requested that technical cooperation should have its own budget as a means of implementing one of the ITU's purposes. Like the other organizations, the ITU should strengthen its presence among the developing countries. He thought, in particular, that technical cooperation should cease to be the poor relation among the Union's activities and that whatever organ emerged from the Conference's work should have a budget of its own. According to the proposal ALG/57/2, which followed on the first proposal, part of the ITU's ordinary budget should be devoted to technical cooperation, so that the developing countries could benefit, in accordance with the purpose of the Union, which was to use all the means at its disposal to favour the development of telecommunications.

1.39 The delegate of Byelorussia referred to Document 47, section 2.2.6.6(4) which raised the question of the shortfall in income. He was puzzled, however, by the figures given in section 5.5 of Document 33. His Delegation was obviously in favour of technical cooperation, although the limited resources of the ITU should be used to produce concrete results and not for ancillary expenditure. Expressing support for the United Kingdom proposal, he hoped that the question would be examined after the outcome of the negotiations with UNDP was known.

1.40 The delegate of Chile, referring to section 5.5 of Document 33, thought that the separation of the ITU's functions was a positive step and he hoped that the Committee would reach agreement on two points, namely that the Union's expenses as a specialized agency of the United Nations should come under the ordinary budget of the Union, and that the ITU's expenses as an executing agency of the UNDP should be self-financed.

1.41 The delegate of Ethiopia, referring to proposal ETH/80c, said that the Committee should find ways of making good the shortfall in income. He supported the proposal in section 5.5 of Document 33.

1.42 With regard to the Union's role as executing agency for the UNDP, the delegate of Indonesia thought that the Union should set aside a sufficient budget to cover those activities as a partner of the UNDP, in keeping with proposal INS/MLA/PHL/SNG/THA/52. The Plenipotentiary Conference was fully authorized to deal with the matter.

1.43 The delegate of the United Kingdom, referring back to section 5.5 of Document 33, queried the allocation of 3,850,000 Swiss francs, which was to be charged to the ordinary budget. Was the sum included in the current version of the 1990 (DT/6) provisional budget? In other words, did the draft provisional budget allow for an increase?

1.44 The Deputy Secretary-General said that the sums mentioned in section 5.5. of Document 33 were budgetary estimates which had not been included in the budget or draft budget for 1990. They could only be included once a decision had been taken by the Plenipotentiaries. The Administrative Council session immediately following the present Conference would adjust the 1990 budget accordingly.

1.45 The delegate of the United Kingdom said that he reserved the possibility of reverting to the subject.

1.46 In the Chairman's view, Committee 6 should itself decide on the figures at hand and the aim of Document 33 was precisely to help them reach a decision.

1.47 The delegate of Kenya said that the General Secretariat should find ways of solving the financing problem which, in the past, had sometimes been solved in a rather unorthodox fashion. On the other hand, the figures quoted in section 5.5 of Document 33 fell within the margin provided in Additional Protocol I. They should therefore be approved so that the Committee could move on to other items of the agenda.

1.48 The delegate of the USSR thought that the point under discussion could not be resolved on the spot. Before the next meeting, the Secretariat should submit details in a written document to the Committee concerning the financing of technical cooperation. The proposals also deserved considering separately.

1.49 The delegate of Lebanon shared the views of the delegates of Algeria, Chile, and Indonesia. He recalled that it was at the Nairobi Conference that the principle of technical cooperation had been included in the Convention. The procedures employed so far to make up for the shortfall in support costs and the technical cooperation deficit were now outdated. It was hoped that the Plenipotentiaries meeting in Nice would set up a permanent technical cooperation body like the CCIs and the IFRB. Committee 7 had in fact adopted that approach that same morning. The problem of the technical cooperation deficit should be settled without delay by Committee 6.

1.50 The delegate of Morocco submitted proposal MRC/128/1, concerning the shortfall in income which appeared every year and which the Administrative Council should try to eliminate. He regretted the fact that the amount of technical cooperation had not increased much between 1982 and 1988. The ITU should rely not on outside contributions, but on its own means and should set aside resources in line with its aspirations.

1.51 The delegate of the Islamic Republic of Iran said that the Committee should try to devise a better mechanism for financing technical cooperation, using resources allocated to the ITU's ordinary budget. In that respect he endorsed the views of the delegates of Algeria, Indonesia, Lebanon and Morocco.

1.52 The delegate of Cameroon said that, even though technical cooperation and assistance were constitutional functions of the Union, they were not given their due value. In proposal 180/3, it was therefore pointed out that in view of the lack of means available for technical assistance, the percentage of the Union's Budget allocated to technical assistance and cooperation should be increased (to 20 instead of the 5 currently allocated). He therefore supported the proposals of the delegations of Algeria, Indonesia and Chile.

1.53 The delegate of the Ukraine expressed concern at the shortfall in income. The question of costs under section 21 of the Budget could be resolved by a simple transfer.

1.54 The delegate of Pakistan said that cooperation had to be planned and that it could not be done without full knowledge of the Union's resources and UNDP participation. He supported the views expressed by the delegation of Algeria and Lebanon concerning the institutionalization of technical cooperation.

1.55 The delegate of Burkina Faso fully supported Algeria's proposal (ALG/57/1).

1.56 The Chairman said that the proposal in section 5.5 of Document 33, namely to separate the two technical cooperation functions of the Union, seemed to be supported by all those present. He had also noted the differences of views expressed regarding budgetary amounts. Some delegates thought that those amounts should be increased, while others took the opposite view. With regard to the sum of 3,850,000 Swiss francs to cover costs related to the ITU's role as a specialized agency, several delegates wanted the Secretariat's explanations to be given in a written document. What emerged from the meeting, therefore, was that the principle of a distribution of costs had been accepted, but that no decision would be taken regarding the exact amounts until the General Secretariat had provided a further document. The latter would be considered at the same time as the document mentioned at the beginning of the meeting, in response to a request by Australia for a general table of activities and related costs as they emerged from discussions concerning Document 33.

1.57 The delegates of Lesotho, India, and Lebanon agreed with the Chairman's summing up. The delegate of Lebanon wanted to know whether technical cooperation was to be introduced in the ordinary budget of the Union with UNDP support funds, like the contributions of recognized private operating agencies in the budgets of the CCIR and the CCITT. It should not be forgotten that the activities of the Union, such as forums or exhibitions, could be a source of extra income for technical cooperation.

The meeting rose at 1805 hours.

The Secretary:

A. EMBEDOKLIS

The Chairman:

A. VIGNON

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 214-E
24 June 1989
Original: English

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 7

Add the following sentence at the end of paragraph 1.26:

"That was to commission a review of their structure and working methods.".

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 214-E
20 June 1989
Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Monday, 5 June 1989, at 2045 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. Summary of the general discussion on proposals and associated principles relating to basic structures of the Union

210

1. Summary of the general discussion on proposals and associated principles relating to basic structures of the Union

1.1 The Chairman gave a summary of the general discussion (subsequently reproduced as Document 210).

1.2 The delegates of the USSR, Canada and Mexico expressed general concerns regarding the progress of the meeting. In addition, the delegate of Mexico noted that while it was true that all speakers in the debate had agreed that improvements were possible, not all had said that there could be improvements in the structure and many had indicated that improvements could be made in working methods and coordination between the principle organs.

1.3 The delegate of Indonesia said that his Delegation considered that the Chairman's explanation and summary was very clear and concise, and that he had been right to be cautious. His Delegation was also satisfied with the described alternatives and the suggested way of progressing.

1.4 The delegate of Norway said that a need existed to accelerate the discussions by setting out a series of simple options. But it was difficult to choose any of them without a knowledge of their details. More clarification was therefore necessary before a choice could be made but her Delegation was nevertheless willing to follow the Chairman's suggested course of action.

1.5 The delegate of Czechoslovakia indicated that some delegations had spoken in favour of complete reform and others in favour of partial reform. But most had considered that the present structure should be retained and that working methods should be improved. There had also been some complaints about the IFRB, but its work could not be improved by changing the number of elected members or the establishment of new posts, but by eliminating some of the complicated procedures involved. Every situation therefore required full analysis if a responsible solution was to be found.

1.6 The delegate of Kuwait thanked the Chairman for his excellent summary although he wondered if his Administration's proposals had been rejected since they did not fall into either of the two options referred to.

1.7 The Chairman replied that the intention was to hear the opinions of all delegations and to keep all proposals under consideration for discussion in due course.

1.8 The delegate of Japan said that his Delegation agreed with the Chairman that many had expressed satisfaction with the general structure of the Union and that any proposed changes should be carefully reviewed. However, there were time constraints and progress had to be made. As the Committee did not consist of business consultants who had to consider organizational charts, it should follow the majority view as summarized by the Chairman. To do otherwise would involve a loss of valuable time which was needed for detailed discussion.

1.9 The delegate of Greece expressed appreciation for the Chairman's concise summary of the lengthy discussions which had taken place, although his Delegation did not fully agree with his interpretation. It had also appreciated the views given by the elected officials, based on many years of experience. It would be premature to embark on a detailed discussion at the present meeting, and he looked forward to tackling it at the Committee's eighth meeting when the text of the Chairman's summary would be available.

1.10 The delegate of Syria also thanked the Chairman for his summary but confessed that he was confused about how the Committee was to proceed or, given the contradictory views, how a consensus on any single option would be possible. He therefore agreed that a detailed discussion should not be opened until the following day, when a small group might be set up to consider the best way to start.

1.11 The delegate of India said that his Delegation was perfectly prepared to follow the suggestion of the Chairman so that the Committee could complete its task. His Delegation's understanding of the debate was that there had been extensive discussion on the general structure of the Union and on general matters. The Chairman had on a previous occasion briefly summarized the discussion and had requested the delegations to speak on certain points, although nobody had really understood why those points had been selected for particular attention. They had nevertheless been discussed, the discussions had been summarized again, and further detail discussions were to be held if delegates so wished. His Delegation endorsed that proposal.

1.12 The delegate of Papua New Guinea, having thanked the Chairman for his summary, said that he too had understood that the debate thus far had been on general principles and that details would be covered when the Committee discussed the various organs of the Union. That stage had not yet been reached, but none the less very detailed proposals had been made which required considerable thought. He therefore formally reserved his Delegation's right to return to those matters at a later stage.

1.13 The Chairman suggested that any decision on the method of work should be taken at the Committee's next meeting when the text of his summary would be available. The Committee could then select the options that best reflected its views and work on the basis of the relevant proposals.

1.14 The delegate of the Netherlands said that her Delegation had also understood the debate to be a general one and had not made detailed comments on several items. The debate had shown that most delegations were in favour of making improvements to the working methods of the Union but not basic structural changes. The Chairman's conclusions, however, went much further, suggesting structural changes that the Committee might not wish to discuss.

1.15 The delegate of the Republic of Korea pointed out that the Committee did not have to take decisions but merely hold a debate and report to the Plenary.

1.16 The delegate of Kenya was concerned that, because of the diversity of the proposals summarized by the Chairman, an immediate consensus might not be possible. There seemed to be general agreement on the need for some degree of reorganization and improvement and for a far-reaching study of the problem. He suggested that delegations should reflect on how such a study could be carried out.

1.17 The delegate of Algeria considered that the Chairman's summary faithfully reflected the Committee's discussion. Since there had been two sets of statements on the same topic and all delegations had had a chance to speak, he was surprised to hear that some delegations did not understand the summary and the proposals for yet another discussion.

1.18 The delegate of Sweden agreed that the stage which delegations could give detailed comments on the specific organs had not yet been reached. The Chairman's proposals as an attempt to accelerate the debate were in order but they must be considered in conjunction with the detailed proposals on the different organs. Much more needed to be known about the consequences of the various alternatives. He looked forward to seeing the Chairman's summary together with the relevant working documents.

1.19 The delegate of Ethiopia suggested that the Committee should select those options on which there seem to be consensus, directed at evolutionary aspects. The Chairman's guidance was acceptable to his Delegation.

1.20 The delegate of Bulgaria said that his Delegation believed that the Union's present structure should be maintained and that improvements could be made, but could agree to changes if proof were provided of the necessity for them. It could not agree that the CCITT or the CCIR had not been working well so far and considered it inadvisable to introduce other activities such as technical development at the expense of those bodies.

1.21 The delegate of the United States said that a federal structure had worked well over the years in the ITU. The IFRB, the CCIR and the CCITT had all adapted to change, although it was recognized that further improvements were needed to make their working methods more effective. The improvement of technical cooperation also merited further consideration. The debate had shown that there was room for improvement but many delegations, including his own, were not persuaded that a full case had been made for structural changes. Further in-depth study was needed before they were made. He reserved his Delegation's right to discuss the merits of the options proposed by the Chairman.

1.22 The delegates of Malaysia and of Cameroon approved the Chairman's summary and considered that the options had been correctly identified and formed a sound basis for continued discussion.

1.23 The delegate of Zambia welcomed the Chairman's summary which had provided guidance for the Committee's work. He hoped that it did not signal the end of the discussion. The organizational charts promised would help the Committee to take its decisions on the need for change either in working methods or in structure.

1.24 The delegate of the USSR said that the Chairman's summary, which was in fact a preliminary survey of the discussion and did not contain proposals, was not exhaustive. When it appeared as a document the Committee would move to the third, more detailed stage of its discussion, when it would be interesting to hear the reports of the experienced representatives of the permanent organs of the Union.

1.25 The delegate of Lebanon said that once his Delegation had seen the written text of the Chairman's excellent summary and heard the viewpoints of the elected officials it would like to speak again. As Chairman of Committee 4, he requested the Secretariat to explain the financial implication of each proposal.

1.26 The delegate of the United Kingdom recalled that according to the Tentative General Schedule of the Work (Document 143), Committee 7 should take its main decisions by the end of the third week of the Conference. He asked the Chairman to outline the further stages of the Committee's work in view of that requirement. He suggested that, in connection with the organs for which three possible courses of action were outlined in the Chairman's summary there was in fact a further course of action which the Chairman had described as procedural but which his Delegation considered should be elevated to the state of an option.

1.27 The delegate of Malawi requested that, together with the Chairman's concise and clear summary in written form, copies of the statements made by the elected officials of the Union should be circulated.

1.28 The delegate of the Federal Republic of Germany thanked the Chairman for his neutral summary but pointed out that it omitted any mention of the proposed Consultative Committee for satellite and orbit questions. The Committee's forthcoming detailed discussion, which he hoped would be conducted with despatch, should focus on working methods as well as structures. He presumed that additions could be made to the list of options indicated by the Chairman.

1.29 The delegate of Saudi Arabia said that it was important for the Committee not to be over-hasty in reaching its conclusions. The Chairman's accurate summary and guidance provided an opportunity for proposals to improve the Union's structures.

1.30 The Chairman said that he was been informed by the Secretariat that the text of his summary would be available the next day in all languages. The request for details of financial implications had been submitted to the Secretariat. He would be in a position to inform the Committee the following day of the plans for its future work.

The meeting rose at 2245 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 215(Rev.1)-E

24 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

EIGHTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Tuesday, 6 June 1989, at 0940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. Choice of options for orientation
of work

210, DT/15

1. Choice of options for orientation of work (Documents 210, DT/15)

1.1 The Chairman, introduced Document 210 which contained his summary of the general discussion of proposals. He said, in reply to the delegates of Brazil and the United States, that the text must be considered solely as a guideline for the work of the Committee. Discussion need not necessarily be restricted to the options presented in the paper. The time had now come for the Committee to begin its discussion of the various organs of the Union. It was suggested that in each case a general consensus should first be reached on the structural options preferred and then specific proposals on working methods should be considered. Article 5 should be considered later, when the Committee's views on the various independent organs could be summarized. In reply to the delegate of the Federal Republic of Germany, proposals relating to a general review of ITU organs could be considered at that point. The proposal made by the United Kingdom at the previous meeting for the establishment of a Study Group to consider structure could also be considered then. He proposed that, in view of the order of elections, discussion of the individual organs should start with the General Secretariat and he invited the Committee to consider Document DT/15.

1.2 The delegate of Mali suggested that discussion should start with the IFRB since the Conference already had before it a report by a Panel of Experts on a detailed study of the long-term future of that organ.

1.3 The delegate of the German Democratic Republic endorsed that proposal. He would also support retention of the existing structure of the Union. Before any structural change could be approved, in-depth study of the advantages and disadvantages entailed would be necessary.

1.4 The delegate of Cuba supported retention of the existing structure of the Union. He was not convinced that "federal" was the correct term to apply to that structure since it implied independence of the component parts. The Coordination Committee should be the organ that unified those parts. While preferring Option I for the CCIs and the IFRB, efforts could be made to make the work of the General Secretariat more efficient; in particular, consideration should be given to setting up a separate organ for technical cooperation, which could initially have a modest structure that would not burden the budget. While considering that the present Conference could make decisions on structure, he was not against the establishment of a group to make a detailed analysis of the subject for consideration by a future conference.

1.5 The delegate of Ethiopia said he was in favour of starting with the consideration of a separate organ for technical cooperation.

1.6 The delegate of Côte d'Ivoire said that a separate organ responsible for technical cooperation and development should be established within the existing federal structure of the Union, with the same status as the other organs.

1.7 The delegate of Finland said that technological change in the changing telecommunications environment called for modernization and rejuvenation of the structure of the Union. Delegates had clearly come to Nice with open minds and constructive ideas. That willingness to make improvements should be utilized. Since the best prepared part of the task before the Conference were the decisions for improving the work of the CCITT taken at Melbourne, they should be endorsed by the Conference and a similar operation be conducted for the other organs of the ITU. Although he considered that the time was not ripe for decisions on major structural change for the CCIs and the IFRB, an attempt should be made to indicate the direction which further studies on the subject should take in order to enable further moves in a few years time. Pointing out that a "federal" structure was not incompatible with strong central direction, he was in favour of strengthening the role of the Coordination Committee and hence of the Secretary-General and the General Secretariat to that end, while retaining

the useful features of the semi-autonomous organs. There appeared to be general agreement that the role of technical cooperation should be strengthened; creative and constructive ideas on the subject were needed. In his view, the new Secretary-General and perhaps the other elected or re-elected officials should be given the opportunity to influence the evolution of the structure of the Union and the decisions at the Plenipotentiary Conference.

1.8 The delegate of the United States said that the majority of speakers in the discussions in Committee 7 so far had supported the existing "federal" structure, because it worked and was responsive to the needs of the Union. It was, however, worth considering ways to improve working methods. Should structural changes be necessary, the majority view had been that in-depth analysis was needed before any decision could be made. With regard to the proposals for upgrading the status of technical cooperation, his Delegation was prepared to discuss ways of achieving that aim.

1.9 The delegate of the Federal Republic of Germany supported the suggestion by the delegate of Cameroon to add a further structural model based on the existing federal structure, into which the organ for Technical Cooperation to be newly established should be integrated.

1.10 The delegate of Greece, endorsing the comments made by the delegate of Finland, said he would like to see the role of the General Secretariat and the role of technical cooperation strengthened. Considering that the existing "federal" structure did not fulfil the requirements of the future, he would prefer alternatives 1 or 2 of the structural models proposed in Annex 3 of Document 210.

1.11 The delegate of the USSR said that Document 210 reflected the majority view that the present Plenipotentiary Conference should retain the existing structure of the Union. Pointing out the dangers of making over-hasty decisions on radical changes, he considered that a Group of Experts should be established to consider all aspects of any proposed changes. The approach suggested by Finland was a careful and well-substantiated one. He was prepared to consider the proposal to establish an independent organ responsible for technical cooperation within the existing "federal" structure of the ITU. In that structure, he considered that the Coordination Committee should have a central position to enhance its authority and its link shown to the other organs.

1.12 The delegate of the Islamic Republic of Iran said that, within the context of discussion of the General Secretariat, he was in favour of strengthening the role of technical cooperation by making it a permanent organ of the Union.

1.13 The delegate of the Philippines said that, like the majority of speakers, he considered that the structure of the ITU should remain as it was until further study had clearly demonstrated the need for change. Improvements could, however, be made in the working methods of the different organs. Consideration should be given to enhancing technical cooperation under the existing "federal" structure.

1.14 The delegate of Lesotho, also endorsing the comments by the delegate of Finland, said he would prefer alternatives 1 or 2 of the structural models proposed in Annex 3 of Document 210, with a full-time IFRB with a rotating directorship.

1.15 The Chairman said that there were four main topics among the proposals concerning the General Secretariat as indicated in Document DT/15, namely, 1) development, 2) the role of the Secretariat, 3) the Deputy Secretariat and 4) the Coordination Committee. He proposed to give the floor in turn to delegates who had made specific proposals in Document DT/15, to see whether their proposals were seconded and if so to open a general debate on them. The discussion of topics concerning the General Secretariat should be completed by the following day.

1.16 The delegate of Ethiopia introduced his Delegation's proposal for the creation of a separate permanent development organ (Document 210, page 4C, Option II), as in ETH/66/2 and ETH/66/3 (Document DT/15). The background to that proposal was the need for a definition of the idea of development and its physical realization in the ITU. There must be a clear-cut separation between the concept of development and its physical achievement. Some delegations might fear that treating development on a permanent basis would constitute a drain on the Union's financial resources. That was not his Delegation's intention. In his view, development must come from within a country. It required financial and human resources, and a national will to develop as well as some external aid to act as a catalyst. The ITU's role in promoting development should be purely catalytic and it should help both developed and developing countries to work together for their mutual benefit. He outlined the essential duties of the proposed International Telecommunication Promotion and Development Bureau and indicated the need for the institution of world and regional development conferences which would help in charting the guidelines for the functioning of the Bureau. The agenda of a regional development conference might also include the formulation of regional cooperation mechanisms for effecting regional telecommunication development efforts including the exchange of know-how.

The technical assistance provided by the ITU to his country during the eight years between the Nairobi Plenipotentiary Conference and the current Conference had consisted of three missions by experts each lasting a few days only. The future of telecommunications required enhanced assistance by the ITU in the form of advice on management techniques, service options, regulatory matters and policy options.

He proposed that the resources of the regular budget should be equally distributed between the three organs of the Union and development.

1.17 The delegate of Colombia seconded the Ethiopian proposal for the establishment of a permanent International Telecommunication Promotion and Development Bureau to act as a catalyst to enable countries to develop their own telecommunication networks, stressing the difference in nature between a catalyst and technical assistance. He was not yet sure where the proposed Bureau should be placed in the structure of the Union.

1.18 The delegates of India, Indonesia and Peru also supported the proposal, the latter adding that the Bureau should have the same status as the most important organs of the Union.

1.19 The delegate of Cape Verde expressed strong support for the Ethiopian proposal but suggested that it was difficult to discuss the General Secretariat without having a precise idea of whether alternative 1, alternative 2 or alternative 3 in Document 210 would be adopted.

1.20 The delegate of Saudi Arabia reiterated his Delegation's support for the creation of a permanent development organ and urged, in view of time constraints, that the Committee should adopt an immediate decision to that effect.

1.21 The delegate of Chile said that his Delegation supported the Ethiopian proposal. However, while there was a need to revise the Union's methods of work, he was not sure that it was necessary to establish new organs; it might be preferable to retain the existing structure with the CTD.

1.22 The delegates of Malawi, Burkina Faso and Qatar endorsed the Ethiopian proposal, as did the delegates of the Lebanon and the Yemen Arab Republic who seconded the Saudi Arabian motion for its immediate adoption.

- 1.23 The delegates of Norway and Sweden, raising points of order, said that the only speakers who had so far taken the floor had been those in favour of the Ethiopian proposal: there should be an opportunity for a general debate before the proposal was adopted.
- 1.24 The delegate of Papua New Guinea, also speaking on a point of order, said that even delegates who supported the proposal might feel it needed slight modifications and wish to speak on it before it was put to the vote.
- 1.25 The delegate of the United States recalled that there had been lengthy discussions on the best way of enhancing technical cooperation within the Union. The Ethiopian proposal was one very interesting possibility, although its cost implications would have to be considered and some of its aspects would require more detailed discussion, possibly in Committee 6. It would be desirable to have more information concerning other options.
- 1.26 The delegate of New Zealand suggested that it would be difficult to proceed with the discussion of the Ethiopian proposal without knowing how the work of Committee 7 was to be coordinated with that of Committee 6, which was discussing the financial aspects of technical cooperation proposals.
- 1.27 The Chairman said that the Secretary of Committee 6 had informed the Secretary of Committee 7 that Committee 6 had decided that all documents relating to technical cooperation and the structure of the Union should be transferred to Committee 7.
- 1.28 The Chairman of Committee 6 confirmed that and added, speaking as the delegate of Benin, that he fully supported that action.
- 1.29 The delegate of Canada expressed concern regarding the way in which the discussion was being handled and said it was essential to have a full exchange of views in general debate before adopting any proposal. It was necessary, in particular, to discuss Document 160 dealing with coordination of the roles of the Technical Cooperation Department and the CTD before any hasty decision was reached.
- 1.30 The delegate of the USSR shared the concern expressed regarding procedure. The alternatives in Document 210 should be fully discussed before taking up Document DT/15. He suggested that the Secretariat might produce a revised version of Document 210 showing only two alternatives, one being the existing "federal" structure and the other including the Coordination Committee in the circle. The proposed new organ to deal with technical cooperation could also be placed in the circle, deleted from the box with General Secretariat and placed in a new box. Alternatives 1, 2 and 3 in Document 210 should be deleted from the revised document and discussion concentrated on the two alternatives he had mentioned. It might also be proposed that there should be a Deputy Secretary-General responsible for all technical cooperation matters.

1.31 The delegates of Syria, Côte d'Ivoire, Japan, and the United States having raised points of order concerning the conduct of the debate, the Chairman again outlined the procedure he had indicated earlier for dealing with the topic. He proposed to request the Secretariat to produce a consolidated text containing all proposals by delegations on the General Secretariat and, in the absence of support for the holding of a night meeting that evening, the document would be discussed at the Committee's meeting the following morning.

The meeting rose at 1240 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

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20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

EIGHTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Tuesday, 6 June 1989, at 0940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. Choice of options for orientation
of work

210, DT/15

1. Choice of options for orientation of work (Documents 210, DT/15)

1.1 The Chairman, introduced Document 210 which contained his summary of the general discussion of proposals. He said, in reply to the delegates of Brazil and the United States, that the text must be considered solely as a guideline for the work of the Committee. Discussion need not necessarily be restricted to the options presented in the paper. The time had now come for the Committee to begin its discussion of the various organs of the Union. It was suggested that in each case a general consensus should first be reached on the structural options preferred and then specific proposals on working methods should be considered. Article 5 should be considered later, when the Committee's views on the various independent organs could be summarized. In reply to the delegate of the Federal Republic of Germany, proposals relating to a general review of ITU organs could be considered at that point. The proposal made by the United Kingdom at the previous meeting for the establishment of a Study Group to consider structure could also be considered then. He proposed that, in view of the order of elections, discussion of the individual organs should start with the General Secretariat and he invited the Committee to consider Document DT/15.

1.2 The delegate of Mali suggested that discussion should start with the IFRB since the Conference already had before it a report by a Panel of Experts on a detailed study of the long-term future of that organ.

1.3 The delegate of the German Democratic Republic endorsed that proposal. He would also support retention of the existing structure of the Union. Before any structural change could be approved, in-depth study of the advantages and disadvantages entailed would be necessary.

1.4 The delegate of Cuba supported retention of the existing structure of the Union. He was not convinced that "federal" was the correct term to apply to that structure since it implied independence of the component parts. The Coordination Committee should be the organ that unified those parts. While preferring Option I for the CCIs and the IFRB, efforts could be made to make the work of the General Secretariat more efficient; in particular, consideration should be given to setting up a separate organ for technical cooperation, which could initially have a modest structure that would not burden the budget. While considering that the present Conference could make decisions on structure, he was not against the establishment of a group to make a detailed analysis of the subject for consideration by a future conference.

1.5 The delegate of Ethiopia said he was in favour of starting with the consideration of a separate organ for technical cooperation.

1.6 The delegate of Côte d'Ivoire, supported by the delegates of Cameroon and the Federal Republic of Germany, said that a separate organ responsible for technical cooperation and development should be established within the existing federal structure of the Union, with the same status as the other organs.

1.7 The delegate of Finland said that technological change in the changing telecommunications environment called for modernization and rejuvenation of the structure of the Union. Delegates had clearly come to Nice with open minds and constructive ideas. That willingness to make improvements should be utilized. Since the best prepared part of the task before the Conference were the decisions for improving the work of the CCITT taken at Melbourne, they should be endorsed by the Conference and a similar operation be conducted for the other organs of the ITU. Although he considered that the time was not ripe for decisions on major structural change for the CCIs and the IFRB, an attempt should be made to indicate the direction which further

studies on the subject should take in order to enable further moves in a few years time. Pointing out that a "federal" structure was not incompatible with strong central direction, he was in favour of strengthening the role of the Coordination Committee and hence of the Secretary-General and the General Secretariat to that end, while retaining the useful features of the semi-autonomous organs. There appeared to be general agreement that the role of technical cooperation should be strengthened; creative and constructive ideas on the subject were needed. In his view, the new Secretary-General and perhaps the other elected or re-elected officials should be given the opportunity to influence the evolution of the structure of the Union and the decisions at the Plenipotentiary Conference.

1.8 The delegate of the United States said that the majority of speakers in the discussions in Committee 7 so far had supported the existing "federal" structure, because it worked and was responsive to the needs of the Union. It was, however, worth considering ways to improve working methods. Should structural changes be necessary, the majority view had been that in-depth analysis was needed before any decision could be made. With regard to the proposals for upgrading the status of technical cooperation, his Delegation was prepared to discuss ways of achieving that aim.

1.9 The delegate of Greece, endorsing the comments made by the delegate of Finland, said he would like to see the role of the General Secretariat and the role of technical cooperation strengthened. Considering that the existing "federal" structure did not fulfil the requirements of the future, he would prefer alternatives 1 or 2 of the structural models proposed in Annex 3 of Document 210.

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1.11 The delegate of the Islamic Republic of Iran said that, within the context of discussion of the General Secretariat, he was in favour of strengthening the role of technical cooperation by making it a permanent organ of the Union.

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1.13 The delegate of Lesotho, also endorsing the comments by the delegate of Finland, said he would prefer alternatives 1 or 2 of the structural models proposed in Annex 3 of Document 210, with a full-time IFRB with a rotating directorship.

1.14 The Chairman said that there were four main topics among the proposals concerning the General Secretariat as indicated in Document DT/15, namely, 1) development, 2) the role of the Secretariat, 3) the Deputy Secretariat and 4) the Coordination Committee. He proposed to give the floor in turn to delegates who had made specific proposals in Document DT/15, to see whether their proposals were seconded and if so to open a general debate on them. The discussion of topics concerning the General Secretariat should be completed by the following day.

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The technical assistance provided by the ITU to his country during the eight years between the Nairobi Plenipotentiary Conference and the current Conference had consisted of three missions by experts each lasting a few days only. The future of telecommunications required enhanced assistance by the ITU in the form of advice on management techniques, service options, regulatory matters and policy options.

He proposed that the resources of the regular budget should be equally distributed between the three organs of the Union and development.

1.16 The delegate of Colombia seconded the Ethiopian proposal for the establishment of a permanent International Telecommunication Promotion and Development Bureau to act as a catalyst to enable countries to develop their own telecommunication networks, stressing the difference in nature between a catalyst and technical assistance. He was not yet sure where the proposed Bureau should be placed in the structure of the Union.

1.17 The delegates of India, Indonesia and Peru also supported the proposal, the latter adding that the Bureau should have the same status as the most important organs of the Union.

1.18 The delegate of Cape Verde expressed strong support for the Ethiopian proposal but suggested that it was difficult to discuss the General Secretariat without having a precise idea of whether alternative 1, alternative 2 or alternative 3 in Document 210 would be adopted.

1.19 The delegate of Saudi Arabia reiterated his Delegation's support for the creation of a permanent development organ and urged, in view of time constraints, that the Committee should adopt an immediate decision to that effect.

1.20 The delegate of Chile said that his Delegation supported the Ethiopian proposal. However, while there was a need to revise the Union's methods of work, he was not sure that it was necessary to establish new organs; it might be preferable to retain the existing structure with the CTD.

1.21 The delegates of Malawi, Burkina Faso and Qatar endorsed the Ethiopian proposal, as did the delegates of the Lebanon and the Yemen Arab Republic who seconded the Saudi Arabian motion for its immediate adoption.

1.22 The delegates of Norway and Sweden, raising points of order, said that the only speakers who had so far taken the floor had been those in favour of the Ethiopian proposal: there should be an opportunity for a general debate before the proposal was adopted.

1.23 The delegate of Papua New Guinea, also speaking on a point of order, said that even delegates who supported the proposal might feel it needed slight modifications and wish to speak on it before it was put to the vote.

1.24 The delegate of the United States recalled that there had been lengthy discussions on the best way of enhancing technical cooperation within the Union. The Ethiopian proposal was one very interesting possibility, although its cost implications would have to be considered and some of its aspects would require more detailed discussion, possibly in Committee 6. It would be desirable to have more information concerning other options.

1.25 The delegate of New Zealand suggested that it would be difficult to proceed with the discussion of the Ethiopian proposal without knowing how the work of Committee 7 was to be coordinated with that of Committee 6, which was discussing the financial aspects of technical cooperation proposals.

1.26 The Chairman said that the Secretary of Committee 6 had informed the Secretary of Committee 7 that Committee 6 had decided that all documents relating to technical cooperation and the structure of the Union should be transferred to Committee 7.

1.27 The Chairman of Committee 6 confirmed that and added, speaking as the delegate of Benin, that he fully supported that action.

1.28 The delegate of Canada expressed concern regarding the way in which the discussion was being handled and said it was essential to have a full exchange of views in general debate before adopting any proposal. It was necessary, in particular, to discuss Document 160 dealing with coordination of the roles of the Technical Cooperation Department and the CTD before any hasty decision was reached.

1.29 The delegate of the USSR shared the concern expressed regarding procedure. The alternatives in Document 210 should be fully discussed before taking up Document DT/15. He suggested that the Secretariat might produce a revised version of Document 210 showing only two alternatives, one being the existing "federal" structure and the other including the Coordination Committee in the circle. The proposed new organ to deal with technical cooperation could also be placed in the circle, deleted from the box with General Secretariat and placed in a new box. Alternatives 1, 2 and 3 in Document 210 should be deleted from the revised document and discussion concentrated on the two alternatives he had mentioned. It might also be proposed that there should be a Deputy Secretary-General responsible for all technical cooperation matters.

1.30 The delegates of Syria, Côte d'Ivoire, Japan, and the United States having raised points of order concerning the conduct of the debate, the Chairman again outlined the procedure he had indicated earlier for dealing with the topic. He proposed

to request the Secretariat to produce a consolidated text containing all proposals by delegations on the General Secretariat and, in the absence of support for the holding of a night meeting that evening, the document would be discussed at the Committee's meeting the following morning.

The meeting rose at 1240 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 216-E
27 June 1989
Original: English

SUMMARY RECORD
OF THE
FIFTH MEETING OF COMMITTEE 8

Replace section 2.30 by the following text:

"The delegate of the Islamic Republic of Iran said that it would be very helpful and speed the work of the Committee if a Working Group could be set up to consider Doc. 44 along with the various problems associated with regional administrative conferences and the suggested modifications to Article 2, Nos. 10 b) and 11 c).

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 216-E

8 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

FIFTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Tuesday, 6 June 1989, at 1435 hrs

Chairman: Mr. V. CASSAPOGLOU (Greece)

Subjects discussed:

1. Note by the Chairman of Committee 4
2. Presentation and discussion of national proposals related to the text of the draft Constitution (continued): Articles 27, 28, 7 (No. 56)

Documents

193

Document A
DT/8, DT/9 and
Add.1 (Rev.1),
DL/8, 44

1. Note by the Chairman of Committee 4 (Document 193)

The Committee took note of Document 193.

2. Presentation and discussion of national proposals related to the text of the draft Constitution (continued): Articles 27, 28, 7 (No. 56) (Documents A, DT/8, DT/9 and Add.1(Rev.1), DL/8, 44)

Article 27

2.1 The delegate of Argentina said that the Chairman's note contained in Document DL/8 reflected his Delegation's wishes in essence.

2.2 The delegate of France reiterated that the text of Article 27 should be consistent with the provisions of Article 9 of WATTC-88 in order to avoid any ambiguity in interpretation. Therefore, all the reference to problems of radiocommunication services should be deleted from the end of the draft Article 27, and a new sub-paragraph should be included, along the lines suggested by the Argentine Delegation, to reflect the textual provisions of Article 9 of WATTC-88.

2.3 The delegate of the United Kingdom said that, according to the current wording of Article 27, special arrangements were not to conflict with the terms of the Constitution, of the Convention or of Administrative Regulations "so far as concerns the harmful interference which their operation might be likely to cause to the radio services of other Members". Since, however, the Radio Regulations recognized that some services were on a primary basis and others on a secondary basis, the operation of primary services could, in some circumstances, cause harmful interference to secondary services. Therefore, the establishment of a separate provision 150A could lead to difficulties. The problem could be avoided simply if, in the current text of Article 27, the words from "so far as concerns" to the end of the text were replaced by "so far as concerns any technical harm which their operation might be likely to cause to other telecommunication services of other Members".

2.4 The representative of the IFRB (Mr. Bellchambers) said that harmful interference was specifically defined in No. 2003 of the Nairobi Convention and accordingly in the Radio Regulations. The insertion of a new term of "technically harmful" would create interpretation difficulties for the Board. It would be better to seek wording to reflect the fact that the radiocommunications side dealt with aspects of harmful interference as defined by the Convention, and deal with other aspects in a different fashion.

2.5 The delegate of the United States said he shared the concern expressed by the delegate of the United Kingdom. The proposal contained in Document DL/8 would remove a modifying influence. He also agreed with the point made by the representative of the IFRB. He proposed that the text of 150 should be retained as it stood, with the addition, at the end of the word "and" followed by the text proposed by the United Kingdom Delegation.

2.6 The delegate of Mexico said that in Article 31 of the Nairobi Convention, from which the draft text of Article 27 under discussion was derived, the words "annexed thereto" appeared after the words "all of the Administrative Regulations". If those two words were reinserted in the draft text and the remainder of the sentence deleted, the concern about possible problems in interpreting types of interference might be allayed.

2.7 The representative of the IFRB said that from the Board's point of view the amendment proposed by the United States and the United Kingdom Delegations would cause no difficulties.

2.8 The delegate of Kenya said that he would have no difficulty in accepting the amendment proposed by the United States and United Kingdom Delegations, particularly since it was acceptable to the Board. But that put forward by the delegate of Mexico was unnecessary, since the annexing of regulations was covered by Article 40 of the draft Constitution, and the Group of Experts had decided to omit that reference from the text of Article 27.

2.9 Following an observation by the delegate of France, the Chairman suggested that the Delegations of Argentina, France, Mexico, Morocco, the United Kingdom and the United States, plus any other interested delegations, should join him and the representative of the IFRB later for informal consultations with a view to producing a consolidated text, and that in the meantime Committee 8 should suspend consideration of Article 27.

It was so agreed.

Article 28

2.10 The delegate of Colombia said that he withdrew his Delegation's proposal (Document 151), and would be in favour of no change.

2.11 The delegate of Côte d'Ivoire said that his Delegation proposed (Document 132) the addition of the words "and multilateral meetings", since such meetings were not mentioned elsewhere.

2.12 The delegate of China supported that proposal.

2.13 The delegate of Switzerland wondered whether a reference to multilateral meetings was needed in the Constitution itself. WARC ORB-88 had deemed multilateral meetings an optional recourse in case no other arrangement was satisfactory.

2.14 The representative of the IFRB said that, in the text of draft Article 28, the word regional was spelt with a small "r". Pursuant to No. 392, footnote 1 of the Radio Regulations, which was consequential to Articles 51 and 42 of the Nairobi Convention, conferences described as regional without a capital "R" were not deemed to be Regional conferences in the sense of the Radio Regulations. The text under consideration, therefore, could be viewed as covering multilateral meetings.

2.15 The delegate of Côte d'Ivoire said that Radio Regulations would be subordinate to the Constitution; it was the latter that should provide a framework for the various types of meeting.

2.16 The delegate of Kenya said he understood that Article 28 was intended to cover regional arrangements; to that extent he agreed with the representative of the IFRB that the concept of multilateral meetings was subsumed in the text of that Article. If the proposal by the Delegation of Côte d'Ivoire was intended to cover MPMs not of a regional nature the Kenyan Delegation would oppose it.

2.17 The delegate of Canada was opposed to adding such a provision to the Constitution, for the reason voiced by the delegate of Switzerland.

2.18 The delegates of the United Kingdom and the USSR proposed that draft Article 28 be retained as it stood.

2.19 The delegate of Côte d'Ivoire withdrew his Delegation's proposal.

The title and text of Article 28 were thus approved without change.

Article 7. No. 56

The Administrations of Canada and the United States introduced their proposals relative to Provision No. 56 which did not get the support.

Article 7 (No. 56) was approved without change.

Article 2. Nos. 10 b) and 11 c) Rights and Obligations of Members

Discussion on provision 10 b) was suspended at the first meeting of Committee 8.

2.20 The delegate of Argentina, introducing his Administration's proposal to modify Article 2, No. 10 b) (ARG/178/1), said that it pursued the same aim as the modification proposed by Canada (CAN/72/2), namely, that only Members of the Region concerned should have the right to vote at regional administrative conferences.

2.21 The delegate of Canada, supporting the proposed amendment, said that Canada's intention had been to establish that Members in one Region could only attend conferences in other Regions as observers without the right to vote. The Argentine proposal was an acceptable alternative text.

2.22 The delegate of the USSR said that his Delegation would prefer to retain No. 10 b) unchanged but could consider the Argentine proposal if the suggested final sentence was amended to read: "At regional administrative conferences, only the Members of the Region and concerned Members of other Regions shall have a vote." There were cases where Members of other Regions took part in regional administrative conferences whose decisions might affect their interests, and in those circumstances such Members should have the right to vote.

2.23 The representative of the IFRB said that if the word "region" in the Argentine proposal was not spelled with an initial capital, such cases would be covered. All the countries within the planning area of a regional administrative conference would then have the right to vote.

2.24 The delegate of Brazil said that although his country's original proposal had been to maintain the text of No. 10 b), after discussion with other delegations it had been decided to support the Argentine modification, since the small change suggested by the representative of the IFRB would solve the problem of voting rights for Members of other Regions affected by regional administrative conference decisions.

2.25 The delegate of Sweden said that the proposed Soviet amendment reduced the dangers implicit in the Argentine modification, since Members of other Regions should have the right to vote at regional administrative conferences whose decisions might affect their interests.

2.26 The delegate of Canada said that the Soviet amendment was not acceptable because it annulled the intention of the Argentine proposal on what was a matter of fundamental principle. With reference to the intervention by the delegate of Sweden, the radiocommunications services of any country were fully protected under the Radio Regulations, so decisions taken in one Region could not affect countries in another. The amendment was intended to prevent countries participating in regional administrative conferences when there was no good reason for them to do so, and Canada strongly supported the Argentine proposal.

2.27 The delegate of the United States said that he could support the Argentine proposal if its exact details and implications were clarified.

2.28 The delegate of Kenya, drawing attention to Article 63, No. 371 of the Convention, on the procedure for convening regional administrative conferences, pointed out that it would be unusual for any country other than Members of the Region concerned to have the right to vote at such conferences unless the right was specifically conceded.

2.29 The representative of the IFRB said that the Administrative Council and Members of the Region concerned determined the planning area and participation for each specific regional administrative conference. At the second session of the African Broadcasting Conference due in later 1989, for example, countries from the Gulf area would take part, including one from Region 3. If the Argentine proposal was adopted as it stood, such a country would have no right to vote.

He also wished to draw the Committee's attention to the fact that the Secretary-General and the IFRB had prepared Document 44 on various aspects of regional administrative conferences which required clarification. Without formally introducing that document, at the present stage, he wished to point out that it was relevant to the matters under discussion in the Committee, including Article 2 and other parts of the draft Constitution and Convention, and might repay consideration of its contents.

2.30 The delegate of the Islamic Republic of Iran said that it would be very helpful and speed the work of the Committee if a Working Group could be set up to consider the various problems associated with regional administrative conferences and the suggested modifications to Article 2, Nos. 10 b) and 11 c).

2.31 The Chairman suggested the establishment of an open-ended Drafting Group C8/2, consisting initially of the delegates of Argentina, Brazil, Canada, Paraguay and the United States, under the chairmanship of the delegate of Côte d'Ivoire, to draw up an agreed text for Article 2, Nos. 10 b) and 11 c) as soon as possible.

It was so agreed.

2.32 The representative of the IFRB pointed out that Document 44 involved matters concerning regional administrative conferences that were beyond the remit of Drafting Group C8/2 but might have a bearing on its mandate, and enquired how such aspects of the document were to be handled.

2.33 The Chairman said that the Drafting Group would take account of Document 44 for the purposes of its task and the document itself would be on the agenda of a future meeting of Committee 8.

Article 30 Harmful Interference

2.34 The delegate of Nigeria, introducing his Administration's proposal to modify No. 156 (NIG/74/10), said that its purpose was to make it compulsory, rather than merely desirable, to take all practicable steps to prevent harmful interference to radio services or communications operating in accordance with the Radio Regulations.

2.35 The delegate of Switzerland commented that, while Members should be encouraged more strongly to take action to eliminate such harmful interference, the proposed modification perhaps went too far to be practical. Its purpose might be better served by simply substituting the word "necessity" for "desirability" in the original draft of No. 156 in Document A.

2.36 The delegates of Sweden, Mexico, the USSR, Yugoslavia and Turkey endorsed and the delegate of Nigeria accepted that suggestion.

2.37 The delegate of Brazil agreed to withdraw his Administration's proposal to approve No. 156 without change.

No. 156 was approved, with the substitution of the word "necessity" for "desirability" in the original draft.

2.38 The delegate of Kuwait, introducing his Administration's proposal to add a paragraph No. 156A, said that it was intended to enable Members, but not commit them, to resolve problems of harmful interference between themselves through regional conferences, arrangements and organizations, thus greatly easing the task of the IFRB.

2.39 The delegate of Qatar, supporting the proposal, said that it would encourage administrations to assume responsibility for settling their own problems and facilitate the work of the IFRB.

2.40 The delegate of Japan said that Article 28 implicitly covered that possibility and questioned the need to include such a provision in the Constitution. If necessary, it might be included more appropriately in the Convention.

2.41 The representative of the IFRB commented that the proposed addition presented no problem for the Board, which would welcome any relief of its workload, but that it would in no way affect the recording and registration of assignments or the Findings made by the IFRB.

2.42 The delegates of Mexico and Côte d'Ivoire said that the reference in the proposal to regional conferences, arrangements and organizations alone was too restrictive. Bilateral and multilateral arrangements should also be covered.

2.43 The delegate of Italy agreed with the delegate of Mexico that, if the addition was made, it should also refer to bilateral and multilateral arrangements.

2.44 The delegate of Kuwait, responding to those interventions, said that Article 28 was concerned with planning the use of the spectrum rather than eliminating harmful interference, and that since the proposed addition was permissive rather than compulsory, it could not be considered restrictive.

2.45 The delegate of the United States endorsed the views expressed by the delegates of Italy, Mexico and Japan and suggested that the draft Constitution should not be changed.

2.46 The delegate of France said that he shared the concerns expressed by other delegates and wondered what the financial implications of the Kuwaiti proposal might be.

2.47 The delegate of New Zealand sympathised with the spirit of the proposal but advised against introducing such specific matters into the basic Constitution of the ITU, whose existing provisions were more than adequate to take account of Kuwait's concerns.

2.48 The Chairman enquired if the delegate of Kuwait could accept the general view that the proposed addition should not be made; the delegate of Kuwait asked that consideration of his Administration's proposal be resumed at the next meeting of the Committee.

The meeting rose at 1745 hours.

The Secretary:

D. SCHUSTER

The Chairman:

V. CASSAPOGLOU

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to

Document 217-E

28 June 1989

Original: English/
French

COMMITTEE 9

SUMMARY RECORD

OF THE

SECOND MEETING OF COMMITTEE 9

1. Paragraph 3.26

Does not affect the English text.

2. Paragraph 3.29

Amend to read:

"3.29 The delegates of Australia, the Islamic Republic of Iran and Sweden supported the proposal of the Argentine Republic. The delegate of Australia pointed out that the use of the terms "Negotiating States" or "Contracting States" would exclude States that later acceded to the Constitution and the Convention."

3. Paragraph 3.36

Amend to read:

"3.36 The delegate of Sweden preferred the text drafted by the Group of Experts."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 217-E

8 June 1989

Original: English

COMMITTEE 9

SUMMARY RECORD

OF THE

SECOND MEETING OF COMMITTEE 9

(BASIC INSTRUMENT OF THE UNION)

Monday, 5 June 1989 at 1440 hrs

Chairman: Mr. H.H. SIBLESZ (Netherlands)

Subjects discussed:

Documents

1. Tribute to the memory of the Head of State of the Islamic Republic of Iran and of the victims of the rail disaster in the USSR
2. Oral report on the meeting of the Chairmen of Committees 7, 8 and 9 on 1 June 1989
3. Consideration of proposals (continued)

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DT/12 + Corr.1
+ Add.1
Documents A + B
GE-BIU 50(Rev.)

1. Tribute to the memory of the Head of State of the Islamic Republic of Iran and of the victims of the rail disaster in the USSR

1.1 The Chairman invited the Committee to observe a minute's silence in tribute to the memory of Imam Khomeini, Head of State of the Islamic Republic of Iran, and of the children who had died in the tragic train collision and subsequent explosion in the Soviet Union.

The Committee observed a minute's silence.

1.2 The delegate of the Islamic Republic of Iran thanked the delegations and officers of the Union who had expressed their sympathy and offered condolences upon the tragic and untimely demise of Imam Khomeini, the founder of the Islamic Revolution. The Iranian Delegation was at a loss to find words with which to express the intensity of its sorrow on that sad occasion. Suffice it to say that Iran had been painfully deprived of a kind father and a great leader. With the rest of the Islamic world, Iran would mourn the loss of that brave man and would endeavour to preserve the legacy he had left.

1.3 The delegate of the USSR thanked the Chairman and all delegations for their kind sympathy on the occasion of the tragedy that had struck his country.

2. Oral report on the meeting of the Chairmen of Committees 7, 8 and 9 on 1 June 1989

2.1 The Chairman said that the meeting on potential areas of overlapping jurisdiction between the three Committees had resulted in a request to the Committee Secretaries to chart the areas in question and in a decision to meet again to discuss, on the basis of those charts, possible practical solutions of any problems that might arise. For the time being, Committee 9 could proceed with the consideration of the Articles assigned to it.

That statement was noted.

3. Consideration of proposals (Documents DT/12 + Corr.1 + Add.1, GE-BIU Document 50 (Rev.), Documents A and B) (continued)

3.1 The Secretary drew attention to Addendum 1 to Document DT/12, containing proposals submitted since the publication of the original document.

Preamble to the Constitution (continued)

3.2 The Chairman invited the Committee to continue discussion of the Spanish proposal to change the title of the secondary instrument from "Convention" to "General Regulations".

3.3 The delegate of the Islamic Republic of Iran suggested that, since the arguments in favour of using both terms seemed to be cogent, the title could be "Convention on the ITU's General Regulations".

3.4 The delegate of Romania said that, whereas the single preamble to both the draft Constitution and Convention established the link between them, it was perhaps legally unsound to have one preamble for instruments which were basically different in character. He therefore proposed that the Convention should have its own preamble. The Chairman said he assumed that the Romanian Delegation would submit a draft preamble to the secondary instrument.

3.5 The delegate of the USSR said he preferred to retain the title of "Convention" for that instrument, since a reference to General Regulations might be confusing in view of the existence of the Administrative Regulations, which included the Radio Regulations and the new Telecommunications Regulations. The Iranian suggestion at first sight seemed to be legally incorrect.

3.6 The delegate of Australia also preferred the use of the term "Convention", so that the whole instrument would consist of the Constitution, the Convention and the Administrative Regulations.

3.7 The delegate of the United Kingdom said that, although the point was not one of major substance, his Delegation tended to favour the Spanish proposal, which would ensure closer adherence to the existing system. Indeed, since neither of the draft instruments could be ratified without the other, a single instrument in two parts might be retained, provided it was made perfectly clear that the amendment procedure for the first part was more stringent than for the second.

3.8 The delegate of Kenya supported the concept of two separate instruments as set out in Resolution No. 62 of the Nairobi Conference and subsequently followed by the Group of Experts. Moreover, the two instruments were linked by the unitary ratification requirement, and if the secondary one was to be entitled "General Regulations", confusion might arise with the Administrative Regulations referred in Article 40 of the draft Constitution. He had not been convinced by any of the arguments against having both a Constitution and a Convention, and considered that the hierarchical priority of Constitution, Convention and Administrative Regulations was perfectly consistent. In any case, the substance of the instruments was more important than their titles.

3.9 The delegate of Chile agreed with the delegates of the USSR and Kenya that it was important to have two instruments, a Constitution containing the fundamental provisions and a Convention containing provisions which were more liable to be changed and in effect would serve to apply those of the Constitution. Reversion to a single instrument in two parts would be contrary to the spirit of Resolution No. 62; the Convention would be an international treaty supplementing the Constitution, and must not in any way be confused with the Administrative Regulations, which had completely different legal character.

3.10 The delegate of Japan said that his Delegation preferred the title "Convention" used by the Group of Experts.

3.11 The delegate of Gabon observed that the definition of the secondary instrument fell outside the Committee's terms of reference, which were to decide on the content of both instruments. Yet it was already clear that the Constitution was to be the basic instrument, and that the Convention or General Regulations were intended to ensure the functioning of the Union in application of the Constitution. His Delegation preferred the title "General Regulation". The Chairman pointed out that the Committee's primary task was to define the content of the instrument.

3.12 The delegate of France agreed with the Kenyan delegate that it was important to adhere to the spirit of Resolution No. 62, on which the Group of Experts had based its work. Two instruments should be prepared, with a more stringent amendment procedure for the one containing the general principles. The Committee should proceed to consider the content of the drafts, rather than dwelling on their titles, which were of secondary importance.

3.13 The delegate of the United States said that the Committee was to some extent a prisoner of the history of the Group of Experts and that he therefore understood the concern of speakers who had advocated more or less radical changes to the whole structure of the instruments: he himself had similar concerns, for instance, with regard to the duties of the IFRB, which were referred to in the Constitution, in the Convention and in the Administrative Regulations. With regard to the title of the secondary instrument, he tended to agree with those who thought that the proposal to use the term "General Regulations" might result in confusion, and had a slight preference for the title "Convention". In any case, the substance of the instrument should first be explored, and no decision on the title should be irrevocable.

3.14 The delegate of Morocco said that, since his country's representatives in the Group of Experts had cooperated in the attempt to respect the spirit and letter of Resolution No. 62, his Delegation supported the conclusions of the Group's report. It had no strong feelings about the title of the secondary instrument, and thought that the Committee should proceed to examine the contents of the drafts.

3.15 The Chairman observed that the discussion on the Spanish proposal had had the effect of allowing delegations wishing to do so to present general comments on the draft instruments. Views on the two proposed titles of the secondary instrument seemed to be evenly divided, but the general opinion seemed to be that the question was terminological and that the substance of the drafts should be considered first. He therefore suggested that the title of the secondary instrument should be left in abeyance for the time being, with a footnote referring to the discussion on the Spanish proposal, and should be reverted to after discussion of the content of the instruments.

It was so decided.

3.16 The Chairman invited the Committee to consider the other proposals relating to the Preamble: proposal ARG/152/1 and a number of proposals relating to the terminology to be used in referring to the States concluding the instrument - Contracting, Negotiating or Signatory States, States parties, or even Member States. He noted that proposal CTI/134/1, to the effect that the Convention should be annexed to the Constitution, had not been supported.

3.17 The Legal Adviser explained that the Group of Experts had decided to use the term "Contracting States" rather than "Contracting Governments" appearing in the Preamble to the Nairobi Convention, because Plenipotentiaries acted on behalf of States, not of governments. The Committee should now consider whether it was necessary to retain the reference to "the Plenipotentiaries"; if it decided to do so, it would be incorrect to speak of contracting States, since at that stage there would no longer be any Plenipotentiaries, and the proper term would, in the view of the Group of Experts, be "Negotiating States". Proposal PRG/95/1 further narrowed the scope of the provision by referring to "Signatory States". Personally, he considered that there was no need to refer to "the Plenipotentiaries" and that the term "States Parties" would cover the situation satisfactorily.

3.18 The delegate of Kenya said he could not agree that there would no longer be any Plenipotentiaries at the time of contracting. The main question was when and how those Plenipotentiaries would indicate the will to be bound by the terms of the instrument, and that was the act of contracting. The will to be bound was indicated by the signature of a representative authorized to sign by his Government. It was therefore correct to refer to the Plenipotentiaries of the contracting governments.

3.19 The Legal Adviser pointed out that, under the Vienna Convention on the Law of Treaties which applied to the treaty making process of the Union, and under the accepted norms of international law, only ratification, acceptance, approval and accession meant in each case the act whereby a State established at the international level its consent to be bound by a treaty. That excluded signature as such an act, unless the treaty in question provided that any Member could bind itself by signature alone. Yet both the Nairobi Convention and the draft Constitution required ratification or accession, which were consequently the only acts of giving consent to be bound, and signature alone did not make any Member of the Union a Contracting State or a party to the instrument.

3.20 The delegate of Uruguay considered that, in view of the definitions of "Contracting State", "party" and "negotiating State" in sub-paragraphs f), g) and e) of Article 2, paragraph 1, of the Vienna Convention, the term "Contracting States" should be retained. He also thought that the reference to Plenipotentiaries should be deleted, since the duration of their powers did not correspond to that of the life of the instrument.

3.21 The delegate of Norway agreed that the reference to Plenipotentiaries should be deleted. Such a reference might be appropriate in a Resolution, but not in a preamble which was an inherent part of a legal instrument binding on those who would subsequently have to interpret it. She further considered that the term "States Parties", used in the Preamble to the Vienna Convention, would be the most appropriate, since the wording of the Preamble to the Constitution would be applicable only to States already bound by that instrument.

3.22 The delegate of Chile said that he too was in favour of deleting the reference to Plenipotentiaries and using the term "States Parties". With regard to proposal CHL/43/1, he explained that upon signature of the Constitution by its Plenipotentiary, a State became a signatory, meaning that it had participated in the approval of the instrument, but became a Contracting State only when it ratified the Constitution, even before it entered into force. His Delegation realized, however, that the Preamble should contain terms applicable to an instrument which had entered into force.

3.23 The delegate of Kenya pointed out that in Article 2, paragraph 1 f), of the Vienna Convention, a contracting state was defined as a State which had consented to be bound by the treaty, whether or not the treaty had entered into force. Moreover, his argument that consent was contained in the act of signature was upheld by Article 11 of the Vienna Convention, which provided that the consent of a State to be bound by a treaty might be expressed, inter alia, by signature. The Plenipotentiaries present were empowered to sign the basic instrument at the end of the Conference, and the ratification required by the Nairobi Convention and the draft Constitution was an act open only to those who had signed the instrument they would proceed to ratify. Accordingly, in ITU practice, Plenipotentiaries continued to exist at the time of contracting, and the term "Plenipotentiaries of the Contracting States" was quite appropriate.

He asked for a clarification of footnote 1) to the draft Preamble, in which the Group of Experts recommended the use of the term "negotiating".

3.24 The Chairman explained that the Group of Experts had made the recommendation on the assumption that there would be a trend in favour of retaining the reference to Plenipotentiaries. With regard to Article 11 of the Vienna Convention, cited by the Kenyan delegate, he pointed out that the full text read: "The consent of a State to be bound by a treaty may be expressed by signature, exchange of instruments constituting a treaty, ratification, acceptance, approval or accession, or by any other means if so agreed."

3.25 The delegate of Côte d'Ivoire suggested that the work of the Committee would proceed more smoothly if proposals were explained by their initiators before being discussed by the Committee. Reference to Articles 45 and 46 of the Nairobi Convention made it clear that the terms "Signatory States" and "Contracting States" were inadequate. "Signatory States" excluded States that were not signatories but that acceded to the Convention, while "Contracting States" excluded States that were signatories but had not yet deposited an instrument of ratification. During negotiation of an instrument there could not, in any event, be "Contracting States". At the negotiating stage, therefore, the term "Member States" should be employed. Those negotiating on behalf of Member States, moreover, had the power of Heads of State and should thus correctly be referred to as "Plenipotentiaries of Member States", in accordance with the Nairobi Convention currently in force.

3.26 The delegate of Romania agreed with the delegate of Côte d'Ivoire. At previous conferences there had been much discussion on the status of Members of the Union. The Nairobi Convention was at present in force. Members of the Union under the terms of that Convention were now discussing and would ultimately adopt a new instrument. The concept of "Member" should thus be retained, even though it might be a departure from the Vienna Convention on the Law of Treaties. However the question of the status of Members that had ratified an earlier instrument than the one currently in force was resolved, the new instrument should ensure continuity of membership of the Union. Resolution No. 62 of the Nairobi Plenipotentiary Conference had called for two instruments: a Constitution and a Convention. The Constitution should deal with membership and structure of the Union, while the Convention should cover telecommunication regulations, rules of procedure, etc. Each instrument should have its own preamble and its own arrangements for signature. Linking the two with a single preamble and a single procedure for signature would not only complicate the introduction of amendments, each instrument having its own amendment procedure, but would fail to ensure continuity of membership.

3.27 The delegate of Spain noted that the Group of Experts had recommended adoption of the term "negotiating". While the Group of Experts was prevented by its restricted mandate from introducing that term, the Committee was free to change the wording of the draft text. His Delegation considered that the words "Plenipotentiaries of the" should be deleted and that the term "States Parties" should be employed.

3.28 The delegate of Japan said that the term "Contracting States" should be retained because it qualified the phrase "have agreed to establish". The States that agreed to establish the Constitution were not "Parties", "Negotiating States" or even necessarily "Member States". On the basis of the definition of terms in the Vienna Convention on the Law of Treaties and that fact that "Negotiating States" had not been used in similar instruments, the correct course was to maintain the draft text as it stood. There was no need to delete "Plenipotentiaries of the Governments of" but its retention was not essential.

3.29 The delegates of Australia, the Islamic Republic of Iran and of Sweden, speaking on behalf of the Nordic countries, supported the proposal of the Argentine Republic. The delegate of Australia pointed out that use of the terms "Negotiating States" or "Contracting States" would exclude States that later acceded to the Constitution and the Convention.

3.30 The delegate of the Argentine Republic drew the attention of the Committee to the reasons for the proposal by his Delegation, as set out in Document 152. Quite a number of delegations had spoken in favour of that proposal.

3.31 The delegate of Paraguay supported the proposal of the Argentine Republic and withdrew his Delegation's proposal to use the term "Signatory".

3.32 The delegate of the United States said that, at present, there were three instruments of the Union. Furthermore, as could be seen from Document 88(Rev.3), there were some 13 countries, Members of the Union, that were not States Parties to the Nairobi Convention. It appeared that 11 of those countries were only Parties to the Malaga-Torremolinos Convention, the remaining two countries being Parties to the Montreux Convention. He supported the proposal to replace "Plenipotentiaries of the Governments of the Contracting States" by the term "States Parties" for the reasons given by the delegates of Norway, Australia and the Argentine Republic. The practice within ITU had been that, once a State became a Party to a Convention, it remained a Member even if had not ratified or acceded to the most recent Convention. While "States Parties" was the most appropriate term in international law, use of that term in the Preamble of a permanent instrument suggested that there was no continuing basic instrument. His Delegation could therefore also accept the term "Member States", it being understood that membership continued in the ITU even though a States had not ratified or acceded to the most recent basic instrument.

3.33 In reply to the delegate of Uruguay, the Chairman noted that the question of continuity of membership was taken up in paragraphs 11 and 12 of the final report of the Group of Experts (Document 50(Rev.)) and suggested that the point be examined by the Committee during its consideration of Article 1 or of the Final Provisions of the draft Constitution. He invited comments on the second part of the proposal of the Argentine Republic (ARG/152/1), i.e., to delete the words "to establish . . . complements this Constitution" and to insert the words "Parties to this . . . complements it".

3.34 The delegate of Chile said that while not disagreeing with the proposal of the Argentine Republic, he preferred the draft text as it stood because of its clear statement that there was a single basic instrument of the Union.

3.35 The delegate of the Argentine Republic, elaborating on the reasons contained in Document 152, explained that the proposed simplification of the preamble not only avoided repetition of the provisions of Article 36 but also brought out the objectives stated in the text.

3.36 The delegate of Sweden, speaking on behalf of the Nordic countries, preferred the text drafted by the Group of Experts.

3.37 The Chairman pointed out that, if the term "States Parties" was accepted, there would have to be a reference to the Constitution and the Convention.

3.38 The delegate of Norway pointed out that the text drafted by the Group of Experts referred to the Constitution and the Convention and suggested that editorial changes and repetitions be dealt with by a Drafting Group, rather than by the whole Committee.

3.39 The delegate of Kenya agreed with the Chairman that, having accepted "States Parties", the further proposal was a consequential change and should also be accepted.

3.40 The delegate of France, while appreciating the drafting of the preamble proposed by the Argentine Republic, said that it should be made clear in the preamble that the Constitution and the Convention made up the Basic Instrument of the Union. The term "basic instrument" was a new one in the practice of the Union and there would be no harm in allowing some repetition for added emphasis.

3.41 The Chairman suggested that the proposal of the Argentine Republic (ARG/152/1) be accepted in its entirety, on the understanding that the questions of the relationship between the Constitution and the Convention, and of membership be dealt with in consideration of Article 1 or of the Final Provisions.

It was so agreed.

3.42 In reply to the delegate of the Islamic Republic of Iran, the Chairman said that there was no need for a Drafting Group to deal with the preamble but that such a group might well be set up at a later stage.

The meeting rose at 1745 hours.

The Secretary:

A. NOLL

The Chairman:

H.H. SIBLESZ

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 218-E
28 June 1989
Original: French

COMMITTEE 9

SUMMARY RECORD

OF THE

THIRD MEETING OF COMMITTEE 9

Paragraph 1.22

Amend to read:

"1.22 The delegate of Romania said that it might be preferable to keep the reference to Members, because of the anomalous situation in the ITU under which States could remain Members of the Union without ratifying the Nairobi Convention, being bound to the Union and to other Members by the preceding Convention. A Drafting Group should be set up to decide on the best wording. In any case, No. 3 should be amended to refer only to the States listed in Annex 1. With regard to No. 5 and since No. 1 affirmed the principle of universality, he proposed that the condition for admission should be a simple majority rather than a two-thirds majority."

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 218-E

8 June 1989

Original: English

COMMITTEE 9

SUMMARY RECORD

OF THE

THIRD MEETING OF COMMITTEE 9

(BASIC INSTRUMENT OF THE UNION)

Tuesday, 6 June 1989, at 1440 hrs

Chairman: Mr. H.H. SIBLESZ (Netherlands)

Subjects discussed:

1. Consideration of proposals (continued)

Documents

DT/12 + Corr.1 + Add.1
Documents A and B
GE-BIU 50(Rev.)

1. Consideration of proposals (Documents DT/12 + Corr.1 + Add.1, Documents A and B, GE-BIU Doc. 50(Rev.)) (continued)

Preamble to the Constitution (continued)

- 1.1 The Chairman noted that the only outstanding proposals concerning the Preamble were those of Paraguay in PRG/95/1.
- 1.2 The delegate of Paraguay said that the reason for his Delegation's proposal to insert the words "the rational use of" before "efficient telecommunications services" was its belief that the economic and social development of peoples could not be achieved by the efficient functioning of telecommunications alone; that wording was roughly based on Article 29 of the Draft Constitution. The other proposal was to insert the words "hereinafter referred to as the Union" in parentheses after the words "International Telecommunication Union".
- 1.3 The Chairman noted that there was no support for the Paraguayan proposals, and invited the Legal Adviser to read out the text of the Preamble to the Constitution accepted by the Committee.

- 1.4 The Legal Adviser read out the following text:

"While fully recognizing the sovereign right of each State to regulate its telecommunication and having regard to the growing importance of telecommunication for the preservation of peace and the social and economic development of all States, the States Parties to this Constitution and to the Convention of the International Telecommunication Union (hereinafter referred to as "the Convention")* which complements it, with the object of facilitating peaceful relations, international cooperation and economic and social development among peoples by means of efficient telecommunication services, have agreed as follows:

* Provisional title, remaining subject to later reconsideration, if necessary, after study of the contents of that second instrument."

- 1.5 The Chairman suggested that the Committee might approve the Preamble, with the proviso set out in the footnote.
- 1.6 The delegate of Romania drew attention to his earlier proposal that there should be separate preambles for the Constitution and the Convention. It was difficult to work on two instruments with the same preamble, particularly in connection with the possibility of amendments to one of them at a later Plenipotentiary Conference. For instance, if a State ratified the Constitution and approved the Convention after a few years but failed to approve an amendment to the Convention, its legal status with respect to the Constitution and to its membership of the Union would be dubious, because of the provision that amendments to both instruments had to be approved. In view of the difference in the character of the two instruments - a problem already raised at the Malaga-Torremolinos Conference - it was inconsistent to have a single preamble for both of them. The delegate of Gabon supported the idea of having separate preambles to the two instruments.
- 1.7 The Chairman pointed out that the relationship between the two instruments was clearly addressed in various articles of the draft Constitution and that the points raised by the Romanian delegate could be dealt with as the Committee proceeded with the consideration of the relevant articles. That also applied to the question of a separate preamble for the Convention.

1.8 The delegate of Norway asked for some clarification of the words in parentheses "hereinafter referred to as 'the Convention'". For those who had not participated in the meeting of the Group of Experts, it was not quite clear whether that meant both the Constitution and the Convention, or the draft Convention as set out in Document B.

1.9 The Legal Adviser replied that the reference was only to the secondary instrument, or Document B. It would be seen that throughout Document A reference was made to "this Constitution" (Document A) and to "the Convention" (Document B), thus eliminating any possible misunderstanding.

In reply to the Romanian delegate, it had been clearly understood in the Group of Experts that there should be only one preamble to the basic instrument itself, i.e. the Constitution, because the secondary instrument, the Convention, was complementary to the Constitution and therefore needed no separate preamble. That view could, however, be contested when Document B came up for consideration.

1.10 The delegate of France observed that the text read out by the Legal Adviser omitted a point to which some delegations attached considerable importance, namely, reference to the basic instrument of the Union. The Romanian delegate's statements showed that confusion could be caused by the omission; even if the reference was redundant, it would be useful in the interests of clarity.

1.11 The delegate of Mexico endorsed that view. Although Article 36 stated that the Constitution was the basic instrument of the Union, that provision was difficult to find, and the reference should be inserted in the preamble. The Group of Experts had decided that there should be two instruments, in accordance with Nairobi Resolution No. 62, and that they should be complementary, both being part of the basic instrument, but with the Constitution being the most basic. It would be undesirable to reopen a debate on that much-discussed issue.

1.12 The delegate of Australia suggested that the Brazilian proposal B/58/24, to transfer Article 36 to a new Article 4A, might provide a solution to the problem of highlighting the status of the Constitution as the basic instrument of the Union.

1.13 The Legal Adviser suggested that the problem might be solved by inserting the words "as the basic instrument of the International Telecommunication Union" between commas after the words "States Parties to this Constitution" in the text he had read out earlier in the meeting.

1.14 The delegate of Argentina said he could accept that insertion, and the delegate of Uruguay also supported the amendment.

1.15 In response to a request for clarification on the status of the two instruments by the delegate of France, the Chairman referred him to No. 166 of the draft Constitution.

The Preamble to the draft Constitution, as amended, was approved subject to possible review of the title of the secondary instrument.

Article 1 - Composition of the Union

1.15 The Chairman, noting the large number of proposals submitted to Article 1, drew attention to paragraphs 11 and 12 of the report of the Group of Experts and suggested that the most orderly way of proceeding would be to take the provisions of the Article one by one.

It was so agreed.

No. 2

1.16 The Chairman, after noting support for the Paraguayan proposal, invited the Committee to comment on proposal PRG/95/2, which was the only one relating to No. 2, the chapeau of Article 1.

1.17 The delegate of Paraguay said that the purpose of the proposal was to keep closely to the title of Article 1, without specifying the conditions for membership of the Union.

1.18. The delegate of Spain said that he was in favour of the Paraguayan proposal because, by deleting the reference to Members, it would avoid an a priori decision on who could or could not be a Member of the Union. On the other hand, he considered that the drafting of the proposal could be improved and thought that that could be done by a small group.

1.19 The delegate of Brazil said that one merit of the proposal was that it avoided repetition; on the other hand, its wording in the English version called for closer examination. The delegate of Argentina endorsed that view, observing that the proposal was in line with his Delegation's proposal ARG/153/1.

1.20 The Chairman noted that the Paraguayan proposal gave rise to problems with regard to the wording of Nos. 3, 4 and 5. On the other hand, there seemed to be considerable support for the removal of the redundancy of using the term "Member" in No. 2. Perhaps the purpose of the proposal could be achieved by amending the wording along the following lines: "The International Telecommunication Union shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:".

1.21 The delegate of the Islamic Republic of Iran supported that suggestion. It was indeed desirable to eliminate redundancies from Article 1 and to consider Nos. 2, 3, 4 and 5 together. A Drafting Group could be set up for that purpose. The delegate of Cameroon endorsed those views.

1.22 The delegate of Romania said that it might be preferable to keep the reference to Members, because of the anomalous situation in the ITU under which States could remain Members of the Union without ratifying the Nairobi Convention, being bound to the Union and to other Members by the preceding Convention. A Drafting Group should be set up to decide on the best wording. In any case, No. 3 should be amended to refer only to the States listed in Annex 1, and in No. 5 the approval of States should be by a simple majority.

1.23 The Chairman said that the Romanian proposals concerning Nos. 3 and 5 would be taken up when those provisions came before the Committee. No. 2 must clearly be dovetailed with the subsequent provisions.

1.24 The delegate of Spain said that, whereas in principle he favoured the Paraguayan proposal, the difficulties he had with it, which might be due to discrepancies between the Spanish and English versions, were not purely editorial.

1.25 The delegate of Australia, supporting the text suggested by the Chairman, said he did not think that a drafting group should be set up at that stage, since important substantive issues remained to be aired.

1.26 The delegates of Guinea and Norway supported the text suggested by the Chairman.

1.27 The Legal Adviser read out the following text:

"The International Telecommunication Union, having regard to the principle of universality and the desirability of universal participation in the Union, shall be composed of:".

1.28 The delegates of Algeria, Uruguay, Brazil and the Ukrainian Soviet Socialist Republic supported that text. The delegate of Côte d'Ivoire also supported the text, but drew attention to its implications for the wording of Nos. 3, 4 and 5.

1.29 The delegate of Romania said that Article 1 should serve to define the Members of the Union and proposed that the words "shall be composed of" be changed to "shall have as Members".

1.30 The Chairman observed that such a change would run counter to the basic purpose of the Paraguayan proposal. The definition of membership of the Union would emerge from the subsequent provisions.

1.31 Following a suggestion by the delegate of the United Kingdom, the Legal Adviser read out the following text of No. 2:

"Having regard to the principle of universality and the desirability of universal participation, the International Telecommunication Union shall be composed of:".

1.32 That text was supported by the delegates of the United States and Morocco and also by the delegate of Spain, on condition that the word "shall" was translated as "estara" in Spanish.

1.33 The Chairman proposed that, given the support for the wording initially read out by the Legal Adviser, that text be approved, on the understanding that it might be amended in the light of the texts approved for Nos. 3, 4 and 5.

It was so decided.

1.34 The Chairman invited the Committee to first consider proposals aimed at modifying No. 3 (CHL/43/2, B/58/2, PRG/95/3, CTI/132/2 and ARG/153/1), deferring consideration of the proposals seeking to add new provisions to that text (TZA/56/2 and KWT/11/1).

1.35 The delegate of Chile amended the proposal of his Delegation (CHL/43/2) to read: "Any State listed in Annex 1 . . .", so as to be consistent with Nos. 4 and 5, as well as to avoid confusion between Members of the Union and of the United Nations.

1.36 The delegate of Côte d'Ivoire proposed the following amendment to the text put forward by his Delegation (CTI/132/2) to take account of the rewording of No. 2 and the views of the Group of Experts: "any Member listed in Annex 1 which signs and ratifies the Constitution and the Convention". That would be followed by: "any State "Member of the United Nations" which accedes to these instruments". The former proposal related to No. 3. It was important to cover both the current Members of the Union and the States that would become Members in the future.

In view of the lack of support for the term "the Constitution", it was decided to retain the term "this Constitution".

1.37 The delegate of the Argentine Republic, introducing his Delegation's proposal (ARG/153/1), recalled that the Group of Experts had decided to use the term "Member" in order to cover the case of Namibia which had joined the Union in 1982. That Namibia was a Member of the Union was an established fact; however, in view of the drafting of

No.2, the use of "Member" in No. 3 was confusing. The reason for proposing the deletion of the reference to Annex 1 was to replace that annex by a list to be drawn up by the General Secretariat, in accordance with Article 4 of the Convention. Such a list could more easily be kept up to date than the annex and could contain information on the deposit of instruments of ratification or accession, as well as on acceptance of protocols of amendment, and on the status of Members of the ITU with respect to administrative regulations. The proposal did not seek to modify the composition of membership as envisaged in Annex 1.

1.38 The delegate of Brazil said that proposal B/58/2 followed from the discussion of the Group of Experts and sought to avoid any ambiguity in the Nairobi Convention regarding the definition of Member. The modified proposal of Chile, among others, would also meet those concerns. Annex 1 would contain the names of all the countries that were Members of the Union at the end of the present Plenipotentiary Conference in Nice.

1.39 The Legal Adviser noted that Annex 1 should be updated by the addition of Bhutan (Kingdom of), Western Samoa (Independent State of), and Vanuatu (Republic of). He further noted that "Burma (Socialist Republic of the Union of)" should be replaced by "Burma (Union of)". He confirmed that it had been the intention of the Group of Experts that Annex 1 would reflect the membership of the Union at the end of the Conference. Because the Argentine proposal called for signature and ratification, or accession, the deletion from the Constitution of any list of the present membership of the Union ran the risk of losing Members of the Union, as was apparent from the table in paragraph 22 of the final report of the Group of Experts. The reason for retaining a list such as that in Annex 1 was to keep as Members any State that had become a Member in the past. Some action had to be taken to preserve membership in changing from a Convention to a Constitution. An updated list, such as required by the Argentine proposal, was in any event always contained in Annex 1 to the "Annual Report on the Activities" of the Union, as adopted by the Administrative Council and transmitted to all the Members of the Union. If need be, such a list could also be published whenever a new Member joined the Union. Paragraphs 11 and 12 of the final report of the Group of Experts dealt with the problem of membership in terms of the list and of signature and ratification. A solution would have to be found to preserve the membership of the Union, at least during the first stage. It would be advisable not to link the requirement of being on the list with the requirement of signature and ratification. Such a course had posed problems with respect to the Nairobi Convention, where only one State had fulfilled both requirements at the date of entry into force.

1.40 The delegate of the Argentine Republic said that the list envisaged in his Delegation's proposal would initially be the same as that in Annex 1. It could, however, subsequently be updated to reflect accessions or denunciations. Although the list would include information on the deposit of instruments of ratification, membership status would not in any way be affected. The proposal to delete the reference to Annex 1 had been made with a view to including in the Convention a provision for the drawing up of a list of Members.

1.41 The delegates of Gabon, Chile and the Islamic Republic of Iran supported the Argentine proposal.

1.42 The delegate of Tanzania pointed out that his Delegation's proposal (TZA/56/2) was incorrectly reflected in Document DT/12. The intention of the proposal, like that of the first part of the Argentine proposal, had been to replace "Member" by "State".

1.43 The delegate of the Islamic Republic of Iran said that the concerns addressed by the Argentine proposal would also be met if it were possible to establish a mechanism to enable Annex 1 to be updated more easily than by following the amendment procedure

for the Constitution. It was essential to ensure that, once a Member of the Union, State should remain a Member of the Union, even though it had not ratified the most recent basic instrument.

The meeting rose at 1740 hours.

The Secretary:

A. NOLL

The Chairman:

H.H. SIBLESZ

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Addendum 1 to
Document 219-E
7 June 1989
Original: English

PLENARY MEETING
COMMITTEE 6

Note by the Secretary-General

IFRB SEMINARS

With regard to the above matter, relevant extracts from the Summary Records of the 44th Session of the Administrative Council, at which this question was considered, are also transmitted herewith to the Conference.

R.E. BUTLER
Secretary-General

Annex: 1

ANNEX 1

Extracts from the Summary Record of the Third Plenary Meeting

2.26 The Chairman of the IFRB, introducing the document on IFRB seminars, drew special attention to Annex 2, which set out a new approach to the periodicity of seminars. Participation at different levels in the regular biennial IFRB seminar had caused administrative difficulties, and questionnaires had been sent out at the end of each seminar asking participants for their views. Since it had been found that information meetings in the regions had elicited greater participation of representatives of the developing countries, a combined approach was now suggested, whereby the IFRB seminar should be held at Headquarters every two years, as before, for supervisory staff, and in alternate years one, two or three regional seminars should be held according to the financial possibilities; at those seminars, wider participation might be expected by lower level staff, thus allowing for a more didactic approach.

2.27 In reply to questions by the representative of the United Kingdom, the Secretary-General said that the 1990 budget provided only for the traditional IFRB seminar and drew attention to paragraph 164 of Section 7 of the budget document, under which 320,000 Swiss francs was provided for the fellowship programme. That programme was a policy issue for the Plenipotentiary Conference. The Chairman of the IFRB added that the only costs involved in regular IFRB seminars were those of interpretation and document production, since fellowship expenses were normally met from UNDP funds through the General Secretariat.

2.28 The representative of Pakistan supported the programme proposed in the document but considered that a duration of one week for regional seminars was inadequate and should be extended to two weeks. The representative of the USSR disagreed, and further suggested that the duration of the regular IFRB seminars might be cut down to ten days and that regional seminars might be combined for adjacent regions.

2.29 The Chairman of the IFRB said that any extension of the duration of regional seminars would depend on the number of seminars to be organized in one year and that in any case such extension might have an impact on the day-to-day work of the IFRB specialized secretariat, which was not provided with additional staff for seminars.

2.30 The Chairman said that the document would be revised in the light of the debate and submitted to the Plenipotentiary Conference.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 219-E

6 June 1989

Original: English

PLENARY MEETING

COMMITTEE 6

Note by the Secretary-General

IFRB SEMINARS

Reasons and background, legal references

1. IFRB Seminars are organized under Administrative Council Resolution No. 528. There is a need expressed by participants to IFRB Seminars to organize regional seminars.

Recommendation

2. Following consideration by the 44th session of the Administrative Council, the above-mentioned matter is transmitted herewith to the Plenipotentiary Conference to decide on the appropriate action to be taken.

Attachment: 1

IFRB SEMINARS

1. The Administrative Council authorized through Resolution No. 528, adopted at its 18th session in 1963, the organization of IFRB Seminars on Frequency Management and the Use of Radio Frequency Spectrum. Thereafter, the Council reviewed the question of the organization of IFRB Seminars at its 31st session in 1976 and confirmed that the seminars organized by the IFRB have proved to be very effective means of providing direct technical assistance to the participating administrations. The IFRB has organized 13 seminars the details of which appear in Annex 1. All the seminars have been organized so far within the framework of Resolution No. 528 at Union headquarters and, as can be seen from Annex 1, the last three seminars were held for a reduced duration of one week. Furthermore, since 1980, it was not possible for the Board to seek assistance from administrations in the preparation of reference material or in obtaining lecturers. Nevertheless, the Board has sent after the end of each seminar one set of all seminar documents to each administration in its preferred working language. In accordance with the same Resolution, the costs of holding the seminar have always been kept to the minimum and the cost of individual expenses of the participants was born by the administrations either from their own resources or through the fellowships granted to the participants from UNDP funds.

2. The organization of the seminar and the contents of the material prepared by the IFRB were always kept in tune with the development of technology and the wishes of the participants and included the subjects which were of topical interest (for example, preparation of a world or a regional administrative radio conference or the decisions of such conferences and the action to be taken by administrations for their implementation). However, it has not been possible to organize, prior to each seminar, a course of preliminary study by correspondence as it is foreseen in Resolution No. 528. The Radio Regulatory Handbook prepared by the IFRB has to some extent served this purpose since 1985.

3. At the end of each seminar, the Board carried out a survey of the reactions of the participants on the organization of the seminar as well as their suggestions for improvements. Each time, to the extent practicable, where the improvements concerned better organization, they were taken into account and workshops with more involvement of the participants, improvements in presentation, use of audiovisual methods, etc.

4. There is, however, one wish which has been consistently expressed by participants which the Board could not meet so far. It is to organize regional seminars which would preferably be reserved to the uninitiated participants who are either new to the subject of radio frequency management or are more interested in regional problems than in the activities of the ITU on a world-wide basis. The Board has considered this question also in the light of its own resources, its workload and the importance which administrations attach to the IFRB Seminars. Taking all these factors into account, the Board submitted for consideration by the Administrative Council suggestions to meet the wishes of a large number of developing countries. The Board assumed that at the participation of administrations in the regular biennial IFRB Seminars held at headquarters would preferably be of more experienced officials who are conversant with the ITU activities in the field of radio frequency spectrum utilization and management.

Alternative 1:

During calendar years when an IFRB seminar is not organized at the headquarters, regional seminars could be held at suitable locations with a limited number of IFRB members and senior level staff of the IFRB specialized secretariat participating. These could be organized in consultation with the administrations of the regions concerned for a period not exceeding one week to deliver lectures and organize workshops for junior level and uninitiated staff of administrations of countries in the region concerned. Such seminars can be held consecutively in the regions concerned during that year. An average of three regional seminars may be envisaged.

Alternative 2:

If due to limitations of financial resources, such meetings cannot be organized in three regions in a given year, then they could be organized in one or two regions depending upon the resources made available to the IFRB, either entirely through the ITU budget or partially through the ITU budget and partially through contributions from other resources such as the regional telecommunication organizations.

5. Gross financial estimates for the purposes of budgetary ceilings are given for both the bi-annual IFRB Seminars to be held in Geneva and the series of three seminars to be held in the regions at suitable locations during the alternate years. If the Administrative Council accepts this suggestion the programme of meetings would be as follows:

i) IFRB Seminar (Geneva, two weeks during 1990, 1992, etc.)

	<u>Swiss francs</u>
Estimated annual costs without fellowships	100,000.--
Cost of fellowships, if included in the ITU budget	650,000.--
Total annual cost in 1990, 1992, etc.	750,000.--

ii) IFRB Seminars held at regional locations, three one-week seminars in each of the years 1991, 1993, etc.

Estimated annual costs per seminar	90,000.--
Cost of fellowships per seminar if included in the ITU budget	240,000.--
Total cost per seminar	330,000.--
Total cost per annum for three seminars	990,000.--

Details of the basis for these estimates are given in Annex 2.

6. The Administrative Council considered the matter and decided that this document should be submitted for consideration by the Plenipotentiary Conference.

Annexes: 2

ANNEX 1

IFRB Seminars on Frequency Management and the
Use of the Radio Frequency Spectrum and of the
Geostationary-Satellite Orbit

Year	No. of Parti- cipants	No. of		No. of Documents
		Count- ries	Intl. Orgs.	
1963	72	44	1	1 manual
1964	38	22	-	1 manual
1966	81	46	1	1 manual
1968	66	35	-	1 manual 36 documents (640 pages)
1970	80	45	-	38 documents (945 pages)
1972	108	57	1	37 documents (558 pages)
1974	133	57	3	38 documents (908 pages)
1976	122	55	-	49 documents (1184 pages)
1978	168	67	-	42 documents
1980	209	85	-	32 documents (850 pages)
1983	159	74	-	21 documents (1 week)
1986	182	74	1	24 documents (377 pages) (1 week)
1988	147	63	1	29 documents (604 pages) (1 week and 1 day)

ANNEX 2

IFRB Seminar in Geneva (once every two years from 1990 onwards)

Duration: 2 weeks

Interpretation: E, F, S

Documents: 800 pages

	<u>Item</u>	<u>Budget 1988 (Sfr)</u>	<u>Ceiling foreseen (Sfr)</u>
1)	Document production and distribution	20,000.--	25,000.--
2)	Interpretation	50,000.--	75,000.--
3)	Fellowship costs (if borne by the ITU budget)	-	650,000.--
			<u>750,000.--</u>

(Assumptions: No. of participants: 180
No. of fellowships : 100
Average travel costs (Sfr) per person: 3,500
Average per diem costs per person (Sfr 200.-- per day): 3,000
Total per person (Sfr): 6,500)

Regional Seminars (once every two years from 1991 onwards)

Duration: 1 week per seminar, 3 seminars

	<u>Cost per regional seminar</u>	<u>Ceiling foreseen (Sfr) per seminar</u>
1)	Document production and distribution	15,000.--
2)	Interpretation	25,000.--
3)	Travel and per diem costs of ITU officials	50,000.--
4)	Fellowship costs (if borne by the ITU budget)	240,000.--
		<u>330,000.--</u>

(Assumptions: No. of participants: 100
No. of fellowships: 60
Average travel cost per person (Sfr): 2,500
Average per diem costs per person (Sfr) (for 7 days): 1,500
Total per person: 4,000)

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 220-E

7 June 1989

Original: English

COMMITTEE 7

NOTE BY THE CHAIRMAN OF COMMITTEE 6 TO THE CHAIRMAN OF COMMITTEE 7

Several proposals originally allocated to Committee 6 should, in fact, be considered by Committee 7. These are:

SEN/94/2
IRQ/141/3
MLI/144/5
MLI/144/6
CME/180/2

H. VIGNON
Chairman of Committee 6

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 221-E

7 June 1989

Original: English

COMMITTEE 8

NOTE BY THE CHAIRMAN OF COMMITTEE 6
TO THE CHAIRMAN OF COMMITTEE 8

Several proposals originally allocated to Committee 6 should, in fact, be considered by Committee 8. These are:

CHL/18/1
CHL/43/3
CAN/72/3
CLM/157/1

H. VIGNON
Chairman of Committee 6

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 222-E

7 June 1989

Original: English

FOR INFORMATION

NOTE BY THE CHAIRMAN OF COMMITTEE 6

Documents 59, 132 and 149 do not appear to fall within the competence of Committee 6.

H. VIGNON

Chairman of Committee 6

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 223-E

8 June 1989

Original: English

COMMITTEE 8

NOTE BY THE CHAIRMAN OF COMMITTEE 6
TO THE CHAIRMAN OF COMMITTEE 8

Proposal SLM/17/6 which was originally allocated to Committee 6
should, in fact, be considered by Committee 8.

H. VIGNON
Chairman of Committee 6

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 224-E

7 June 1989

Original: English

FOR INFORMATION

Note by the Secretary-General

I have the honour to transmit to the Conference the attached Proclamation of the President of the United States dated 11 May 1989, regarding World Telecommunication Day.

R.E. BUTLER
Secretary-General

Annex: 1

ANNEX

The White House

WASHINGTON

11 May, 1989

The United States is pleased to join with other Member nations of the International Telecommunication Union in celebrating the twenty-first World Telecommunication Day on 17 May 1989. In so doing, we commemorate the founding in 1865 of one of the first inter-governmental organizations. At that time, the International Telecommunication Union was known as the International Telegraph Union.

During its 124 years of existence, the ITU has achieved deserved recognition as a unique forum for promoting interconnection of the world's telecommunication networks. In large part, our ability to reach instantaneously almost any other point on the globe is a result of the pioneering efforts of the ITU. The ITU has been especially valuable in recommending effective international telecommunications standards and in promoting the rational, efficient use of the international radio spectrum.

However, the accelerating pace of technological change and a growing trend toward regulatory liberalization during the past decade have created complex new challenges and opportunities for the ITU and its Member countries. Efficient and effective telecommunications systems, the "central nervous system" of today's global economy, have become vital to most countries' strategic and economic well-being. Today, more and more countries are discovering that an open and competitive telecommunications environment, coupled with the free flow of information, is a key to success in our increasingly competitive world.

In this rapidly evolving international telecommunications environment, the ITU has a pivotal role to play. The supreme policy organ of the ITU, the Plenipotentiary Conference, will review this role from 23 May to 29 June 1989, in Nice, France. I wish the delegates to this year's Plenipotentiary Conference great success in finding innovative ways to strengthen the organization for the challenges of the "Information Age". At the same time, on behalf of the American people, I salute the ITU on its one hundred and twenty-fourth birthday.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 225-E
16 June 1989
Original: French

COMMITTEE 5

SUMMARY RECORD
OF THE
FIFTH MEETING OF COMMITTEE 5
(STAFF MATTERS)

Wednesday, 7 June 1989, at 0935 hrs

Chairman: Mr. F. MOLINA NEGRO (Spain)

Subjects discussed:

1. Pension matters -
Draft Resolutions

Documents

30, 131, DL/6,
209, DT/28

1. Pension matters - draft Resolutions (continued)
(Documents 30, 131, DL/6, 209, DT/28)

1.1 The Chairman reminded the Committee that at its previous meeting it had had a lengthy discussion on the documents before it. At the present meeting its task was to approve a Resolution bringing Resolution No. 61 of the Plenipotentiary Conference (Nairobi, 1982) up to date.

The Committee had before it two draft Resolutions, one prepared by the Chairman, the Vice-Chairman and the Secretary of the Committee in cooperation with a number of delegations (Document DL/6) and the other submitted by the Delegations of Australia, the United States, the Netherlands and the United Kingdom (Document 209).

As regards the procedure to be followed, one solution would be to choose one of the two draft Resolutions as a basis for discussion, amending it as necessary until the Committee arrived at a final text it could adopt. Another procedure would be to try to combine the texts so as to include ideas from each of them. Lastly, an entirely new draft, different from the two texts already put forward, could be drawn up. Since the Committee did not have much time available, however, the last solution was to be ruled out.

The Chairman asked the Committee to decide which text it wanted to take as the basis for the draft Resolution.

1.2 The delegate of Australia, referring to the draft Resolution co-sponsored by his Delegation (Document 209), said that apart from United Nations General Assembly resolution 42/221, it ought to refer to resolution 43/226, on the report of the International Civil Service Commission (ICSC), and in particular paragraph 2 c): "the Commission should also review the rationale and magnitude of all elements of remuneration". He pointed out that the full text of the resolution was not reproduced in the English version of Document DT/28.

He proposed that the Committee should consider the draft Resolution in Document 209 paragraph by paragraph.

1.3 The Secretary-General, replying to the delegate of Australia, pointed out that resolution 43/226 referred to the remuneration system and not to the question of pensions and that the request to the ICSC contained therein, made under the heading of "Remuneration system", was to "review the rationale and magnitude of all elements of remuneration". This request was correct and corresponded to the mandate of the Commission. He also reminded the Committee that Article 11 of the Statute of the ICSC clearly excluded pension matters from its competence, so that any reference to resolution 43/226 was therefore not pertinent.

1.4 The delegate of the United Kingdom said it had to be recognized that the Secretary-General had defended the interests of the staff very well. He would also like to add a relevant reference in the draft Resolution of which he was a sponsor (Document 209), namely, the sixth preambular paragraph of United Nations General Assembly resolution 43/226, which was worded along the following lines: "Considering that the scope of the study should not necessarily be limited to the four fields considered by the Committee (ICSC) in its preliminary report". In that text, to his mind, the United Nations General Assembly had broadened the ICSC's terms of reference. There should also be a reference to operative paragraph 2 of the same resolution. If the Secretary-General considered that the document could be improved by further references, he would be ready to accept them.

1.5 The Secretary-General, recalling his previous remarks, stressed that the ICSC was concerned with various tasks, which included pensionable remuneration. However, pension matters in general and the protection of pensions in particular were not matters for the Commission but for the United Nations Joint Staff Pension Board and it was not appropriate for a unilateral resolution to change the Statutes of the Commission in the way being proposed. No such decision could be taken without consultation with the competent bodies of the specialized agencies.

As far as the staff were concerned, it should be understood that their interests were defended before the Committee by the representative of the Staff Council whereas the Secretary-General was responsible for managing and running the Union and staff matters were but one aspect of his functions, for which he was responsible to the Members. He pointed out that the debate was taking place because the Nairobi Plenipotentiary Conference had passed Resolution No. 61 giving specific directives to the Administrative Council which in turn gave instructions to the Secretary-General who, in carrying out his functions, was responding to the wishes of the Members.

1.6 The delegate of the United States considered that Document 209 should be taken as the basis for the Committee's discussions.

1.7 The Chairman observed that the Members of the Committee ought to express a clear preference as to the document that should be taken as the basis for their consideration of pension matters. He asked them to state their views on the matter.

1.8 The delegates of Australia, the United Kingdom, the Federal Republic of Germany, the United States, Japan, Sweden, Norway, the USSR, France, Mexico, Byelorussia, Italy, Algeria, Côte d'Ivoire and Thailand proposed that Document 209 should be used as a basis for the draft Resolution, some of them considering that elements might be taken over from Document DL/6.

1.9 The delegates of Ethiopia, Lesotho, Switzerland, Mali, Zambia, Morocco and Yugoslavia preferred the text in Document DL/6, although they were willing to take over elements from Document 209.

1.10 The Chairman noted that the Committee had chosen to take Document 209 as the basis for its work, but pointed out that of the 125 countries accredited to the Plenipotentiary Conference, only 23 had expressed their views at the present meeting.

1.11 The Chairman of the Staff Council considered it regrettable that Document 209 gave no guarantee or assurance that the pension problem, which had been affecting staff for nearly 20 years, would be dealt with and resolved. He for his part would be in favour of combining Documents DL/6 and 209. The Geneva staff were awaiting the results of the Conference with impatience, and it was essential that their expectations should be met.

1.12 The Chairman said that Document 209 would constitute a working basis and could be amended. He suggested that the document should be considered paragraph by paragraph.

It was so decided.

Title

1.13 The Chairman proposed that the draft Resolution in Document 209 should have the same title as Resolution No. 61 adopted at Nairobi, namely, "Adjustment of pensions".

It was so decided.

First preambular paragraph ("recalling")

1.14 The Chairman wondered whether it would not be preferable, in order to stress the long-standing nature of the pensions problem and put it in historical perspective, to refer to Recommendation No. 3 adopted by the Plenipotentiary Conference (Malaga-Torremolinos, 1973).

1.15 The delegate of the United Kingdom, speaking as a sponsor of the draft Resolution, said he thought it preferable not to refer to the Malaga-Torremolinos Recommendation, to which Resolution No. 61 was a sequel.

1.16 The Chairman asked delegates if they were in favour of referring just to Resolution No. 61 and invited them to make any other comments they might have.

1.17 The delegate of Canada suggested that, like Resolution No. 61 (in its operative paragraph), the draft Resolution in Document 209 should refer to the level of pensions.

1.18 The delegate of the Federal Republic of Germany and the delegate of Ethiopia supported the proposal by the delegate of Canada.

1.19 The delegate of the United Kingdom was not opposed as a matter of principle to referring to the level of pensions, but considered that it would limit the scope of the draft Resolution.

1.20 The participants' representative in the ITU Pension Committee, said he thought it a good idea to keep as close as possible to Resolution No. 61 in order to reflect the continuity of the problem, as suggested by the Canadian proposal.

The first preambular paragraph, as amended, was approved.

Second preambular paragraph ("having considered")

1.21 The Secretary of the Committee suggested adding some very important documents, which were in fact on the agenda, namely, the Report of the Administrative Council (Document 47) and the Report of the Secretary-General (Document 30). The text under "having considered" would be the same as the corresponding paragraph in Document DL/6.

1.22 The delegates of France, the United Kingdom, Canada and Algeria supported the suggestion.

The second preambular paragraph, as amended, was adopted.

Third preambular paragraph ("acknowledging")

1.23 The participants' representative in the Pension Committee considered that the third preambular paragraph under "concerned" in Document DL/6 would be preferable to the text in Document 209. In his view, it was essential that the many bodies for which the draft Resolution was intended should realize just how serious the ITU staff's concern was.

1.24 The Chairman proposed that the third preambular paragraph in Document 209 and the third preambular paragraph in Document DL/6 should be combined.

1.25 The Secretary of the Committee pointed out that the import of the two texts was different, in that the first stressed the staff's concern and the second expressed the Conference's concern. It seemed to him that the Committee itself was indeed concerned.

- 1.26 The delegate of the United Kingdom, speaking as a sponsor of Document 209 and supported by the delegate of Australia, said that the Committee's concern was implicit in the words "strongly urges" used later in the draft Resolution.
- 1.27 The Chairman noted that in Resolution No. 61, the Nairobi Plenipotentiary Conference said clearly that it was concerned, although its concern was also implicit in the Resolution.
- 1.28 The delegate of Switzerland, supported by the delegate of Zambia, observed that the Committee had expressed its concern many times, a fact that deserved to be reflected in the draft Resolution.
- 1.29 The delegate of Italy proposed that the concern of the staff and of the Plenipotentiary Conference should be combined in the following wording: "the general concern over ..."
- 1.30 The Chairman thought that wording was not clear.
- 1.31 The delegate of Morocco proposed that the third preambular paragraph in Document DL/6 should be amended to read as follows: "concerned by the fact that for almost 20 years no long-term solution has been found to ensure that the level of pensions is maintained so as to protect purchasing power parity". In the United Nations system, adjustments were based precisely on that notion of purchasing power parity.
- 1.32 The delegate of Ethiopia wanted the Committee to endorse the ITU staff's concern. He therefore supported the wording in Document DL/6, as amended by Morocco.
- 1.33 The delegate of the Netherlands considered that the Moroccan proposal went beyond the idea expressed in Document 209, the wording of which he would prefer to keep ("acknowledging the concern of ITU staff...").
- 1.34 The delegate of the United States wondered whether it was desirable to introduce the idea of purchasing power parity, which, as applied in the United Nations system, was intended to offset differences between different countries and could lead to reductions in the amounts received.
- 1.35 The Chairman said that he understood Morocco's proposal as aimed at ensuring equivalent purchasing power between Headquarters in New York and the different parts of the world where pensioners lived.
- 1.36 The Chairman took note of the fact that the Netherlands, Australia, the United Kingdom and the United States formally opposed the Moroccan proposal.
- 1.37 The delegate of Australia considered that the proposal could be added in the fourth paragraph ("noting that") and not in the third. The delegate of the United States supported the Australian idea, stressing the danger of introducing the idea of purchasing power parity.
- 1.38 The Chairman pointed out that the draft Resolution was expressing the concern of the Plenipotentiaries themselves, which was something more than simply acknowledging the anxiety of the staff.
- 1.39 The delegate of Morocco said that since the text of the draft Resolution would be considered by the United Nations, it seemed to him preferable to use from the outset a wording already adopted by the United Nations. The participants' representative in the Pension Committee shared that view.

1.40 The Chairman asked delegations with amendments to the text to submit them to the Secretariat in writing as soon as possible so that they could be circulated before the start of the next meeting.

The meeting rose at 1240 hours.

The Secretary:

A.B. MACLENNAN

The Chairman:

F. MOLINA NEGRO

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to

Document 226-E

28 June 1989

Original: English

SUMMARY RECORD
OF THE
FIFTH MEETING OF COMMITTEE 6
(TECHNICAL COOPERATION)

Replace paragraph 1.25 by the following:

"1.25 The delegate of the United States said that there should be a decision taken regarding the principles concerning the ITU's partnership with the UNDP. The parameters of such a partnership should be discussed noting that in the past the Union had utilized innovative approaches, such as revenue from telecommunications exhibitions, to cover the deficit."

Modify paragraph 1.49, third sentence to read: "He would like to understand better what measures the Union could take to best fulfil its responsibilities as a catalyst for development ...".

Replace paragraph 1.9 by the following:

"1.9 The delegate of the United States said that the title of section 7 did not appear to give a total picture of the Union's activities as a provider of technical assistance. For instance, certain activities of the CCIs and other organs that are considered to be of the nature of technical assistance are not funded out of section 7. If this was the case, the Union's support of technical cooperation and assistance would be far greater than the totals reflected in section 7.

Regarding Document 219, the delegate of the United States requested that it be referred to a later meeting."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 226-E

16 June 1989

Original: French

COMMITTEE 6

SUMMARY RECORD

OF THE

FIFTH MEETING OF COMMITTEE 6

(TECHNICAL COOPERATION)

Wednesday, 7 June 1989, at 1430 hrs

Chairman: H. VIGNON (Benin)

Subjects discussed:

1. Proposals (Financing of technical cooperation)

Documents

DT/30, 219

1. Proposals (Financing of technical cooperation) (Documents DT/30, 219)

1.1 The Chairman gave a brief summary of Temporary Document DT/30 and asked delegates to comment on it. He said that the Chairman of the IFRB had asked for Document 219, which dealt with the organization of IFRB seminars on frequency management, to be included in the agenda.

It was so decided.

1.2 The delegate of Mexico said that, to be able to evaluate the financial implications, he would like to have further details on the figures given in Temporary Document DT/30, since there could be no question of an increase in his country's contributory unit.

He was convinced that technical cooperation offered a means of reducing the gap which existed between the developed countries and other countries in the field of telecommunications and that it was up to the Committee to take decisions which would make it possible to map out a new stage in progress towards that objective.

That new stage in achieving a more harmonious development would have to be based on technical cooperation and assistance. He emphasized that the development of telecommunications had repercussions that were of interest both to developing and to industrialized countries, particularly as regards the market for equipment.

1.3 The delegate of Colombia asked for further details on the 680,000 Swiss francs in the third column under item 7.150 "Fellowship programme". What basis had been used to calculate that sum?

1.4 The Deputy Secretary-General said that, as he had already indicated, it was difficult to quantify that item of the budget; the figure of 680,000 Swiss francs had been based on a large number of unsatisfied requests and represented a minimum estimate.

1.5 The Chairman of the IFRB, introducing Document 219, said that the figure mentioned by the delegate of Colombia did not take into account the financial estimates for the two-yearly IFRB seminars to be held in Geneva, alternating with three seminars to be held in the regions.

He recalled that the Administrative Council, in Resolution No. 528 adopted in 1963, had authorized the organization of IFRB seminars on frequency management.

He considered that IFRB seminars might achieve more positive results if they were held in the regions themselves so as to enable the Members of each region and the neighbouring countries to take part. Since there were no fellowships for that purpose, he was suggesting that a programme be adopted to enable regional seminars to be held one year and a seminar in Geneva the next. A sum was accordingly entered in the ordinary budget to enable the Secretary-General to award fellowships to participants from the developing countries.

1.6 The Secretary of Committee 4 said that the sum in question came under Section 15 of the ordinary budget, "ITU seminars", and not Sections 7 and 21 as mentioned in Temporary Document DT/30.

1.7 The Chairman of the IFRB said that, when IFRB seminars had been organized once every two years, they had been included in the sections of the budget entitled "Conferences and meetings". What was now proposed was to enter an item for fellowships in the budget since it would be better for one section to give information on all the financial implications concerning fellowships. For example, on page 3 of Document 219 a

sum of 650,000 Swiss francs was given as the cost of fellowships for a seminar held in Geneva and a sum of 240,000 Swiss francs as the cost of fellowships per seminar held in the regions. The Secretary of Committee 4 could perhaps confirm whether those sums were to be included in the technical cooperation budget or the Conference budget.

1.8 The Secretary of Committee 4 said that it was not up to Committee 6 to discuss that matter; in his opinion, all costs concerning IFRB seminars should be charged to Section 15 of the ordinary budget. It would be for the Plenary Meeting or the Administrative Council to decide whether that portion of the expenditure concerning fellowships should be charged to Section 7.

1.9 The delegate of the United States said that the title of Section 7 was not quite accurate, because the CCITT and the CCIR also provided assistance, but were not mentioned.

He proposed that discussion of Document 219 should be deferred to a later meeting.

1.10 The Deputy Secretary-General, replying to the delegates of the United States and Colombia, said that as far as fellowships were concerned, the activities of the CCIs did not appear in Section 7, since, in accordance with the directives of the Nairobi Conference, it only dealt with technical cooperation. For the Committee's information, the average cost of a one-month fellowship was about US \$ 6,000.

1.11 The delegate of Colombia said that the seminars, and hence the fellowship programme, were very important and useful for his region. But he would like more information on the method used to arrive at the figure of 680,000 Swiss francs.

1.12 The delegate of the Federal Republic of Germany said that there were different sources of funding for technical cooperation and assistance. There were UNDP funds, from which the ITU got 13% of the cost of execution, and there were the funds of the ordinary budget (6-7 million Swiss francs), which were used for example for training activities, including the CODEVTEL project, and those of the Group of Engineers. So far there was no clear delimitation of those two sources of financing; what people wanted was to know what funds went to what projects. In his view, technical assistance was a function of providing advice, which was performed by all organs of the ITU. That function should be expanded. The Committee should draw up a summary table of all activities with their respective costs. Although he had already announced that his country was ready to provide additional funds, up to a given limit, when that list had been drawn up priorities would have to be fixed and the whole package transmitted to Committee 4. Then the Plenary Meeting would have to strike a balance in the budgets for standardization, regulation and technical cooperation. He repeated his view that two essential priorities were training and advisory services.

1.13 The delegate of France agreed with the delegate of the Federal Republic of Germany but said he would like to have further information on Temporary Document DT/30, which was concerned with presenting a list of existing technical cooperation activities and those deriving from Document 33 and the discussions in Committee 6, together with their budgetary implications. He had some difficulty in particular with the item concerning the specialized agency role, for which a sum of 3,850,000 Swiss francs was given. A sum of 9,883,000 Swiss francs had been entered in Section 21 of the provisional budget for 1990 and under income in the same budget provision was made for a sum of 7,365,000 Swiss francs; there was therefore a shortfall of 2,500,000 Swiss francs. The budget for 1990 did provide for a sum of 2,500,000 Swiss francs to cover activities without independent financing. He therefore wondered whether there might perhaps be some duplication between the budget forecasts for 1990 and the additional expenditure of 3,850,000 Swiss francs shown in Temporary

Document DT/30, what the subtraction (on page 3 of Temporary Document DT/30) corresponded to and what the figure of 6,033,000 Swiss francs represented.

The actual deficit should therefore be smaller since it was already partly included in the provisional budget for 1990. There was in fact some confusion: expenditure already provided for should not be regarded as additional expenditure.

As for column 3 of Temporary Document DT/30, he shared the concern expressed by other delegates relating to the sum of 680,000 Swiss francs for the fellowship programme and the sum of 1,800,000 Swiss francs for special assistance to the Least Developed Countries. Those figures had not been justified and should be closely examined in order to ascertain how they had been arrived at.

He agreed with the delegate of the Federal Republic of Germany that the budget should be increased in view of the importance of technical cooperation questions.

1.14 The Secretary of Committee 4 said that, in the Report of the Administrative Council to the Plenipotentiary Conference (Document 47), in the chapter on "Technical cooperation support costs", section 2.2.6.6(4), mention was made of a shortfall in income of some 15,000,000 Swiss francs for 1980-1988 and that in accordance with the decisions of the Administrative Council, approximately 10,000,000 Swiss francs had already been covered by plans for amortizing the shortfall.

In Document 179 the Secretary-General had informed the Plenipotentiary Conference of the fourth stage in the financing plan, which had been approved by the Administrative Council at its meeting held on 20 May 1989 in Nice. Since the sum of 765,000 Swiss francs had already been approved (see Temporary Document DT/6) and charged to the budget for 1990, it was no longer available.

The situation for 1990 was as follows: a total of 6,600,000 Swiss francs was shown under item d) on page 31 of Temporary Document DT/6 and under item g) the actual expenditure was given as 9,883,000 Swiss francs, i.e. a difference of 3,283,000 Swiss francs. It was no longer possible to take account of the 765,000 Swiss francs adopted by the Administrative Council in the amortization plan. In other words there was expenditure amounting to 9,883,000 Swiss francs, minus the 3,850,000 Swiss francs for the ITU's Specialized Agency role as shown on page 3 of Temporary Document DT/30, i.e. a total of 6,033,000 Swiss francs to be charged to section 21. The figure for income was 6,600,000 Swiss francs and the difference was 567,000 Swiss francs. It could be considered therefore that income could be 567,000 Swiss francs higher than the sum given in Temporary Document DT/30.

The Secretary of Committee 4 drew particular attention to the note on page 3 of Temporary Document DT/30 which stated that expenditure might vary to cover changes in common system conditions of employment, variations in the dollar exchange rate, etc. A difference of about 10% was anticipated and the cost of living in Switzerland was increasing by 4% per year. The figures for expenditure and income were therefore very close to one another, which showed that things were not out of balance.

1.15 The delegate of France was not sure whether his doubts had been removed by the reply given by the Secretary of Committee 4. He had referred to the provisional budget for 1990, which showed actual expenditure of 9,883,000 Swiss francs. That figure appeared again in Temporary Document DT/30. He wondered how that sum had been included in the provisional budget for 1990.

On page 31 of Temporary Document DT/6 (Income to cover technical cooperation administrative costs), income was shown as 7,365,000 Swiss francs. That figure had to be compared with the figure given in the note on page 3 of Temporary Document DT/30, i.e. 6,600,000 Swiss francs. There was a slight variation, probably due to fluctuations

in the exchange rate. There was therefore a shortfall of 2,518,000 Swiss francs to finance all activities. The Secretary of Committee 4 had just said that there was a sum of 3,850,000 Swiss francs which had to be subtracted from the total in Section 21. Was that sum already partly included in the shortfall of 2,518,000 Swiss francs or was it additional expenditure?

1.16 The Secretary of Committee 4 referred the Committee to page 31 of Temporary Document DT/6, which gave all the figures. The delegate of France had referred to a sum of 7,365,000 Swiss francs as income for 1990. Since the sum of 765,000 Swiss francs which appeared under item e) had been entered and used by the Administrative Council to amortize support costs for 1980 to 1988, it could no longer be regarded as being part of that account. The total income available for 1990 was therefore 6,600,000 Swiss francs as shown under item d).

As for item g), the expenditure in the budget was estimated at 9,883,000 Swiss francs.

As indicated on page 3 of Temporary Document DT/30, under Section 21 the sum of 3,850,000 Swiss francs was considered as "Specialized agency role" expenditure, to be charged to Section 7. There remained to be charged to Section 21 the sum of 9,883,000 Swiss francs already referred to minus the sum of 3,850,000 Swiss francs charged to Section 7. As income to amortize that sum there was the sum of 6,600,000 Swiss francs referred to in the note. It was therefore necessary on the basis of the provisional budget for 1990 and taking the conditions of employment as at 1 April 1989, to provide for surplus income of 6,600,000 Swiss francs minus 6,033,000 Swiss francs, i.e. 567,000 Swiss francs or about 7 to 8%. Furthermore, as he had already said, the cost of living in Switzerland was increasing by 3 to 4% per year, so that there was practically no margin.

1.17 The delegate of Australia reminded Members that at an earlier meeting he had asked the Secretariat to draw up a table giving a summary of the activities discussed in the Committee and their financial implications. He requested that the new item "IFRB seminars" proposed in Document 219 should be included in an updated version of Temporary Document DT/30. He also thought it desirable, as the delegate of the Federal Republic of Germany had said, that cost figures should be produced for the other fields of technical cooperation charged to the ordinary budget, to fill out the existing information. Temporary Document DT/30 was nevertheless very useful, inasmuch as it constituted a basis providing an overview of the situation.

1.18 The delegate of the United Kingdom said he had three comments to make: a) the explanations given led to the conclusion that there was no shortfall and never had been one. He wondered how income and expenditure would balance in the future. His Delegation would like to have some explanation of the way activities covered by Section 21 would be managed in future in order to avoid difficulties; b) it would seem from the discussion which had followed the French delegate's statement that the updating of the provisional budget for 1990 (Temporary Document DT/6) would need to be revised to bring it more closely into line with Temporary Document DT/30. At present, some figures did not tally, for example, on page 5 of the provisional 1990 budget the figure for contributions to technical cooperation administrative costs was 7,365,000 Swiss francs, whereas the figure given in Temporary Document DT/30 was 6,033,000. His Delegation was not entirely happy with those figures as presented; c) it would be desirable to leave aside those aspects of the budget that related to UNDP and to concentrate on the activities dealt with on page 2 of Temporary Document DT/30, where 3,850,000 Swiss francs was allocated under the ordinary budget because the activities in question were those of the ITU as a specialized agency. It would nevertheless be useful to have some explanations on the item "Other activities" in Temporary Document DT/30.

1.19 The Secretary of the Committee explained that the item "Other activities" (page 2) had been included in case delegations had anything to ask in that connection. In reply to the United Kingdom delegate, he referred to Document 33 (pages 22-23), which explained what the functions of a specialized agency included. Project staff at Headquarters and area representatives performed functions which were part of the ITU's role as a specialized agency (sectoral studies, preparation of project documents, advertising vacancies). In fact, any activity preceding the final submission of a project document to a government was a specialized agency function. From the time the government decided to sign the project document and to obtain the funds from the UNDP on the basis of its indicative planning figure, asking the ITU to carry out the project, the Union then took on the role of executing agency. If, however, the government had already used up its indicative planning figure and there were no longer any funds available, the ITU was not compensated for any of the activities it had undertaken as part of its functions as a specialized agency. If, on the other hand, the country turned to a bilateral donor and succeeded in financing the project in that way, the ITU would have fulfilled its role as a specialized agency correctly. That was why, as explained in Document 33 by the Group of Experts provision had been made for that function of the Department in the amount of 3,850,000 Swiss francs. He confirmed the United Kingdom delegate's view that the purpose was to distinguish the functions of a specialized agency from those of an executing agency. In his view, activities covered by Section 21 ought to be managed in such a way that there was no shortfall in future.

1.20 The Chairman, answering a question from the United Kingdom delegate, explained that the provisional budget in Temporary Document DT/6 had been prepared before the Plenipotentiary Conference and could thus be modified in the light of its decisions.

1.21 The Secretary of Committee 4 pointed out that Temporary Document DT/6 was merely an updating of Annex 8 to the Report of the Administrative Council to the Plenipotentiary Conference (Document 47), which the Council had submitted to the Conference as a basis for setting budget ceilings. It would be for the Administrative Council to approve the final budget for 1990 at its 45th session. It was not intended that the document should be revised during the Conference, because preparing the budget was a job for the Administrative Council and not for the Plenipotentiary Conference.

1.22 The delegate of Zambia thought it regrettable that there had not been consultation between the different departments during the preparation of Temporary Document DT/30, so that the data in Document 219 could have been included. He agreed with the United States Delegation that there ought to be an amalgamation of the activities of all the permanent organs relating to technical cooperation or assistance. Such an amalgamation ought to be prepared and submitted in the form of a revised version of Document 30, so as to give the Committee an overall view. Temporary Document DT/30, for example, contained items 7.140 "Logistic support for seminars" and 7.180 "Logistic support for the Voluntary Programme of technical cooperation", while Document 219 revealed a whole range of expenses which also seemed to be for logistic support. It would thus have been more appropriate to include them all under item 7.140, which would have given a better idea of the costs incurred for seminars by the permanent organs. In conclusion, he said he would like to have a complete document covering financial data and activities which were of the same kind. It would also be very useful if greater coordination were to develop among the organs.

1.23 The Deputy Secretary-General said that the activities listed in Temporary Document DT/30 all came under Section 7. The activity referred to in Document 219 (IFRB seminars) came under a different section of the budget. He also pointed out that those costs reappeared in Document 105 concerning the conference programme, which listed the cost of IFRB fellowships for the seminars for each year until 1994. The fellowships were an altogether new feature. It should be remembered that the Committee had to take decisions on matters of principle rather than on the way certain figures were presented.

1.24 In reply to the delegate of Zambia, the Chairman of the IFRB said that IFRB seminars had so far been charged to the section of the budget on conferences and meetings and not to the one on technical cooperation and that the amount involved, was relatively modest. In Document 219, the part allocated to fellowships was more substantial and it was not so much a matter of coordination as of deciding where the amounts should appear. The Committee could decide, as Zambia proposed, that all amounts related to cooperation should be grouped together, or, on the other hand, that the fellowship costs mentioned in Document 219 should continue to be included in the sections of the budget for conferences.

1.25 The delegate of the United States said there had to be a discrepancy regarding the cost for the partnership with the UNDP. That cost should be discussed. In the past, the shortfall in income had been covered by adopting an innovative approach, e.g. by telecommunication exhibitions.

1.26 The delegate of China said that technical cooperation activities were vital and a continued effort should be made to find other sources of finance. The Chinese Delegation therefore supported an increase in the technical cooperation costs charged to the ordinary budget. It would be worth, however, considering ways of improving technical cooperation management and of reducing the costs involved. He wondered whether UNDP projects implemented by other organizations were also based on a 13% contribution and whether other organizations also faced the problem of an income shortfall.

1.27 The Secretary of the Committee explained that all executing agencies faced the problem of an income shortfall. The support costs covered by the UNDP for technical cooperation projects were never sufficient to cover all management costs. Some organizations charged staff costs to their ordinary budget and in those cases the UNDP's support cost contribution was entered as extra budgetary income. No organization, however, ever made a profit. The ITU's administrative costs for cooperation were relatively low compared to those of other organizations and, in view of the income shortfall, everything had been done to keep them as low as possible.

1.28 The delegate of the Federal Republic of Germany agreed with the delegates of Zambia and Australia. What was needed was an overall view of all planned expenses, which were of two kinds: expenses for activities conducted on behalf of the UNDP (Section 21, including the deficit) and expenses for technical cooperation incurred by all the other organs (Section 7). What was essential was to have an overall view of all technical cooperation activities.

1.29 The delegate of Japan stressed the importance of technical cooperation among the ITU's functions and agreed that principles should be considered rather than the exact amounts of the budget. It would be useful to have an overview and it would be hazardous and premature to take decisions regarding the precise amounts to be included in the ordinary budget.

1.30 The delegate of Ethiopia said that commendable efforts had been made by the Secretariat to deal with the shortfall in income; it was essential that a definitive solution to the problem should be found. The shortfall income should no longer detract from the functions of the Union, which should continue its activities. A solution therefore had to be found and the ordinary budget should be used for technical cooperation activities.

1.31 The delegate of India appreciated the proposals given in section 5.5 of Document 33. With regard to the information contained in Temporary Document DT/30 (page 2), he hoped that the proposals would be supported, so that the Administrative Council could release the required funds at its meeting following the Plenipotentiary

Conference. He also hoped that all technical cooperation functions could be combined within a single organ.

1.32 The delegate of Burkina Faso said that his Delegation should have no difficulty accepting the amounts indicated in Temporary Document DT/30, which clearly showed the difference between the ITU's specialized agency role and its role as an executing agency. The deficit problem was not just a technical cooperation problem; it was caused by external factors. The difficulties arose partly as a result of variations in the value of the dollar in relation to the Swiss franc. He said that the Least Developed Countries had the greatest need and it was right that fellowships should be provided for them as well as an expanded programme of assistance. The proposed increases in assistance were moderate. The developing countries were very sensitive to any budgetary increases and his country was not in a position to approve any increase in its contribution.

1.33 The delegate of Pakistan also referred back to section 5.5 of Document 33. He praised the way the Secretariat had prepared Temporary Document DT/30 and thought that, in the light of the information provided, the delegates could adopt section 5.5 of Document 33.

1.34 The delegate of France wanted more details regarding the increases shown on page 2, column 3 of Temporary Document DT/30 compared with the amounts of the provisional budget. He asked the Secretariat to provide some support documentation in that respect. With regard to the fellowship programme, he announced that France had decided not to charge for teaching costs for its fellows, whose expenses it would meet in full.

1.35 The Deputy Secretary-General, expressed his appreciation to the French Delegation for the announcement that had just been made. Referring to page 2 of Temporary Document DT/30, he said that the requests of developing countries had increased since 1982 and accounted for the new amounts proposed. He thought that the document requested by the French delegate could be provided. On the question of fellowships, he said that the proposed annual budget totalling 1,000,000 Swiss francs would at best only make it possible to provide one short-term fellowship per developing country. As regards support for the LDCs, requests did not follow a regular pattern and limits could be laid down annually by the Administrative Council.

1.36 The delegate of Mali thanked France for its decision regarding the fellowships, which once again illustrated the assistance it was providing for the development of telecommunications in the developing countries. On the other hand, he was surprised at the reluctance expressed concerning the amounts on page 2 of Document 33. He had assumed that when delegates had read Temporary Document DT/30, a consensus would emerge and that they would agree on the proposal contained in Document 33 (section 5.5). He thought that the information provided in Temporary Document DT/30 should satisfy the delegations. He considered the amounts mentioned as a reasonable ceiling and asked the Committee to approve section 5.5 of Document 33.

1.37 The delegate of Nepal agreed with the comment of the previous speaker and with the amounts proposed in Temporary Document DT/30. He asked the Committee to approve them.

1.38 The delegate of Cameroon, referred to item 7.150 on page 2 of Temporary Document DT/30 (Fellowship programme), in which the figure of 320,000 Swiss francs in column 1 had been supplemented by 680,000 Swiss francs in column 3, and to item 7.190 (Special assistance for the Least Developed Countries), where the initial amount of 200,000 had been supplemented by 1,800,000 Swiss francs. He said that those figures of 680,000 and 1,800,000 had been decided on the basis of information provided by the Secretariat and that they should not be reconsidered by the Committee, since in any

case, in his Delegation's view, they were only a minimum. In general section 5.5 of Document 33 should be approved. At that stage of the discussion, it might be worth considering Document 219 on the IFRB seminars. Since the Chairman had said that no objections had been expressed to the proposals in the document, he requested their approval and suggested that the Secretariat should be left to prepare the document for transmission to Committee 4.

1.39 The Chairman recalled that Temporary Document DT/30 had been prepared by the Secretariat in response to requests by many delegations and in order to facilitate the work of the Committee, especially in relation to the Finance Committee. Although no one doubted its utility, delegates requiring further details should feel free to ask for them. Once the information had been supplied, the document submitted to the Finance Committee should represent the views of all delegations and not just those of a few countries.

1.40 The delegate of Indonesia said that his Delegation supported the delegates who had approved the amounts on page 2 of Temporary Document DT/30. It also supported section 5.5 of Document 33 and the cost of 3,850,000 Swiss francs. Although the amounts seemed substantial, it should not be forgotten that the funds were intended to help developing countries.

1.41 The delegate of the USSR said that although section 5.5 of Document 33 did not clearly reflect the amounts involved, Temporary Document DT/30 was a definite improvement. He noted that each year his country invited over 1,000 telecommunication specialists to attend courses on a bilateral basis. Between the last two Plenipotentiary Conferences, the budget for that item had increased by 25%. He questioned the costs of 1,000,000 and 2,000,000 Swiss francs for fellowships and special assistance to the LDCs, respectively. He could not see any justification for the very large increase and agreed with the delegate of France that further details were required regarding the increases shown in Temporary Document DT/30.

1.42 The delegate of the United Kingdom agreed with the delegate of the USSR regarding the amounts mentioned in Temporary Document DT/30. His understanding was that the document had been submitted only for information, but if it were approved, it would be transmitted to Committee 4. The matter of priorities had not really been considered and should be discussed. However, his own view was that the services of the Training Division 7.120 (including CODEVTEL) and of the Group of Engineers 7.110 were particularly useful. On item 7.160 (Regional presence), for instance, Committee 6 had not in fact reached any practical decision.

1.43 The Deputy Secretary-General said that the comments of delegates would be helpful for the preparation of the revised document requested by the Delegation of France, supported by the Delegation of the USSR. He recalled that there were 42 Least Developed Countries and that the membership of the Union included some very small countries which also requested special assistance. That meant that there were altogether some 50 countries requiring substantial aid for the development of their networks. The amount mentioned (1,800,000 Swiss francs, to which should be added the 200,000 Swiss francs provided in the provisional budget) represented something like two man/months of service per country per year. It was a relatively small sum given the number of requests and therefore of requirements.

1.44 The Chairman said that a document would be prepared concerning the fellowship programme. The programme should provide for one fellowship a year for each country, while the assistance given to the LDCs, as indicated by the Deputy Secretary-General, should amount to something like two man/months of service per year per country.

1.45 The delegate of Portugal asked for some explanations regarding the figures at the bottom of page 2 of Temporary Document DT/30. As far as he understood, technical

cooperation and assistance costs would rise from 6,040,000 Swiss francs to a total of 14,650,000 Swiss francs. The Chairman agreed.

1.46 The delegate of Morocco supported the figures at the bottom of page 2 of Temporary Document DT/30 and said that they were only a minimum, since two man/months of service per country per year, or one fellowship per country per year, were very unambitious objectives at a time when the development of networks was so important.

1.47 The delegate of Kenya, reverting to the subject of support costs, said that if reductions had to be made in the budget, they should apply to all activities of the Union and not just to technical cooperation.

1.48 The delegate of the Islamic Republic of Iran supported the delegates of India, Pakistan, Mali and Indonesia. He agreed with section 5.5 of Document 33 and with the figures mentioned on page 2 of Temporary Document DT/30. The budget for technical cooperation activities should be covered by the ordinary budget.

1.49 The delegate of the United States agreed with the views expressed by the delegates of the USSR and the United Kingdom. Three main items had been referred to at the meeting: partnership with the UNDP, the granting of one fellowship for each country and aid to the LDCs amounting to two man/months per year per country. He would like to understand how the ITU could act as a "catalyst". As a result of the increases for technical cooperation and assistance activities, the new total for Section 7 would be about 14,000,000 Swiss francs. If a spirit of cooperation were to prevail, it had to be realistic and economies had to be made. His Delegation reserved the right to revert to the question when it had examined the overall budget.

1.50 The delegate of Byelorussia agreed with the comments of the delegate of the United States. He also thought that Temporary Document DT/30 was only informative and could not be used as a basis for a decision. He further agreed that all the items on page 2 of Temporary Document DT/30 should be appropriately financed.

1.51 The delegate of Switzerland said there were a whole series of recognized requirements. It was not up to Committee 6 to require that any particular sum should be set aside to cover those requirements, since other Committees were also drawing up lists of their own requirements. He was afraid that the concentration of all recognized requirements might lead to a considerable increase in the Union's budget and that the governments of the various countries would not be prepared to accept the increase in their contributions. He therefore wished to express reservations regarding the amounts proposed; the priorities of the Union as a whole would need to be considered when the delegates had an overall view of the situation. He agreed with the list of requirements drawn up without priorities, but maintained reservations regarding the amounts. The Committee should transmit them to Committee 4 merely as an indication.

1.52 The delegate of the USSR also thought that an order of priority should be clearly indicated in view of the overall increase. He emphasized that, as far as he was aware, the Group of Experts had not put forward any figure for fellowships and special assistance to the LDCs.

1.53 The Deputy Secretary-General pointed out that the amounts shown in column 2 of the table of page 2 of Temporary Document DT/30 were estimates and had been proposed by the Secretary-General at the request of the Administrative Council, following consideration of the report of the Group of Experts. When the document had been presented, no figure had been given for logistic support, assistance to the LDCs, and the fellowship programme. The Secretary-General's intention had been for the Plenipotentiaries to decide. The figures were given as an indication in order to facilitate the Committee's work.

1.54 Summing-up, the Chairman said that, when Document 33 had been considered, a number of delegates had asked for a working document to be provided before the financial question could be decided by Committee 4. He thought that the document supplied had provided the delegates with information on which they had been able to base their comments. He noted that many delegations agreed with the figures proposed and the activities planned for technical cooperation and assistance. Others, on the other hand, had expressed reservations, not with respect to the activities planned, but to the amounts, in particular for the fellowship programme and assistance to the LDCs. In addition to the partial explanations provided by the Secretary-General, further information would be provided in a revised version of Temporary Document DT/30, which would be submitted to the Committee. There should be no further discussion on the matter, however. As the delegate of Switzerland had noted, the Committee did not need to take a decision concerning the amounts proposed, but should transmit the revised version of Document DT/30 to Committee 4, with a view to facilitating the latter's task.

It was so decided.

The meeting rose at 1800 hours.

The Secretary:

A.E. EMBEDOKLIS

The Chairman:

H. VIGNON

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 2 to
Document 227 (Rev.2)-E
29 June 1989
Original: English

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 7

1. At the end of Paragraph 1.32 add:

"1.32 bis The delegate of the Islamic Republic of Iran speaking on a point of order urged the Chairman to take a decision by show of hands on the outcome of the debate for creating a permanent organ for Development activities in the Union.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 227(Rev.2)-E
27 June 1989
Original: Spanish

COMMITTEE 7

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 7

1. Amend paragraph 1.38 to read:

"1.38 The delegate of Mexico thought that the action taken had been a formal voting procedure, which entitled his Delegation to speak in explanation of its vote. The Mexican Delegation had abstained because the Chairman's summary had failed to reflect a number of fundamental aspects raised during the discussion, such as those in the Argentine Delegation's observations. In any case, the Committee had appeared close to reaching a consensus; to have taken a vote in those circumstances was surprising and might have set a precedent, which was not convenient in view of the many outstanding decisions to be taken."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 227(Rev.2)-E

24 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Wednesday, 7 June 1989, at 0940 hrs and 2050 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

1. General discussion relating to a permanent organ
for development
2. Consideration of proposals relating
to the General Secretariat

Documents

DT/15, 199,
DL/9

DL/9 (+ Corr.1 and
Corr.2), DT/15

1. General discussion relating to a permanent organ for development
(Documents DT/15, 199, DL/9)

1.1 The Chairman, recalling the four stages of debate that had been agreed to at the previous meeting, namely development, the role of the Secretary-General, the Deputy Secretary-General, the Coordination Committee, and any other items under the general subject of the General Secretariat, said that the meeting had been in favour of a general debate on the principle of a permanent organ for development. As he had before him a list of 25 speakers, he urged delegations to be brief so that all points of view could be heard. To speed up the work, however, he suggested that since on the previous day a number of views in favour of a permanent organ for development had been expressed, only opposing or divergent views be presented at the current meeting. He invited a show of cards on that approach, and a majority of delegations expressed themselves in favour.

1.2 The delegate of Brazil felt there had been unanimous support for the idea of an organ for development. However, a number of principles still remained to be discussed concerning the strengthening of the Coordination Committee, the "federal" structure of the ITU, whether the Deputy Secretary-General was to be in charge of the management of the new organ, or whether a new post was to be created.

1.3 The Chairman, responding to points of orders from the delegates of Algeria and the United Kingdom requesting clarification on the nature of the debate, confirmed that the item under discussion was the principle of the creation of a permanent organ for telecommunications development.

1.4 The delegate of Czechoslovakia said that before taking a definite stance it was necessary to clarify the role of such an organ and its relationship to the work of the Centre for Telecommunications Development (CTD) and the Technical Cooperation Department (TCD).

1.5 The delegate of Nigeria, speaking on a point of order in response to the previous speaker, urged that the discussion be confined to principles rather than details.

1.6 The delegate of Brazil said that no text, either in Document DL/9 or in Document DT/15, could be discussed before there had been such a discussion on principles. He firmly supported the need for establishing a new organ for telecommunications development because of the enormous gap in the level of telecommunications between the industrialized and developing countries on the one hand, and the short-term nature of the ITU's technical cooperation activities on the other. Such activities required institutional stability and a long-term plan of action if they were to be more effective than hitherto. A new organ, enjoying the same status as the CCIs and the IFRB, should also strengthen the "federal" structure of the ITU and the importance of the Coordination Committee in the management of the Union. The new organ would have to rationalise and decentralise its technical cooperation activities. Administrative costs would have to be kept down and existing posts used. Technical cooperation would thus attain a new political and institutional level.

1.7 The delegate of France, referring to a joint proposal by Canada and France in Document 160 which was before Committee 6, said that no final decision on an organ for telecommunications development could be taken before Committee 6 had indicated the essential duties of that organ.

1.8 The delegate of Lebanon, supported the delegate of Brazil on the creation of a new organ and the view of the delegate of Nigeria that only principles should be discussed. He proposed that a Working Group be set up to elaborate the terms of reference of the organ.

1.9 The delegate of the United States, seeking clarification on the proceedings, indicated that he would speak at a later stage.

1.10 The delegate of Argentina said that the Union had not fully complied with its main objectives in respect of technical cooperation. There had been no final decision on the Centre for Telecommunications Development (CTD) and the future of the Technical Cooperation Department (TCD) had not yet been decided. An overlap of activities in the CTD and TCD had not been addressed, and the proposal by France and Canada before Committee 6 had not yet been debated. He said those questions would have to be clarified and the repercussions on the ordinary budget known. Clarification would also have to be given on the organ's role in the present quasi-federal system and on whether the Coordination Committee would be strengthened. He drew attention to the fact that his Delegation's proposal ARG/154/67 on the date of entry into duty of the elected officials had not been included in DL/9 ("Texts proposed for Provision 15A (Article 4, Document A)").

1.11 The delegate of the United Kingdom agreed with the remarks by the delegate of France.

1.12 In view of the agreement that the Union's technical cooperation activities needed significant enhancement, the Chairman suggested that the Committee proceed to request Committee 6 to take up discussion on the proposal by France and Canada as soon as possible and advise Committee 7 on the precise scope and responsibility of the body to be established. Committee 7 would then call on a drafting group to establish the terms of reference of the new organ and then, in the light of the scope of those responsibilities, would precisely situate it within the structure of the Union, indicating where direct responsibility for the organ lay.

1.13 The delegate of Sweden, recalling the intervention made by the delegate of Finland on the previous day concerning an overall review and modernization of ITU headquarters and organs, sympathized with the general idea of strengthening the status and efficiency of technical cooperation activities. However, cautioning against a hasty decision, he was in favour of establishing a group of experts to review terms of reference and study the manner in which technical cooperation was to be effected by a permanent organ of the ITU.

1.14 The delegate of Norway was of the opinion that an overall review of the ITU was necessary but that it could not be done at the present conference. She was in favour of a Resolution empowering a thorough study to be undertaken as quickly as possible. Provisions on an organ for development, however, could be included in the Constitution at the present Conference. With respect to Document 210, she would have preferred a variant whereby the technical development organ was on an equal footing with the other permanent organs. She cautioned that the Union had to operate more cost effectively. Greater efforts in the field had to be undertaken. Personnel were not to be increased, and funds were to be reallocated for carrying out the work. The present structure of the CCIs and the IFRB were to be maintained and the Coordination Committee was to be strengthened.

1.15 The delegate of the USSR, agreed with the delegate of Norway with respect to a corrected version of the diagrams in Document 210 to reflect the inclusion of a Department/Organ on Technical Cooperation, as well as the Coordination Committee. He suggested that the discussion be based on a "federal" structure and said that there were only two alternatives: the existing structure as it stood or with an additional box to strengthen the TCD and technical assistance in the ITU. However it would be important to know what that permanent organ would cover, whether it would include other bodies like the CTD and TCD, how it would work and how it would be financed. As suggested by the delegate of Lebanon, it might be useful to set up a Working Group on the matter.

1.16 The Chairman said that a revised version of Annex 3 of Document 210 containing alternative structural models for ITU secretariats, in the light of comments made, was being produced in the three working languages and would be available shortly. The Committee was specifically considering the General Secretariat and in particular development, and the possibility of establishing a permanent organ for development. Proposals concerning development were contained in Documents 70, 66, 86(Rev.1), 98, 145, 95 and 80.

1.17 The delegate of the United States, speaking on a point of order, asked whether it was the Chairman's intention to discuss those documents and if so, at what stage? He had understood that the Committee was simply discussing principles.

1.18 The delegate of Algeria, also speaking on a point of order, recalled that the Chairman had opened the meeting by suggesting a programme of work which the Committee had accepted. It now appeared that a new discussion was to take place. He therefore proposed that the Committee should decide forthwith on the principle of creating a permanent organ before proceeding with any other discussion. The delegates of Guinea and Mali supported that position.

1.19 The Chairman explained that opinions were being expressed on the question of creating a permanent organ for development. He had read out a list of the documents containing relevant proposals in reply to a question raised by a delegate. When views had been expressed, the Committee could take a decision.

1.20 The delegate of the USSR said that he could not agree to a proposal by Algeria that the Committee should first consider the principle and then decide whether it should fit it into a pyramidal or "federal" structure. He had proposed that the Committee should discuss the whole package of a new organ within a "federal" structure, hence his point that Document 210 be amended to show a "federal" structure as a first alternative and a pyramidal structure second. Only then would the Committee be in a position to consider whether such an organ should be created or not.

1.21 The delegate of Nigeria, speaking on a point of order, said that since there were two opposing proposals, the Committee should now decide which of the two it was going to accept.

1.22 The delegate of Canada, speaking on a further point of order, said that there was a fundamental problem in rushing into a decision on the principle of a new organ, in that there were important considerations surrounding such an organ that had to be discussed in Committee 6. His view was that Committee 7 could not decide to create a structure until the policy and purposes and other aspects were fully explored by the other committee.

1.23 The Chairman observed that there had been two speakers in favour and two speakers against the proposal by Algeria. His interpretation of the sense of the meeting was that the majority was in favour of Algeria's proposal, which could therefore be considered adopted. Later on the Committee would have an opportunity to discuss the details and specific arrangements arising out of the decision of principle which the Committee was now taking.

1.24 The delegate of the United States, speaking on a point of order, asked that any delegate wishing to speak should be allowed to do so until there were no further requests for the floor.

1.25 The delegate of Gabon, speaking on a point of order and drawing attention to Nos. 519 and 520 of the Convention, put forward a motion for closure of the debate.

1.26 The delegate of the USSR, also speaking on a point of order and referring to No. 516 of the Convention, supported the proposal by the delegate of the United States. No. 516 should take precedence over Nos. 519 and 520 of the Convention.

1.27 The Chairman said that priority would be given to the point of order made by the delegate of the USSR and invited two speakers who objected to the proposal.

1.28 The delegate of Brazil said it would be regrettable to engage in a dispute of points of order since the wish of the Committee was evident and time would be wasted in going through the formal procedures.

1.29 The Chairman requested the delegates of the USSR and Gabon to act on Brazil's timely appeal.

1.30 The delegate of Gabon pointed out that there was only one point of order before the Committee, which was that of his Delegation. He would withdraw it on the understanding that the discussion would be concluded as quickly as possible.

1.31 In reply to a question by the Chairman, the delegate of Algeria said that he was unable to withdraw his proposal since it had been supported by many administrations.

1.32 The delegate of Papua New Guinea expressed his concern at the slow rate of progress being made in the Committee. He saw no difficulty in taking a decision of principle to set up the permanent organ for telecommunications development, as proposed by the delegate of Algeria. However, the financial and staffing impact must first be examined.

1.33 The Chairman asked the Committee to take a decision by show of hands on the outcome of the debate, summed up in the following terms:

1. There is a consensus on the principle of creating a permanent organ for all network development, technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union.

2. Proposal of follow-up action

- a) On the basis of the proposals received so far and the discussions heard during the general debate in the last two weeks the Chairman will provide the Committee with a document on the scope, type of activities, and status of the development organ.

- b) The relationship of this new organ with the other organs will be discussed and decided upon once the Committee has gone through with the structure of the other organs, i.e., the general structural set up of the Union.

The Chairman's conclusion was submitted for consideration by the Committee, which voted by show of hands, with the following results: 73 votes in favour, with none against and 40 abstentions.

The Committee decided to establish a permanent organ for telecommunications development.

The meeting was suspended at 1215 hours and resumed at 2050 hours.

1.34 The delegate of Sweden said that his Delegation wished to explain, pursuant to Nos. 557 and 558 of the Convention, its abstention during the vote taken prior to the suspension. Sweden did a great deal to promote progress in the developing countries and had a far reaching national programme for that purpose and it had no desire at all to block any moves towards the establishment of a permanent organ to deal with technical cooperation for development. But the imprecise nature of the proposal before the Committee had obliged his Delegation to abstain during the vote.

1.35 The Chairman, referring to a point of order raised by the delegate of Spain, said he would first give the floor to any delegations wishing to explain their actions during the vote taken prior to the suspension, before inviting the Committee to discuss the proposals related to the General Secretariat.

1.36 The delegate of Brazil said that in his Delegation's view the Committee had not taken a formal vote which called for explanations, but had merely indicated by an informal show of hands, the sense of the meeting with regard to the matter being discussed.

1.37 The delegate of Spain said that his Delegation, too, had deemed the vote an informal procedure. His Delegation's abstention implied no opposition to technical cooperation for development but reflected the view that the necessary strengthening of technical cooperation activities within the Union must be the subject of a properly formulated proposal, such as that tabled by the Ethiopian Delegation, to be thoroughly considered.

1.38 The delegate of Mexico thought that the action taken had been a formal voting procedure, which entitled his Delegation to speak in explanation of its vote. The Mexican Delegation had abstained because the Chairman's summary had failed to reflect a number of fundamental aspects raised during the discussion, such as those in the Argentine Delegation's observations. In any case, the Committee had appeared close to reaching a consensus; to have taken a vote in those circumstances was surprising and might have set a precedent, which was not convenient in view of the many outstanding decisions to be taken.

1.39 The Chairman said, in response to points of order raised by the delegates of France, the USSR and Yugoslavia, that the text, as drafted in English, on which the Committee had voted before the suspension was:

"...the consensus on the principle of creating a permanent organ for all network development technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union. On the basis of the proposals received so far and the discussions we have heard during the general debate in the last two weeks, the Chairman will provide the Committee with a document on the scope, type of activities and status of the development organ. The relationship of this new organ with the other organs will be discussed and decided upon once we have gone through with the structure of the other organs, that is, the general structural set up of the Union".

Although there might have been some confusion about the actual voting procedure, the result had been clear enough to leave the Chairman and the legal officers of the Secretariat in no doubt about the Committee's view.

1.40 The delegate of Greece, speaking on a point of order, said that he had requested the floor earlier in order to point out that the Committee should have asked the Secretary-General to provide it with legal advice, in accordance with No. 281 f) of the Convention.

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1.42 The delegate of the United States said that, although not opposed to enhanced status for telecommunications development, his Delegation had abstained on the decision to create a new permanent organ for several reasons, in particular because little had been said about the activities of that body and Committee 6 had not been approached on the subject. Nor had Committee 6 been asked to assess the financial implications of the decision. Finally, his Delegation had advocated that any move to enhance the status of telecommunications development should be taken within the framework of the existing "federal" structure, but no consideration had been given to that point. His Delegation believed that to achieve the best results and promote cooperation in the Committee, proposals should be considered on the basis of the principle of preserving the Union's "federal" structure.

1.43 The delegate of the United Kingdom said that his Delegation had abstained not because it had any doubt about the principle that the status of telecommunications development should be enhanced but because of serious reservations about the procedure followed and the fear that it might create a precedent. In particular, the provisions in No. 493 of the Convention about the texts of all major proposals to be put to the vote had not been observed. It was inappropriate to rush such proposals and the Committee should not proceed in that way again. His Delegation's abstention should not be interpreted as indicating United Kingdom's opposition to enhancing the technical cooperation activities of the ITU.

1.44 The delegate of the USSR said that his earlier question about the nature of the process by which the decision had been taken was motivated by dissatisfaction with the procedure followed. He supported the view expressed by others that major decisions ought not to be taken in such a way.

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1.46 The delegate of Peru said that his Delegation had voted for the proposal to establish a permanent organ for telecommunications development because the issue had been clear. The result of the vote was equally clear and no opposition had been expressed to the decision. He believed that the financial implications of the decision and the structure within which the new organ would operate could be considered after the event.

1.47 The delegate of France said that his Administration regarded technical cooperation as being very important and was ready to consider any proposal which observed basic budgetary rules. But his Delegation had abstained from voting for the new organ because it was premature to take such a decision before knowing the results of the work of Committee 6. Another reason for abstaining had been concern at the procedure followed and fear that it might set a precedent which would be quite unacceptable.

1.48 The delegate of the Federal Republic of Germany said that he deduced from the Chairman's explanations that the procedure followed had not constituted a formal vote because the conditions laid down in the Convention for such a vote had not been met.

1.49 The delegate of Argentina said that his Delegation's support for strengthening telecommunications development was unquestionable. However, it had abstained from voting because it believed that more time should have been allowed for discussion so as to accumulate as many opinions and as much support for the decision as possible.

1.50 The delegate of the Netherlands said that her Administration was in favour of enhancing the Union's technical cooperation activities within the framework of its existing "federal" structure. But her Delegation had abstained from voting because it believed that final decisions on the establishment of the new organ, its status and terms of reference, should be taken in conjunction with decisions on the other organs and with the results of the work of Committees 4 and 6. Furthermore, any item for discussion in the Committee should be set in a context which included its financial and staffing implications and the relevant decisions of other Committees. She therefore reserved her right to revert to the substance of such matters concerning the new permanent organ as they arose. She expressed the hope that the work of Committee 7 would be continued following better and more balanced procedures.

1.51 The delegate of Japan said that his Delegation had abstained because it felt that the analysis needed for such an important decision was lacking. Japan supported the enhancement of technical cooperation and agreed with the Chairman's statement that any proposal for structural change should be thoroughly considered. He hoped that the Committee would find a solution by following proper procedures. Japan had proposed that attention be focussed and put on the financial aspects of telecommunications development. Although that proposal was being dealt with in Committee 6, he believed it to be a key element for any consideration of the enhancement of technical cooperation in Committee 7.

1.52 The delegate of Senegal said that it was regrettable for the Committee to have taken its first decision of major importance in such a way, but there had been broad agreement on the desirability of establishing a permanent telecommunications development organ. The Chairman's request for an indicative vote on the issue to confirm the majority view was not unprecedented. A similar procedure had been used to speed the work of WATTC-88. Since the Chairman had acted on a point of order raised under No. 505 of the Convention and no delegation had appealed against his ruling, his action and the decision were justified.

1.53 The delegate of Zambia said that the decision in principle whether to enhance technical cooperation activities by establishing a new permanent organ properly belonged to Committee 7, without prejudice to the discussion of its implications in other Committees. Before the adjournment, there had been a proposal to await the result of discussions on technical cooperation in Committee 6, and questions had been raised about the position of telecommunications development activity in the ITU structure and the financial implications if a permanent organ was established. But the Committee could not wait on such matters before reaching its decision in principle and the Chairman's action had been intended to facilitate the progress of its work. Zambia reserved its right to revert to the subject of the position of the new organ in the ITU structure and the financial implications of the decision at the appropriate time.

1.54 The delegate of Turkey observed that none of the delegations which had explained their abstention from voting for the establishment of the new permanent organ had expressed opposition to it. If proper procedure had been followed, therefore, there would have been virtual unanimity in its favour. As a developing country, Turkey could never be against making such an improvement in the organization of the ITU.

2. Consideration of proposals relating to the General Secretariat

2.1 The Chairman, inviting the Committee to proceed to the second stage of the work and to begin an analysis of specific proposals relating to the General Secretariat, requested delegations to introduce their proposals in the order they appeared in Document DL/9 (and Corr.1 and 2), using Document DT/15 as a background document.

In response to a query by the delegate of the United Kingdom concerning discussion of the proposal by Ethiopia, he confirmed that proposals on development had been kept aside but that all other aspects concerning the General Secretariat would be taken in the order mentioned.

2.2 The delegate of China, calling for mutual understanding and a spirit of international cooperation, reminded the meeting that the important decision of establishing a permanent organ for development had been taken that morning. He supported the delegate of Nigeria and other delegations who wished to speed up the work and to that end proposed that a decision be taken as soon as possible on the adoption of a "federal" or a centralized system.

2.3 The delegate of Paraguay, referring to his Delegation's proposal for no change to Nos. 65 to 72, said he would intervene if necessary when amendments to Nos. 65 and 67 to 72 proposed by other delegations were under discussion.

2.4 The delegate of the United States said it was the view of numerous delegations that a "federal" structure was the proper one. He supported the action proposed by the delegate of China which he felt was also implicit in the proposal by the delegate of Paraguay which he could also support.

2.5 In response to a point of order by the delegate of Indonesia, the Chairman said that the procedure being followed was to take proposals in Document DL/9 in order in the interest of moving ahead. Nevertheless, delegations could take the floor to express their opinions on the texts in square brackets if an exchange of views were necessary but they were to be flexible, brief and concise.

2.6 The delegate of Australia, believing that there was a large consensus that the existing structure was adequate but that working procedures had to be looked at, supported the delegates of the United States and China and reaffirmed his support for the existing structure.

2.7 The delegate of Papua New Guinea, supporting the delegates of Brazil, China, the United States and Australia, was in favour of establishing a principle and arriving at a real consensus, and believed that there was a strong feeling in favour of a "federal" structure.

2.8 The Secretary-General drew attention to the fact that page 1 of the document contained a proposal by the Delegation of Kuwait for a change in the structure, not only in the General Secretariat but in respect of the establishment of a new form of organ, and that such change would have to be considered.

2.9 The Chairman, in respect of the title of Article 9 and the proposal by Paraguay, invited the meeting to move on to No. 65.

2.10 The delegate of Mali introduced proposal MLI/144/1 which was intended to strengthen the power of the Secretary-General.

2.11 The delegate of Brazil, in support of the delegate of China and in an effort to expedite the work, suggested the meeting be invited to pronounce on whether or not it wished to maintain the "federal" structure and to have three Deputy Secretaries-General. The details could be examined once those decisions were taken.

2.12 That suggestion was supported by the delegates of the USSR, Morocco, Bulgaria, Hungary and Mexico, as well as by the delegate of Japan who, pronouncing in favour of the current "federal" structure, underlined the importance of the Coordination Committee and the need to give careful examination to the workload if the Union considered the adoption of three Deputy Secretaries-General.

2.13 The delegates of Ethiopia, Greece, Indonesia and India, although having no strong feelings on the title, supported the thrust of the proposal by the delegate of Mali. The delegate of India was in favour of a unified and consolidated Union and a Secretary-General with enhanced powers.

2.14 The delegate of Kenya, supporting the delegate of the USSR, and in the interest of moving on, appealed to the delegate of Mali to withdraw his proposal

2.15 The Chairman, referring to the methods of work of the Committee, said that for the discussion of Article 5 two options on the structure had been identified from his summary in Document 210. He believed the consensus had been to review the organs before the elections were held and in discussing them the Committee would in effect be defining Article 5. He was of the opinion that progress was being made and said that consideration of the proposal by Mali followed by that by Kuwait would be addressed at the following meeting.

The meeting rose at 2315 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

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COMMITTEE 7

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Wednesday, 7 June 1989, at 0940 hrs and 2050 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

1. General discussion relating to a permanent organ for development
2. Consideration of proposals relating to the General Secretariat

Documents

DT/15, 199,
DL/9

DL/9 (+ Corr.1 and
Corr.2), DT/15

1. General discussion relating to a permanent organ for development
(Documents DT/15, 199, DL/9)

1.1 The Chairman, recalling the four stages of debate that had been agreed to at the previous meeting, namely development, the role of the Secretary-General, the Deputy Secretary-General, the Coordination Committee, and any other items under the general subject of the General Secretariat, said that the meeting had been in favour of a general debate on the principle of a permanent organ for development. As he had before him a list of 25 speakers, he urged delegations to be brief so that all points of view could be heard. To speed up the work, however, he suggested that since on the previous day a number of views in favour of a permanent organ for development had been expressed, only opposing or divergent views be presented at the current meeting. He invited a show of cards on that approach, and a majority of delegations expressed themselves in favour.

1.2 The delegate of Brazil felt there had been unanimous support for the idea of an organ for development. However, a number of principles still remained to be discussed concerning the strengthening of the Coordination Committee, the "federal" structure of the ITU, whether the Deputy Secretary-General was to be in charge of the management of the new organ, or whether a new post was to be created.

1.3 The Chairman, responding to points of orders from the delegates of Algeria and the United Kingdom requesting clarification on the nature of the debate, confirmed that the item under discussion was the principle of the creation of a permanent organ for telecommunications development.

1.4 The delegate of Czechoslovakia said that before taking a definite stance it was necessary to clarify the role of such an organ and its relationship to the work of the Centre for Telecommunications Development (CTD) and the Technical Cooperation Department (TCD).

1.5 The delegate of Nigeria, speaking on a point of order in response to the previous speaker, urged that the discussion be confined to principles rather than details.

1.6 The delegate of Brazil said that no text, either in Document DL/9 or in Document DT/15, could be discussed before there had been such a discussion on principles. He firmly supported the need for establishing a new organ for telecommunications development because of the enormous gap in the level of telecommunications between the industrialized and developing countries on the one hand, and the short-term nature of the ITU's technical cooperation activities on the other. Such activities required institutional stability and a long-term plan of action if they were to be more effective than hitherto. A new organ, enjoying the same status as the CCIs and the IFRB, should also strengthen the "federal" structure of the ITU and the importance of the Coordination Committee in the management of the Union. The new organ would have to rationalise and decentralise its technical cooperation activities. Administrative costs would have to be kept down and existing posts used. Technical cooperation would thus attain a new political and institutional level.

1.7 The delegate of France, referring to a joint proposal by Canada and France in Document 160 which was before Committee 6, said that no final decision on an organ for telecommunications development could be taken before Committee 6 had indicated the essential duties of that organ.

1.8 The delegate of Lebanon, supported the delegate of Brazil on the creation of a new organ and the view of the delegate of Nigeria that only principles should be discussed. He proposed that a Working Group be set up to elaborate the terms of reference of the organ.

1.9 The delegate of the United States, seeking clarification on the proceedings, indicated that he would speak at a later stage.

1.10 The delegate of Argentina said that the Union had not fully complied with its main objectives in respect of technical cooperation. There had been no final decision on the Centre for Telecommunications Development (CTD) and the future of the Technical Cooperation Department (TCD) had not yet been decided. An overlap of activities in the CTD and TCD had not been addressed, and the proposal by France and Canada before Committee 6 had not yet been debated. He said those questions would have to be clarified and the repercussions on the ordinary budget known. Clarification would also have to be given on the organ's role in the present quasi-federal system and on whether the Coordination Committee would be strengthened. He drew attention to the fact that his Delegation's proposal ARG/154/67 on the date of entry into duty of the elected officials had not been included in DL/9 ("Texts proposed for Provision 15A (Article 4, Document A)").

1.11 In view of the agreement that the Union's technical cooperation activities needed significant enhancement, the Chairman suggested that the Committee proceed to request Committee 6 to take up discussion on the proposal by France and Canada as soon as possible and advise Committee 7 on the precise scope and responsibility of the body to be established. Committee 7 would then call on a drafting group to establish the terms of reference of the new organ and then, in the light of the scope of those responsibilities, would precisely situate it within the structure of the Union, indicating where direct responsibility for the organ lay.

1.12 The delegate of Sweden, recalling the intervention made by the delegate of Finland on the previous day concerning an overall review and modernization of ITU headquarters and organs, sympathized with the general idea of strengthening the status and efficiency of technical cooperation activities. However, cautioning against a hasty decision, he was in favour of establishing a group of experts to review terms of reference and study the manner in which technical cooperation was to be effected by a permanent organ of the ITU.

1.13 The delegate of Norway was of the opinion that an overall review of the ITU was necessary but that it could not be done at the present conference. She was in favour of a Resolution empowering a thorough study to be undertaken as quickly as possible. Provisions on an organ for development, however, could be included in the Constitution at the present Conference. With respect to Document 210, she would have preferred a variant whereby the technical development organ was on an equal footing with the other permanent organs. She cautioned that the Union had to operate more cost effectively. Greater efforts in the field had to be undertaken. Personnel were not to be increased, and funds were to be reallocated for carrying out the work. The present structure of the CCIs and the IFRB were to be maintained and the Coordination Committee was to be strengthened.

1.14 The delegate of the USSR, agreed with the delegate of Norway with respect to a corrected version of the diagrams in Document 210 to reflect the inclusion of a Department/Organ on Technical Cooperation, as well as the Coordination Committee. He suggested that the discussion be based on a "federal" structure and said that there were only two alternatives: the existing structure as it stood or with an additional box to strengthen the TCD and technical assistance in the ITU. However it would be important to know what that permanent organ would cover, whether it would include other bodies like the CTD and TCD, how it would work and how it would be financed. As suggested by the delegate of Lebanon, it might be useful to set up a Working Group on the matter.

1.15 The Chairman said that a revised version of Annex 3 of Document 210 containing alternative structural models for ITU secretariats, in the light of comments made, was being produced in the three working languages and would be available shortly. The Committee was specifically considering the General Secretariat and in particular development, and the possibility of establishing a permanent organ for development. Proposals concerning development were contained in Documents 70, 66, 86(Rev.1), 98, 145, 95 and 80.

1.16 The delegate of the United States, speaking on a point of order, asked whether it was the Chairman's intention to discuss those documents and if so, at what stage? He had understood that the Committee was simply discussing principles.

1.17 The delegate of Algeria, also speaking on a point of order, recalled that the Chairman had opened the meeting by suggesting a programme of work which the Committee had accepted. It now appeared that a new discussion was to take place. He therefore proposed that the Committee should decide forthwith on the principle of creating a permanent organ before proceeding with any other discussion. The delegates of Guinea and Mali supported that position.

1.18 The Chairman explained that opinions were being expressed on the question of creating a permanent organ for development. He had read out a list of the documents containing relevant proposals in reply to a question raised by a delegate. When views had been expressed, the Committee could take a decision.

1.19 The delegate of the USSR said that he could not agree to a proposal by Algeria that the Committee should first consider the principle and then decide whether it should fit it into a pyramidal or "federal" structure. He had proposed that the Committee should discuss the whole package of a new organ within a "federal" structure, hence his point that Document 210 be amended to show a "federal" structure as a first alternative and a pyramidal structure second. Only then would the Committee be in a position to consider whether such an organ should be created or not.

1.20 The delegate of Nigeria, speaking on a point of order, said that since there were two opposing proposals, the Committee should now decide which of the two it was going to accept.

1.21 The delegate of Canada, speaking on a further point of order, said that there was a fundamental problem in rushing into a decision on the principle of a new organ, in that there were important considerations surrounding such an organ that had to be discussed in Committee 6. His view was that Committee 7 could not decide to create a structure until the policy and purposes and other aspects were fully explored by the other committee.

1.22 The Chairman observed that there had been two speakers in favour and two speakers against the proposal by Algeria. His interpretation of the sense of the meeting was that the majority was in favour of Algeria's proposal, which could therefore be considered adopted. Later on the Committee would have an opportunity to discuss the details and specific arrangements arising out of the decision of principle which the Committee was now taking.

1.23 The delegate of the United States, speaking on a point of order, asked that any delegate wishing to speak should be allowed to do so until there were no further requests for the floor.

1.24 The delegate of Gabon, speaking on a point of order and drawing attention to Nos. 519 and 520 of the Convention, put forward a motion for closure of the debate.

1.25 The delegate of the USSR, also speaking on a point of order and referring to No. 516 of the Convention, supported the proposal by the delegate of the United States. No. 516 should take precedence over Nos. 519 and 520 of the Convention.

1.26 The Chairman said that priority would be given to the point of order made by the delegate of the USSR and invited two speakers who objected to the proposal.

1.27 The delegate of Brazil said it would be regrettable to engage in a dispute of points of order since the wish of the Committee was evident and time would be wasted in going through the formal procedures.

1.28 The Chairman requested the delegates of the USSR and Gabon to act on Brazil's timely appeal.

1.29 The delegate of Gabon pointed out that there was only one point of order before the Committee, which was that of his Delegation. He would withdraw it on the understanding that the discussion would be concluded as quickly as possible.

1.30 In reply to a question by the Chairman, the delegate of Algeria said that he was unable to withdraw his proposal since it had been supported by many administrations.

1.31 The delegate of Papua New Guinea expressed his concern at the slow rate of progress being made in the Committee. He saw no difficulty in taking a decision of principle to set up the permanent organ for telecommunications development, as proposed by the delegate of Algeria.

1.32 The Chairman asked the Committee to take a decision by show of hands on the outcome of the debate, summed up in the following terms:

1. There is a consensus on the principle of creating a permanent organ for all network development, technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union.

2. Proposal of follow-up action

- a) On the basis of the proposals received so far and the discussions heard during the general debate in the last two weeks the Chairman will provide the Committee with a document on the scope, type of activities, and status of the development organ.
- b) The relationship of this new organ with the other organs will be discussed and decided upon once the Committee has gone through with the structure of the other organs, i.e., the general structural set up of the Union.

The Chairman's conclusion was submitted for consideration by the Committee, which voted by show of hands, with the following results: 73 votes in favour, with none against and 40 abstentions.

The Committee decided to establish a permanent organ for telecommunications development.

The meeting was suspended at 1215 hours and resumed at 2050 hours.

1.33 The delegate of Sweden said that his Delegation wished to explain, pursuant to Nos. 557 and 558 of the Convention, its abstention during the vote taken prior to the suspension. Sweden did a great deal to promote progress in the developing countries and had a far reaching national programme for that purpose and it had no desire at all to block any moves towards the establishment of a permanent organ to deal with technical cooperation for development. But the imprecise nature of the proposal before the Committee had obliged his Delegation to abstain during the vote.

1.34 The Chairman, referring to a point of order raised by the delegate of Spain, said he would first give the floor to any delegations wishing to explain their actions during the vote taken prior to the suspension, before inviting the Committee to discuss the proposals related to the General Secretariat.

1.35 The delegate of Brazil said that in his Delegation's view the Committee had not taken a formal vote which called for explanations, but had merely indicated by an informal show of hands, the sense of the meeting with regard to the matter being discussed.

1.36 The delegate of Spain said that his Delegation, too, had deemed the vote an informal procedure. His Delegation's abstention implied no opposition to technical cooperation for development but reflected the view that the necessary strengthening of technical cooperation activities within the Union must be the subject of a properly formulated proposal, such as that tabled by the Ethiopian Delegation, to be thoroughly considered.

1.37 The delegate of Mexico thought that the action taken had been a formal voting procedure, which entitled his Delegation to speak in explanation of its vote. The Mexican Delegation had abstained because the Chairman's summary had failed to reflect a number of fundamental aspects raised during the discussion, such as those in the Argentine Delegation's observations. In any case, the Committee had appeared close to reaching a consensus; to have taken a vote in those circumstances was surprising and might have set a precedent, which was not convenient in view of the many outstanding decisions to be taken.

1.38 The Chairman said, in response to points of order raised by the delegates of France, the USSR and Yugoslavia, that the text, as drafted in English, on which the Committee had voted before the suspension was:

"...the consensus on the principle of creating a permanent organ for all network development technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union. On the basis of the proposals received so far and the discussions we have heard during the general debate in the last two weeks, the Chairman will provide the Committee with a document on the scope, type of activities and status of the development organ. The relationship of this new organ with the other organs will be discussed and decided upon once we have gone through with the structure of the other organs, that is, the general structural set up of the Union".

Although there might have been some confusion about the actual voting procedure, the result had been clear enough to leave the Chairman and the legal officers of the Secretariat in no doubt about the Committee's view.

1.39 The delegate of Greece, speaking on a point of order, said that he had requested the floor earlier in order to point out that the Committee should have asked the Secretary-General to provide it with legal advice, in accordance with No. 281 f) of the Convention.

1.40 The delegate of Papua New Guinea said that his Delegation, representing one of the world's least developed countries, had a vital interest in technical cooperation for development but viewed with disquiet the fragmented manner in which that and other issues were being approached. Although there seemed to be an overall consensus against any major structural overhaul of the Union, his Delegation supported the establishment of a permanent office to deal with that activity, possibly under the Deputy Secretary-General - for example, as head of CTD - instead of under a Director. The coordination arm could be strengthened, and the CCIs and IFRB left unchanged. It was also disquieting to be expected to consider proposed major structural changes without any idea of the financial implications; details in that regard were essential. Perhaps the coordination arm too could be made under the Deputy Secretary-General's responsibilities. There was need for improved management efficiency. In that context, the new organization would have to be monitored not only by Committee 6 but as part of any on-going studies, in order to put development resources to the best possible use in the field.

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1.46 The delegate of France said that his Administration regarded technical cooperation as being very important and was ready to consider any proposal which observed basic budgetary rules. But his Delegation had abstained from voting for the new organ because it was premature to take such a decision before knowing the results of the work of Committee 6. Another reason for abstaining had been concern at the procedure followed and fear that it might set a precedent which would be quite unacceptable.

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the financial implications if a permanent organ was established. But the Committee could not wait on such matters before reaching its decision in principle and the Chairman's action had been intended to facilitate the progress of its work. Zambia reserved its right to revert to the subject of the position of the new organ in the ITU structure and the financial implications of the decision at the appropriate time.

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2.7 The delegate of Papua New Guinea, supporting the delegates of Brazil, China, the United States and Australia, was in favour of establishing a principle and arriving at a real consensus, and believed that there was a strong feeling in favour of a "federal" structure.

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2.12 That suggestion was supported by the delegates of the USSR, Morocco, Bulgaria, Hungary and Mexico, as well as by the delegate of Japan who, pronouncing in favour of the current "federal" structure, underlined the importance of the Coordination Committee and the need to give careful examination to the workload if the Union considered the adoption of three Deputy Secretaries-General.

2.13 The delegates of Ethiopia, Greece, Indonesia and India, although having no strong feelings on the title, supported the thrust of the proposal by the delegate of Mali. The delegate of India was in favour of a unified and consolidated Union and a Secretary-General with enhanced powers.

2.14 The delegate of Kenya, supporting the delegate of the USSR, and in the interest of moving on, appealed to the delegate of Mali to withdraw his proposal

2.15 The Chairman, referring to the methods of work of the Committee, said that for the discussion of Article 5 two options on the structure had been identified from his summary in Document 210. He believed the consensus had been to review the organs before the elections were held and in discussing them the Committee would in effect be defining Article 5. He was of the opinion that progress was being made and said that consideration of the proposal by Mali followed by that by Kuwait would be addressed at the following meeting.

The meeting rose at 2315 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 227-E

20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Wednesday, 7 June 1989, at 0940 hrs and 2050 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

- | | | |
|----|--|--------------------------------------|
| 1. | General discussion relating to a permanent organ for development | DT/15, 199,
DL/9 |
| 2. | Consideration of proposals relating to the General Secretariat | DL/9 (+ Corr.1 and
Corr.2), DT/15 |

1. General discussion relating to a permanent organ for development
(Documents DT/15, 199, DL/9)

1.1 The Chairman, recalling the four stages of debate that had been agreed to at the previous meeting, namely development, the role of the Secretary-General, the Deputy Secretary-General, the Coordination Committee, and any other items under the general subject of the General Secretariat, said that the meeting had been in favour of a general debate on the principle of a permanent organ for development. As he had before him a list of 25 speakers, he urged delegations to be brief so that all points of view could be heard. To speed up the work, however, he suggested that since on the previous day a number of views in favour of a permanent organ for development had been expressed, only opposing or divergent views be presented at the current meeting. He invited a show of cards on that approach, and a majority of delegations expressed themselves in favour.

1.2 The delegate of Brazil felt there had been unanimous support for the idea of an organ for development. However, a number of principles still remained to be discussed concerning the strengthening of the Coordination Committee, the "federal" structure of the ITU, whether the Deputy Secretary-General was to be in charge of the management of the new organ, or whether a new post was to be created.

1.3 The Chairman, responding to points of orders from the delegates of Algeria and the United Kingdom requesting clarification on the nature of the debate, confirmed that the item under discussion was the principle of the creation of a permanent organ for telecommunications development.

1.4 The delegate of Czechoslovakia said that before taking a definite stance it was necessary to clarify the role of such an organ and its relationship to the work of the Centre for Telecommunications Development (CTD) and the Technical Cooperation Department (TCD).

1.5 The delegate of Nigeria, speaking on a point of order in response to the previous speaker, urged that the discussion be confined to principles rather than details.

1.6 The delegate of Brazil said that no text, either in Document DL/9 or in Document DT/15, could be discussed before there had been such a discussion on principles. He firmly supported the need for establishing a new organ for telecommunications development because of the enormous gap in the level of telecommunications between the industrialized and developing countries on the one hand, and the short-term nature of the ITU's technical cooperation activities on the other. Such activities required institutional stability and a long-term plan of action if they were to be more effective than hitherto. A new organ, enjoying the same status as the CCIs and the IFRB, should also strengthen the "federal" structure of the ITU and the importance of the Coordination Committee in the management of the Union. The new organ would have to rationalise and decentralise its technical cooperation activities. Administrative costs would have to be kept down and existing posts used. Technical cooperation would thus attain a new political and institutional level.

1.7 The delegate of France, referring to a joint proposal by Canada and France in Document 160 which was before Committee 6, said that no final decision on an organ for telecommunications development could be taken before Committee 6 had indicated the essential duties of that organ.

1.8 The delegate of Lebanon, supported the delegate of Brazil on the creation of a new organ and the view of the delegate of Nigeria that only principles should be discussed. He proposed that a Working Group be set up to elaborate the terms of reference of the organ.

1.9 The delegate of the United States, seeking clarification on the proceedings, indicated that he would speak at a later stage.

1.10 The delegate of Argentina said that the Union had not fully complied with its main objectives in respect of technical cooperation. There had been no final decision on the Centre for Telecommunications Development (CTD) and the future of the Technical Cooperation Department (TCD) had not yet been decided. An overlap of activities in the CTD and TCD had not been addressed, and the proposal by France and Canada before Committee 6 had not yet been debated. He said those questions would have to be clarified and the repercussions on the ordinary budget known. Clarification would also have to be given on the organ's role in the present quasi-federal system and on whether the Coordination Committee would be strengthened. He drew attention to the fact that his Delegation's proposal ARG/154/67 on the date of entry into duty of the elected officials had not been included in DL/9 ("Texts proposed for Provision 15A (Article 4, Document A)").

1.11 In view of the agreement that the Union's technical cooperation activities needed significant enhancement, the Chairman suggested that the Committee proceed to request Committee 6 to take up discussion on the proposal by France and Canada as soon as possible and advise Committee 7 on the precise scope and responsibility of the body to be established. Committee 7 would then call on a drafting group to establish the terms of reference of the new organ and then, in the light of the scope of those responsibilities, would precisely situate it within the structure of the Union, indicating where direct responsibility for the organ lay.

1.12 The delegate of Sweden, recalling the intervention made by the delegate of Finland on the previous day concerning an overall review and modernization of ITU headquarters and organs, sympathized with the general idea of strengthening the status and efficiency of technical cooperation activities. However, cautioning against a hasty decision, he was in favour of establishing a group of experts to review terms of reference and study the manner in which technical cooperation was to be effected by a permanent organ of the ITU.

1.13 The delegate of Norway was of the opinion that an overall review of the ITU was necessary but that it could not be done at the present conference. She was in favour of a Resolution empowering a thorough study to be undertaken as quickly as possible. Provisions on an organ for development, however, could be included in the Constitution at the present Conference. With respect to Document 210, she would have preferred a variant whereby the technical development organ was on an equal footing with the other permanent organs. She cautioned that the Union had to operate more cost effectively. Greater efforts in the field had to be undertaken. Personnel were not to be increased, and funds were to be reallocated for carrying out the work. The present structure of the CCIs and the IFRB were to be maintained and the Coordination Committee was to be strengthened.

1.14 The delegate of the USSR, agreed with the delegate of Norway with respect to a corrected version of the diagrams in Document 210 to reflect the inclusion of a Department/Organ on Technical Cooperation, as well as the Coordination Committee. He suggested that the discussion be based on a "federal" structure and said that there were only two alternatives: the existing structure as it stood or with an additional box to strengthen the TCD and technical assistance in the ITU. However it would be important to know what that permanent organ would cover, whether it would include other bodies like the CTD and TCD, how it would work and how it would be financed. As suggested by the delegate of Lebanon, it might be useful to set up a Working Group on the matter.

1.15 The Chairman said that a revised version of Annex 3 of Document 210 containing alternative structural models for ITU secretariats, in the light of comments made, was being produced in the three working languages and would be available shortly. The Committee was specifically considering the General Secretariat and in particular development, and the possibility of establishing a permanent organ for development. Proposals concerning development were contained in Documents 70, 66, 86(Rev.1), 98, 145, 95 and 80.

1.16 The delegate of the United States, speaking on a point of order, asked whether it was the Chairman's intention to discuss those documents and if so, at what stage? He had understood that the Committee was simply discussing principles.

1.17 The delegate of Algeria, also speaking on a point of order, recalled that the Chairman had opened the meeting by suggesting a programme of work which the Committee had accepted. It now appeared that a new discussion was to take place. He therefore proposed that the Committee should decide forthwith on the principle of creating a permanent organ before proceeding with any other discussion. The delegates of Guinea and Mali supported that position.

1.18 The Chairman explained that opinions were being expressed on the question of creating a permanent organ for development. He had read out a list of the documents containing relevant proposals in reply to a question raised by a delegate. When views had been expressed, the Committee could take a decision.

1.19 The delegate of the USSR said that he could not agree to a proposal by Algeria that the Committee should first consider the principle and then decide whether it should fit it into a pyramidal or "federal" structure. He had proposed that the Committee should discuss the whole package of a new organ within a "federal" structure, hence his point that Document 210 be amended to show a "federal" structure as a first alternative and a pyramidal structure second. Only then would the Committee be in a position to consider whether such an organ should be created or not.

1.20 The delegate of Nigeria, speaking on a point of order, said that since there were two opposing proposals, the Committee should now decide which of the two it was going to accept.

1.21 The delegate of Canada, speaking on a further point of order, said that there was a fundamental problem in rushing into a decision on the principle of a new organ, in that there were important considerations surrounding such an organ that had to be discussed in Committee 6. His view was that Committee 7 could not decide to create a structure until the policy and purposes and other aspects were fully explored by the other committee.

1.22 The Chairman observed that there had been two speakers in favour and two speakers against the proposal by Algeria. His interpretation of the sense of the meeting was that the majority was in favour of Algeria's proposal, which could therefore be considered adopted. Later on the Committee would have an opportunity to discuss the details and specific arrangements arising out of the decision of principle which the Committee was now taking.

1.23 The delegate of the United States, speaking on a point of order, asked that any delegate wishing to speak should be allowed to do so until there were no further requests for the floor.

1.24 The delegate of Gabon, speaking on a point of order and drawing attention to Nos. 519 and 520 of the Convention, put forward a motion for closure of the debate.

- 1.25 The delegate of the USSR, also speaking on a point of order and referring to No. 516 of the Convention, supported the proposal by the delegate of the United States. No. 516 should take precedence over Nos. 519 and 520 of the Convention.
- 1.26 The Chairman said that priority would be given to the point of order made by the delegate of the USSR and invited two speakers who objected to the proposal.
- 1.27 The delegate of Brazil said it would be regrettable to engage in a dispute of points of order since the wish of the Committee was evident and time would be wasted in going through the formal procedures.
- 1.28 The Chairman requested the delegates of the USSR and Gabon to act on Brazil's timely appeal.
- 1.29 The delegate of Gabon pointed out that there was only one point of order before the Committee, which was that of his Delegation. He would withdraw it on the understanding that the discussion would be concluded as quickly as possible.
- 1.30 In reply to a question by the Chairman, the delegate of Algeria said that he was unable to withdraw his proposal since it had been supported by many administrations.
- 1.31 The delegate of Papua New Guinea expressed his concern at the slow rate of progress being made in the Committee. He saw no difficulty in taking a decision of principle to set up the permanent organ for telecommunications development, as proposed by the delegate of Algeria.
- 1.32 The Chairman invited the Committee to take a decision of principle to set up a permanent organ for telecommunications development at the same level and with the same status as the other permanent organs of the Union. Following that decision he would prepare a document on the scope, type of activity and status of the new organ.

The meeting was suspended at 1215 hours and resumed at 2050 hours.

- 1.33 The delegate of Sweden said that his Delegation wished to explain, pursuant to Nos. 557 and 558 of the Convention, its abstention during the vote taken prior to the suspension. Sweden did a great deal to promote progress in the developing countries and had a far reaching national programme for that purpose and it had no desire at all to block any moves towards the establishment of a permanent organ to deal with technical cooperation for development. But the imprecise nature of the proposal before the Committee had obliged his Delegation to abstain during the vote.
- 1.34 The Chairman, referring to a point of order raised by the delegate of Spain, said he would first give the floor to any delegations wishing to explain their actions during the vote taken prior to the suspension, before inviting the Committee to discuss the proposals related to the General Secretariat.
- 1.35 The delegate of Brazil said that in his Delegation's view the Committee had not taken a formal vote which called for explanations, but had merely indicated by an informal show of hands, the sense of the meeting with regard to the matter being discussed.
- 1.36 The delegate of Spain said that his Delegation, too, had deemed the vote an informal procedure. His Delegation's abstention implied no opposition to technical cooperation for development but reflected the view that the necessary strengthening of technical cooperation activities within the Union must be the subject of a properly formulated proposal, such as that tabled by the Ethiopian Delegation, to be thoroughly considered.

1.37 The delegate of Mexico thought that the action taken had been a formal voting procedure, which entitled his Delegation to speak in explanation of its vote. The Mexican Delegation had abstained because the Chairman's summary had failed to reflect a number of fundamental aspects raised during the discussion, such as those in the Argentine Delegation's observations. In any case, the Committee had appeared close to reaching a consensus; to have taken a vote in those circumstances was surprising and might have set a hazardous precedent.

1.38 The Chairman said, in response to points of order raised by the delegates of France, the USSR and Yugoslavia, that the text, as drafted in English, on which the Committee had voted before the suspension was:

"...the consensus on the principle of creating a permanent organ for all network development technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union. On the basis of the proposals received so far and the discussions we have heard during the general debate in the last two weeks, the Chairman will provide the Committee with a document on the scope, type of activities and status of the development organ. The relationship of this new organ with the other organs will be discussed and decided upon once we have gone through with the structure of the other organs, that is, the general structural set up of the Union".

Although there might have been some confusion about the actual voting procedure, the result had been clear enough to leave the Chairman and the legal officers of the Secretariat in no doubt about the Committee's view.

1.39 The delegate of Greece, speaking on a point of order, said that he had requested the floor earlier in order to point out that the Committee should have asked the Secretary-General to provide it with legal advice, in accordance with No. 281 f) of the Convention.

1.40 The delegate of Papua New Guinea said that his Delegation, representing one of the world's least developed countries, had a vital interest in technical cooperation for development but viewed with disquiet the fragmented manner in which that and other issues were being approached. Although there seemed to be an overall consensus against any major structural overhaul of the Union, his Delegation supported the establishment of a permanent office to deal with that activity, possibly under the Deputy Secretary-General - for example, as head of CTD - instead of under a Director. The coordination arm could be strengthened, and the CCIs and IFRB left unchanged. It was also disquieting to be expected to consider proposed major structural changes without any idea of the financial implications; details in that regard were essential. Perhaps the coordination arm too could be made under the Deputy Secretary-General's responsibilities. There was need for improved management efficiency. In that context, the new organization would have to be monitored not only by Committee 6 but as part of any on-going studies, in order to put development resources to the best possible use in the field.

1.41 The delegate of the United States said that, although not opposed to enhanced status for telecommunications development, his Delegation had abstained on the decision to create a new permanent organ for several reasons, in particular because little had been said about the activities of that body and Committee 6 had not been approached on the subject. Nor had Committee 6 been asked to assess the financial implications of the decision. Finally, his Delegation had advocated that any move to enhance the status of telecommunications development should be taken within the framework of the existing "federal" structure, but no consideration had been given to that point. His Delegation believed that to achieve the best results and promote cooperation in the Committee, proposals should be considered on the basis of the principle of preserving the Union's "federal" structure.

1.42 The delegate of the United Kingdom said that his Delegation had abstained not because it had any doubt about the principle that the status of telecommunications development should be enhanced but because of serious reservations about the procedure followed and the fear that it might create a precedent. In particular, the provisions in No. 493 of the Convention about the texts of all major proposals to be put to the vote had not been observed. It was inappropriate to rush such proposals and the Committee should not proceed in that way again. His Delegation's abstention should not be interpreted as indicating United Kingdom's opposition to enhancing the technical cooperation activities of the ITU.

1.43 The delegate of the USSR said that his earlier question about the nature of the process by which the decision had been taken was motivated by dissatisfaction with the procedure followed. He supported the view expressed by others that major decisions ought not to be taken in such a way.

1.44 The delegate of the Philippines said that her Delegation supported technical cooperation but had abstained from voting as a result of confusion about the issue involved. It had seemed that the Committee was being asked to take a decision on matters that involved other Committees, in particular those dealing with technical cooperation and ITU finances. That had possibly been a misunderstanding, but her Delegation still wished to know how the activities of the new telecommunications development organ would be funded.

1.45 The delegate of Peru said that his Delegation had voted for the proposal to establish a permanent organ for telecommunications development because the issue had been clear. The result of the vote was equally clear and no opposition had been expressed to the decision. He believed that the financial implications of the decision and the structure within which the new organ would operate could be considered after the event.

1.46 The delegate of France said that his Administration regarded technical cooperation as being very important and was ready to consider any proposal which observed basic budgetary rules. But his Delegation had abstained from voting for the new organ because it was premature to take such a decision before knowing the results of the work of Committee 6. Another reason for abstaining had been concern at the procedure followed and fear that it might set a precedent which would be quite unacceptable.

1.47 The delegate of the Federal Republic of Germany said that he deduced from the Chairman's explanations that the procedure followed had not constituted a formal vote because the conditions laid down in the Convention for such a vote had not been met.

1.48 The delegate of Argentina said that his Delegation's support for strengthening telecommunications development was unquestionable. However, it had abstained from voting because it believed that more time should have been allowed for discussion so as to accumulate as many opinions and as much support for the decision as possible.

1.49 The delegate of the Netherlands said that her administration was in favour of enhancing the Union's technical cooperation activities within the framework of its existing "federal" structure. But her Delegation had abstained from voting because it believed that final decisions on the establishment of the new organ, its status and terms of reference, should be taken in conjunction with decisions on the other organs and with the results of the work of Committees 4 and 6. Furthermore, any item for discussion in the Committee should be set in a context which included its financial and staffing implications and the relevant decisions of other Committees. She therefore reserved her right to revert to the substance of such matters concerning the new permanent organ as they arose, when she hoped that a more suitable procedure would be followed.

1.50 The delegate of Japan said that his Delegation had abstained because it felt that the analysis needed for such an important decision was lacking. Japan supported the enhancement of technical cooperation and agreed with the Chairman's statement that any proposal for structural change should be thoroughly considered. He hoped that the Committee would find a solution by following proper procedures. Japan had proposed that attention be focussed and put on the financial aspects of telecommunications development. Although that proposal was being dealt with in Committee 6, he believed it to be a key element for any consideration of the enhancement of technical cooperation in Committee 7.

1.51 The delegate of Senegal said that it was regrettable for the Committee to have taken its first decision of major importance in such a way, but there had been broad agreement on the desirability of establishing a permanent telecommunications development organ. The Chairman's request for an indicative vote on the issue to confirm the majority view was not unprecedented. A similar procedure had been used to speed the work of WATTC-88. Since the Chairman had acted on a point of order raised under No. 505 of the Convention and no delegation had appealed against his ruling, his action and the decision were justified.

1.52 The delegate of Zambia said that the decision in principle whether to enhance technical cooperation activities by establishing a new permanent organ properly belonged to Committee 7, without prejudice to the discussion of its implications in other Committees. Before the adjournment, there had been a proposal to await the result of discussions on technical cooperation in Committee 6, and questions had been raised about the position of telecommunications development activity in the ITU structure and the financial implications if a permanent organ was established. But the Committee could not wait on such matters before reaching its decision in principle and the Chairman's action had been intended to facilitate the progress of its work. Zambia reserved its right to revert to the subject of the position of the new organ in the ITU structure and the financial implications of the decision at the appropriate time.

1.53 The delegate of Turkey observed that none of the delegations which had explained their abstention from voting for the establishment of the new permanent organ had expressed opposition to it. If proper procedure had been followed, therefore, there would have been virtual unanimity in its favour. As a developing country, Turkey could never be against making such an improvement in the organization of the ITU.

2. Consideration of proposals relating to the General Secretariat

2.1 The Chairman, inviting the Committee to proceed to the second stage of the work and to begin an analysis of specific proposals relating to the General Secretariat, requested delegations to introduce their proposals in the order they appeared in Document DL/9 (and Corr.1 and 2), using Document DT/15 as a background document.

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2.8 The Secretary-General drew attention to the fact that page 1 of the document contained a proposal by the Delegation of Kuwait for a change in the structure, not only in the General Secretariat but in respect of the establishment of a new form of organ, and that such change would have to be considered.

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2.12 That suggestion was supported by the delegates of the USSR, Morocco, Bulgaria, Hungary and Mexico, as well as by the delegate of Japan who, pronouncing in favour of the current "federal" structure, underlined the importance of the Coordination Committee and the need to give due regard to the actual workload of three Deputy Secretaries-General.

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The meeting rose at 2315 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 228-E
27 June 1989
Original: English

SUMMARY RECORD
OF THE
SIXTH MEETING OF COMMITTEE 8

Replace section 1.25 by the following text:

"The delegate of Canada endorsed proposal G/82/4.

The delegate of the United States endorsed the concept explained by the delegate of the United Kingdom, but could not support the express language proposed in G/82/4."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 228-E

13 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

SIXTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Wednesday, 7 June 1989, at 1440 hrs

Acting Chairman: Mr. V.G. CASSAPOGLOU (Greece)

Subjects discussed:

1. Presentation and discussion of proposals related to the draft Constitution (continued)

Documents

Document A,
DT/9, DL/10

1. Presentation and discussion of proposals related to the draft Constitution Articles 27, 29 (continued) (Document A, DT/9, DL/10)

Article 27 [31] (Document DL/10)

- 1.1 The delegate of the United Kingdom said that since the additional text underlined was a further qualification of the last sentence there was no need for the comma after the word "Members".
- 1.2 The delegate of France said that if that comma was deleted it would be necessary to insert commas before and after the words "in general".
- 1.3 The delegate of Senegal said that the wording under consideration constituted a delicate compromise and he preferred to retain the comma which, at least in part, satisfied his Delegation.
- 1.4 The delegate of the United Kingdom said that he would not press his point.
- 1.5 The delegate of Morocco said that he had no objection to the drafting in Document DL/10. However, he noted that the words "annexed thereto" after the words "Administrative Regulations" had been removed. He had thought, at first, that that had been a mere omission, but now realized that it was as a result of a proposal by the Group of Experts. Since the Conference had not yet taken a decision to separate the Administrative Regulations from the Convention, he proposed that the words "annexed thereto" be retained until the views of Committee 9 were known.
- 1.6 The Chairman said that the matter would be finally decided in Committee 9.

Subject to those comments, the text of Article 27 [31], as in Document DL/10, was approved without change.

Article 29 [33]

No. 152

No proposals for the amendment of the provision having been received, it was approved without change.

Title of Article 29 [33] and No. 153

- 1.7 The delegate of the USSR, introducing his Delegation's proposals, said that URS/16/5 was mainly editorial and was designed to harmonize the title with the text of the article. URS/16/6, while partly editorial in nature, was based on the view emerging in CCIR Study Group I that all possible means should be utilized to improve the efficient use of the radio-frequency spectrum.
- 1.8 The delegate of Côte d'Ivoire said that his Delegation's proposal to amend No. 153 by saying "Members" instead "countries" was designed to bring the provision into accordance with the terminology of the Constitution.

On a proposal by the Chairman, it was agreed that the Côte d'Ivoire proposal should be considered in Committee 9 or Committee 10 and that the word "Members" should be placed in square brackets for the time being.

- 1.9 During the ensuing discussion, the Delegations of the Netherlands, Japan and Colombia expressed themselves as being in favour of making no change to the title of Article 29 [33] or to No. 153.

1.10 The Delegations of Turkey, Sweden, the Federal Republic of Germany, Switzerland, Norway and the German Democratic Republic said that they favoured the amendment to the title of the article proposed by the USSR Delegation.

1.11 The delegate of Turkey, supported by the delegate of the Federal Republic of Germany, endorsed the USSR proposals in principle but suggested that the words "terrestrial and" should be inserted in the first line of No. 153 after the words "In using frequency bands for", which would render unnecessary the addition of the last sentence proposed by the USSR.

1.12 Mr. Brooks (representative of the IFRB) said that Article 1, section 3 of the Radio Regulations provided a definition of the radiocommunication service which included all space and terrestrial services. He therefore suggested that the word "space" in the first line might be deleted and that the provision could read "In using frequency bands for radio communication services ...".

1.13 The delegates of the United Kingdom, Switzerland, Norway, the German Democratic Republic and Kenya supported the IFRB proposal.

1.14 The delegate of Sweden proposed that the first line should be deleted and that the provision should start with the words "Members shall bear in mind ...".

1.15 That proposal was supported by the delegates of the United States, the Federal Republic of Germany, China, Indonesia, Australia, and Norway and accepted by the USSR.

1.16 The delegate of Switzerland proposed that in the fourth and fifth lines of the provision the brackets should be removed and the text should read "rationally, efficiently and economically".

1.17 That proposal was endorsed by the delegates of Norway, the German Democratic Republic, the United States and China and accepted by the delegate of the USSR

1.18 A proposal by the delegate of Kenya that the title should remain unchanged was supported by the delegates of the United States, China, Indonesia, Australia and Norway.

1.19 The Acting Chairman said that proposed modified texts for the title of Article 29 and No. 153, taking account of the views expressed in Committee, had been drawn up in informal discussion with a number of delegations outside the meeting. They read as follows:

"Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite Orbit

[154] 152 2. In using frequency bands for radio services Members shall bear in mind that radio frequencies and the geostationary-satellite orbit are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that [Members] or groups of [Members] may have equitable access to both, taking into account the special needs of the developing countries and the geographical situation of particular countries."

In reply to a question by the delegate of Switzerland, he said that the introductory phrase "in using frequency bands for radio services" had been retained in order to make clear the circumstances under which Members were to bear the provisions of No. 153 in mind.

1.20 In reply to a question from the delegate of Côte d'Ivoire, the representative of the IFRB said that reference to a specific provision of the Radio Regulations enjoining rational use of the radio-frequency spectrum would not be possible since the greater part of the Radio Regulations was relevant to the issue. In practice, in any individual case of a frequency notification made in contravention of No. 153, the particular provisions of the Radio Regulations applicable would depend on the service and frequency band concerned; an unfavourable finding, with no protection for the frequency concerned, would then result from application of those particular provisions by the Board.

1.21 In reply to a question from the delegate of New Zealand, the Acting Chairman said that the word "countries" had been replaced by "[Members]" since the final decision on which term to use throughout the Constitution would be decided later by the Plenary.

1.22 A discussion ensued in which the delegates of Switzerland, France, Zimbabwe, Côte d'Ivoire, Niger and Mali expressed the view that the new proposed text for No. 153, which made it applicable to all radio services and not merely space radio services, had an impact on No. 152 (approved unchanged) and perhaps made it redundant. The delegate of Mali further considered it important to retain the word "rational" in the title of Article 29. A proposal by the delegate of France, supported by the delegates of Niger and Côte d'Ivoire, to set up a Drafting Group to consider Article 29 as a whole was however withdrawn after the delegates of the United Kingdom, the United States and Brazil, recalling that the changes made to arrive at the proposed new text of No. 153 had received a large measure of support after considerable discussion, suggested that further debate would be unproductive.

The proposed new texts of the title Articles 29 and 153 were approved.

No. 153A

1.23 In the light of the new text adopted for No. 153, the delegate of Nigeria withdrew proposal NIG/74/9.

1.24 The delegate of the United Kingdom, introducing proposal G/82/4, said he wished, in order to dispel any misunderstanding, to state that the proposal was in no way intended to change any of the existing provisions of the Radio Regulations or any decision of any administrative radio conference. It had been prompted by the regrettable fact that one or more administrations might, by application of the provisions of the Radio Regulations, have laid claim to frequencies and/or orbital locations without any real intention of using them, and perhaps waiving their right to them given sufficient incentive. Those remarks had no reference to any frequencies or orbital locations forming part of the Allotment Plans produced by WARC-ORB. The provisions of the Radio Regulations in the matter were quite clear and aimed at protecting Members of the Union in their plans to implement satellite systems. It was considered necessary to make specific reference to the matter in Article 29 of the Constitution in order to reinforce that intent.

1.25 The delegates of Canada and the United States endorsed proposal G/82/4.

1.26 The delegate of Colombia supported by the delegate of Kenya, considered that the proposed text was a regulatory matter and should not appear in the Constitution but should rather be discussed by a relevant administrative radio conference for insertion in the appropriate part of the Radio Regulations.

1.27 The delegate of the United Kingdom said that in view of the pressure of time he was prepared to withdraw proposal G/82/4 on the understanding that the draft Resolution on the same subject contained in proposal G/82/5 would be considered later by the Committee. He recalled that it might be many years before an appropriate administrative radio conference competent to discuss the matter was convened.

It was so decided.

The meeting rose at 1735 hours.

The Secretary:

D. SCHUSTER

The Acting Chairman:

V.G. CASSAPOGLOU

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 229-E

12 June 1989

Original: English

COMMITTEE 9

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 9

(BASIC INSTRUMENT OF THE UNION)

Wednesday, 7 June 1989, at 1440 hrs

Chairman: Mr. H.H. SIBLESZ (Netherlands)

Subjects discussed:

1. Consideration of proposals (continued)

Documents

DT/12 + Corr.1
+ Add.1
Documents A + B
GE-BIU 50(Rev.)

1. Consideration of proposals (Documents DT/12 + Corr.1 + Add.1, GE-BIU 50(Rev.), Documents A and B) (continued)

Article 1 - Composition of the Union (continued)

1.1 The Chairman said that the Committee must speed up its work if it was to avoid evening and Saturday meetings, and suggested that an attempt should be made at the current meeting at least to reach agreement on Article 1 as a whole. It had been agreed, however, to consider No. 3 separately, and the proposals to that provision could be classed in three groups - first, to replace the term "Members" by "States", second to delete the requirement for signature and ratification or accession in order to preserve the continuity of membership laid down in previous Conventions, and third, to delete the reference to Annex 1 to the Constitution. The proposals in the last named group were prompted by the wish to distinguish between the list proposed by the Group of Experts, which would in effect be a legal device to define the category of existing Members as against States not comprised in the list and having to meet certain additional requirements set out in Nos. 4 and 5, and the list of Members drawn up by the Secretariat and periodically updated; it must be stressed that the first named list would not be subject to change after its adoption as part of the future Constitution, being intended to indicate the status of the first category of Members.

1.2 The delegate of the United States agreed that a distinction should be made between the fixed list envisaged by the Group of Experts and the list to be updated by the Secretariat. One way of dispelling the doubts expressed by delegates might be to amend No. 3 to read "States parties to the International Telecommunication Convention, Nairobi, 1982, the International Telecommunication Convention, Malaga-Torremolinos, 1973, or the International Telecommunication Convention, Montreux, 1965, at the time of the entry into force of this Constitution and the Convention".

1.3 The delegate of Norway observed that No. 3 must be considered in the context of paragraph 1 as a whole, which listed three categories of States which were or could become Members of the ITU - first, the 166 States which were currently Members of the Union, second, States which were not currently Members of the ITU but were Members of the United Nations, and third, States which were not now Members of the United Nations, for whose future membership of the ITU specific requirements were prescribed. In the light of that enumeration, adoption of proposal ARG/153/1 would logically lead to the deletion of Nos. 4 and 5, since No. 3 would in fact merely indicate that the State was a State, and no distinction between categories would be needed.

The question whether the term "Members" or "States" should be used was no longer important now that Namibia had attained statehood. In connection with the requirement that the Members concerned should have signed and ratified or acceded to the Constitution, attention should be paid to Nos. 174 and 175 of Article 38 on ratification, setting out the consequences of failure to ratify after a two year period, which entailed loss of voting rights but not loss of membership of the Union. Thus, if it was decided to retain the requirement in No. 3 - a point which was not one of basic legal importance - the provision must always be read in conjunction with Nos. 174 and 175, in order to preserve the principle of continuity of membership. On the other hand, No. 3 should contain a reference to the list in Annex 1 or some more general wording such as that suggested by the United States delegate, so that the first category of Members might be clearly defined.

1.4 The delegate of Gabon pointed out that the deletion of the reference to Annex 1 proposed by Argentina logically entailed deletion of the ratification requirement. He therefore proposed that No. 3 be amended to read "Any State which has the status of Member at the time of the entry into force of this Constitution".

1.5 The delegate of the United Kingdom said that, since the main purpose of No. 3 was to indicate those States which were Members of the Union at a certain time, it would be inconsistent to add the requirement of signature and ratification or accession. The important issue of preserving the continuity of membership of the Union were dealt with in Nos. 174 and 175, and there was no reason to address it in No. 3. The Brazilian proposal B/58/2, imposing cessation of membership as a penalty for failure to ratify the instrument within a certain period, seemed to cast doubt on the principle laid down in the three previous Conventions, and the Legal Adviser's views on that subject would be welcome.

1.6 The Legal Adviser agreed that the objective of No. 3 was to define the currently existing membership, and said that the retention or deletion of the ratification/accession requirement in the provision was immaterial from the legal point of view, since that requirement with regard to both the instruments by the existing Members of the Union was to be dealt with in the context of Articles 38 and 39. The record of ITU Members with regard to rapid ratification/accession was not brilliant, as had been shown in paragraph 22 of the final report of the Group of Experts. It might therefore be decided that some further incentive to that end was required, but such a decision clearly did not fall within the purview of No. 3, which was designed to state unequivocally that the existing Members had in the past fulfilled the conditions for membership of the Union.

1.7 The delegate of Japan considered that the reference to ratification and accession should be deleted. He could accept the reference to Annex 1 or the United States suggestion, but thought that the wording of the Gabonese proposal gave rise to ambiguities concerning membership of the Union.

1.8 The delegates of Côte d'Ivoire, Chile and the Islamic Republic of Iran supported the proposals to delete the ratification or accession requirement and to refer only to the Members listed in Annex 1 to the Constitution.

1.9 The delegate of the Philippines supported the text of No. 3 proposed by the Group of Experts, provided it was read together with Nos. 174 and 175 of the Constitution. The delegate of the Ukrainian USSR also supported that text.

1.10 The delegate of Romania said that, while he could go along with proposal PRG/95/3, he had some sympathy with the wording proposed by the Gabonese delegate, with a small amendment to eliminate the confusion it could cause with respect to membership. The text might read "Any Member which is a party to an International Telecommunication Convention concluded prior to this Constitution".

1.11 The delegate of Paraguay said that his Delegation's proposal sought to remove the ambiguity in the Nairobi Convention which, by linking signature, ratification and accession with listing in Annex 1, tacitly implied that States that did not sign, ratify or accede to the instrument were not Members. In practice, such States remained Members but lost the right to vote. The proposal of Brazil was, however, extremely pertinent. By requiring ratification or accession within a fixed period, it demanded the attention of governments which, all too often, were unaware of or uninterested in ITU's work.

1.12 The delegate of France said that his Delegation was in favour of maintaining the requirement both of membership of the Union and of signing and ratifying or of acceding to the Nice instrument. It was moreover essential to ensure continuity of membership; that could well be achieved by introducing a provision such as that proposed by Gabon. The list of current Members could then be annexed to both the Constitution and the Convention for purposes of information only.

1.13 The Chairman suggested that he and the Secretariat draft a text to be put before the next meeting of the Committee based on the general view of the Committee that, in No. 3, the term "Member" should be replaced by "State", that the reference to signature, ratification and accession should be deleted on the understanding that this requirement would be considered during examination of the Final Provisions, and that a general provision should be inserted dealing with problem of continuity of membership and, in particular, of having a list of Members that would be correct at the time of entry into force of the Nice Constitution.

1.14 The delegate of Brazil said that the proposal of Gabon would not resolve the legally ambiguous membership status of current "Members" that had not ratified the Nairobi Convention; the proposal to delete Annex 1 would therefore have to be considered carefully.

1.15 The delegate of the Argentine Republic shared the concerns expressed by the delegates of Brazil and Romania. The amendment proposed by the delegate of Romania would ensure continuity of membership. The Argentine proposal for a list of Members of the Union, set out in proposal ARG/116/1 of Document 116 and put before Committee 7, was not incompatible with the wish to retain as Members all States that had adhered to any earlier ITU Convention.

1.16 The delegate of the Gabonese Republic said that the States listed in Annex 1 were, without any question, Members of the Union. Once a State had ratified or acceded to a Convention, it became a Member and it so remained. The object of his proposal had merely been to simplify the text.

1.17 The delegate of the United States supported the Chairman's suggestion. Based on the wording proposed by the delegate of Romania and the comments of the delegates of Japan and Brazil, he suggested the following drafting of No. 3: "Any State Party to an International Telecommunication Convention as of 29 June 1989 (see Annex 1)".

1.18 The delegate of Uruguay, although in general agreeing with the Chairman's summary and the proposal of the United States, said that the concept of continuing membership should be stressed by employing the term "Member" rather than "State". There would be no ambiguity since the whole question of membership related to ratification was dealt with in Article 38.

1.19 The delegate of Australia agreed with the Chairman's suggestion. In drafting the text, particular attention should be paid to ensuring coverage of the period between the end of the Nice Conference and the entry into force of the Nice Constitution.

1.20 The Chairman invited the Committee to consider Nos. 4, 5 and 6, so that a draft text of the whole of Article 1 could be put before the Committee at its next meeting. With respect to the Argentine proposals ARG/153/2 and ARG/153/3, he suggested that, in line with the approach accepted for No. 3, the texts of Nos. 4 and 5 should start: "any other State . . .".

It was so agreed.

1.21 The Chairman pointed out that it could only be deduced from No. 6 that No. 5 dealt with an application made during a Plenipotentiary Conference. The text could therefore be tidied up.

1.22 The Legal Adviser suggested the following text, drawn up in agreement with the Chairman and combining Nos. 5 and 6: "any State not a Member of the United Nations, which applies for membership of the Union and which, after having secured approval of such application by two-thirds of the Members of the Union at a Plenipotentiary Conference, accedes to this Constitution and the Convention in accordance with

Article 39 [46] of this Constitution. If an application for membership is made . . .". In reply to the delegate of the Islamic Republic of Iran, he stressed that the proposed amendment did not alter the meaning of No. 6. Any State not a Member of the United Nations could indeed submit repeated applications for membership of the Union; such applications would be dealt with under the provisions of No. 6 and of Administrative Council Resolution No. 216.

1.23 The delegate of Romania said that applications for membership should be dealt with in the same way, whether submitted during a Plenipotentiary Conference or between Plenipotentiary Conferences. He proposed that, in accordance with the principle of universality, approval should be secured by a simple majority.

The proposal of the delegate of Romania, as well as proposals CTI/132/3 and CTI/132/4 of the Republic of Côte d'Ivoire, proposals SLM/17/2 and SLM/17/3 of the Solomon Islands and proposal NIG/74/1 of Nigeria were not supported so the Committee decided not to discuss them. It was agreed that the amendment read out by the Legal Adviser should be included in the draft text to be put before the Committee.

1.24 The Chairman invited the Committee to consider the proposals relating to the text in square brackets in No. 6 (proposals DDR/6/2, SLM/17/4, HNG/22/2, TZA/56/3, B/58/3, ARS/60/2, TUR/65/2, SEN/94/4, PRG/95/4, GRC/110/1 and ARG/115/1 to delete the text, proposal CHN/78/1 to retain the text, and proposal CTI/132/5 to modify the text).

1.25 The delegate of Australia said that the phrase "through the intermediary of the country of the seat of the Union" should certainly be deleted as being an anachronism and as placing a needless burden on the Government of Switzerland. As far as "by diplomatic channel" was concerned, it would be interesting to know what the practice of other organizations was.

1.26 The delegate of Norway agreed with the delegate of Australia that it was no longer necessary for applications for membership to be made through the Swiss Government. Although the practice of requiring applications through diplomatic channels might well vary, there was no need to maintain that requirement with respect to the Union. The usual procedure would be to go through diplomatic channels but there was no reason why a government should not correspond directly with the Secretary-General. In particular, that approach should be available to countries that did not have diplomatic channels in the vicinity of Geneva. The requirement was somewhat old-fashioned in view of the modern communication techniques being dealt with by the Union.

1.27 The delegates of the United Kingdom of Great Britain and Northern Ireland, the Islamic Republic of Iran, Uruguay, Brazil, Cameroon, Guinea and the Argentine Republic agreed with the delegate of Norway.

1.28 The delegate of Côte d'Ivoire said that, as a question of form and of tradition, the phrase "by diplomatic channel" could well be retained. After all, application for membership was a commitment on the part of a government and should be properly authenticated. The rest of the phrase, "and through the intermediary of the country of the seat of the Union", should, however, be deleted.

It was agreed that the entire phrase in square brackets be deleted, and that similar deletions be made throughout, wherever the phrase appeared in the text.

1.29 The Chairman noted that the proposal of Kuwait (KWT/11/1) was not really within the mandate of Committee 9 and informed the Committee that the Chairmen of Committees would be making joint proposals for the reallocation of such various proposals, including that of Kuwait.

The meeting rose at 1750 hours.

The Secretary:
A. NOLL

The Chairman:
H.H. SIBLESZ

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 230-E

14 June 1989

Original : French

PLENARY MEETING

SECOND REPORT OF THE FINANCE COMMITTEE TO THE PLENARY MEETING

While adopting Resolution No. 16 for the ITU to observe the UNDP rules for participation with the Technical Cooperation programme, the Nairobi Plenipotentiary Conference made no provision for the partnership contribution body by the ITU. The Administrative Council accepted that the ITU meets its responsibilities, and finance plans have been put forward by the Secretary-General to amortize the shortfall which is expected to be met by the Union. This comes largely from extra budget resources and economies as provided in the Administrative Council Report to the Plenipotentiary Conference.

At its second meeting, the Finance Committee considered the question of Technical Cooperation support costs, particularly with regard to the shortfall of income to cover Technical Cooperation administrative and operational service costs for the years 1980 to 1989.

As stated in the Report of the Administrative Council to the Plenipotentiary Conference (Document 47, par. 2.2.6.6 (4)) and in Document 179 of this Conference, the shortfall for the years 1980 to 1988 amounted to 15,026,870.28 Sw.frs.

During the period 1986 to 1989 the Administrative Council, by means of a financing plan, reduced this shortfall by 13,026,870.28 Sw.frs.

The shortfall remaining for the years 1980 to 1988 is therefore 2,000,000.-- Sw.frs.

At the end of 1989, the remaining sums to be amortized will be increased by the shortfall in income for the financial year 1989, estimated in the provisional budget for 1990 at 2,200,000.-- Sw.frs.

The total amount of Technical Cooperation support costs for the years 1980 to 1989 still to be amortized is therefore estimated at 4,200,000.-- Sw.frs.

The Finance Committee took the view that this amount should either be charged to the budget over a period of several years or be the subject of one or more additional stages of the financing plan drawn up in recent years by the Administrative Council. Its final conclusion was that the Administrative Council should be instructed to find ways and means of absorbing the whole of the shortfall in Technical Cooperation income for the years 1980 to 1989.

The text of Resolution No. COM4/4 adopted in this connection has been transmitted to the Editorial Committee which will submit it in due course to the Plenary Meeting.

M. GHAZAL
Chairman of Committee 4

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 231-E

8 June 1989

Original: French

PLENARY MEETING

THIRD REPORT OF THE FINANCE COMMITTEE TO THE PLENARY MEETING

As its second meeting held on 2 June 1989, the Finance Committee considered the request of the Republic of Sudan either to cancel its debt for the years 1980 to 1983 or to readjust it on the basis of 1/8 unit.

Until the end of 1982, the Republic of Sudan shared in defraying the expenses of the Union in the one-unit class of contribution; since 1983, it has been contributing to ITU expenditure in the class of 1/8 unit.

The Republic of Sudan paid up its contribution to the Union budget in full until the end of 1979, and then again from 1984 to 1989. On the other hand, its contributions for the years 1980 to 1983, together with the related interest on arrears, remain outstanding.

For reasons given in Document 45(Rev.1), the Republic of Sudan has requested the Plenipotentiary Conference either to cancel its debt for the years 1980 to 1983 or to reduce it to the level of the present contribution of 1/8 unit.

After thorough consideration of this request, the Finance Committee decided that it could not agree to a reduction of the class of contribution to 1/8 unit, since the 1/8-unit class was not introduced until 1983. It also noted that no Plenipotentiary Conference had ever agreed to the cancellation of debts of Members of the Union and felt that it should avoid creating a precedent.

On the other hand, in view of the significant effort made by the Republic of Sudan to settle its contributions and publications arrears, the Finance Committee proposes to adopt measures similar to those taken by the Plenipotentiary Conferences of Malaga-Torremolinos and Nairobi in favour of other countries with contributions and publications arrears. The Finance Committee therefore makes the following proposals to the Plenary Meeting :

- a) the outstanding contributions of the Republic of Sudan for the years 1980 to 1983, amounting to 567,047.95 Swiss francs should be carried over to a special arrears account;
- b) the amounts transferred to the special arrears account should bear no further interest;
- c) the transfer of these amounts to the special account should not release the Republic of Sudan from the obligation to pay the sum in question;
- d) the amounts due under the special arrears account should not be taken into account when applying No. 117 of the Convention;

- e) the amount due for interest on arrears, namely 306,507.55 Swiss francs, should be transferred to a special interest account.

However, the Finance Committee considers that the above-mentioned proposals should not be invoked as a precedent.

The text of Resolution No. COM4/5 adopted in this connection, has been transmitted to the Editorial Committee, which will submit it in due course to the Plenary Meeting.

M. GHAZAL
Chairman of Committee 4

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 232-E

7 June 1989

Original: English

COMMITTEE 2

Second Report by Working Group 2-A to Committee 2

The Working Group of Committee 2 (Credentials), at its second meeting on 7 June 1989, examined the credentials of the following delegations :

(In French alphabetical order)

Australia
Bahamas (Commonwealth of the)
Benin (People's Republic of)
Chile
Congo (People's Republic of the)
Ecuador
Gambia (Republic of the)
Lebanon
Libya (Socialist People's Libyan Arab Jamahiriya)
Malawi
Mongolian People's Republic
Nigeria (Federal Republic of)
Qatar (State of)
Senegal (Republic of)

These credentials are all in order.

J. SZEKELY
Chairman of Working Group 2-A

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 233-E

7 June 1989

Original: French

COMMITTEE 5

Switzerland

PROPOSALS FOR THE WORK OF THE CONFERENCE

DRAFT RESOLUTION No. ...

Adjustment of pensions

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

Resolution No. 61 adopted by the Plenipotentiary Conference of Nairobi (1982) in
connection with the adjustment of the level of pensions,

having considered

the reports by the Administrative Council (Document 47), the Secretary-General
(Document 30) and the ITU Staff Pension Committee (Document 131),

acknowledging

the anxiety of ITU staff about the level of pensions in the present system and
possible subsequent changes to it,

concerned

by the fact that for almost twenty years no long-term solution has been found to
ensure that the level of pensions is maintained so as to protect purchasing power
equivalence in relation to the base of the system (New York),

further concerned

by the uncertainties which weigh heavily on the future level of pensions and
their consequences for the staff in the professional and higher categories retiring to
countries with strong currencies,

noting that

[the United Nations General Assembly in resolution 42/221 has commissioned a
comprehensive review of staff remuneration and conditions of service and that this
review includes pensions,]

noting further that

interim measures have been taken within the framework of the United Nations common system to reduce the impact of currency fluctuations and that these measures will come to an end on 31 December 1990, without any acquired rights for the future,

reaffirming

the strong attachment of ITU Members to the UN common system and the need for the single unified international civil service achieved through common conditions of service,

strongly urges

the ITU Staff Pension Committee to take all the necessary steps to ensure that the proposal for a Pension Purchasing Power Protection Insurance Plan is fully evaluated by the relevant United Nations bodies as one possible response to the concerns of ITU staff;

urges

ITU Members to take all the necessary steps to ensure that the anxiety of ITU staff is properly understood by Members' representatives dealing with the general policy of [remuneration] and conditions of service of international civil servants and that this anxiety is taken into account in the decision-making process;

instructs the Administrative Council

1. to take appropriate action to provide for a level of pension benefits of ITU staff retiring in any country of the world comparable to that prevailing at the base of the system (New York);

2. to envisage the implementation from 1991 onwards of the Pension Purchasing Power Protection Insurance or any other equivalent scheme found to be compatible with the United Nations system, making use of the financial resources allocated for the purpose by the Plenipotentiary Conference on the basis of Document 30, if the objective set in point 1 above were not to be achieved as a result of the comprehensive review by the common system;

instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations and to the competent United Nations bodies.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 234(Rev.3)-E

9 June 1989

Original: French

PLENARY MEETING

Algeria, Saudi Arabia, Benin, Burkina Faso, Cameroon, Central African Republic,
Ethiopia, Gambia, Guinea (Rep. of), Indonesia, Iran (Islamic Republic of),
Iraq, Kenya, Liberia, Libya, Mali, Morocco, Niger, Nigeria, Uganda,
Syria, Senegal, Somalia, Sudan, Tanzania, Yemen A.R.,
Yemen (P.D.R. of), Zambia, Zimbabwe

DRAFT RESOLUTION

On the Exclusion of the Government of the Republic of South Africa
from the Plenipotentiary Conference and from all Other Conferences,
Meetings and Activities of the Union

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) Resolution No. 45 of the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference;
- c) Resolution 2145 (XXI), 27 October 1966, of the United Nations General Assembly on the question of Namibia;
- d) Resolution 2396 (XXIII), 2 December 1968, of the United Nations General Assembly on the apartheid policy of the Government of the Republic of South Africa;
- e) Resolution 2426 (XXIII), 18 December 1968, of the United Nations General Assembly calling on all specialized agencies and all international institutions to take the necessary steps to cease all financial, economic, technical or other assistance to the Government of the Republic of South Africa until it renounces its policy of racial discrimination;
- f) Resolution No. 6 of the World Administrative Telegraph and Telephone Conference (Geneva, 1973) concerning the participation of the Government of South Africa in ITU conferences and meetings;
- g) Resolution 36/121, 10 December 1981; Resolution 37/69, 9 December 1982; Resolution 38/39, 5 December 1983, Resolution 39/72, 13 December 1984; Resolution 40/64, 10 December 1985; Resolution 41/35, 10 November 1986, Resolution 42/23, 20 November 1987; and Resolution 43/50, 5 December 1988 of the United Nations General Assembly relating to the policies of apartheid of the Government of South Africa;

h) the provisions of Resolution No. 619 of the Administrative Council of the International Telecommunication Union declaring that the Government of the Republic of South Africa no longer has the right to represent Namibia within the Union;

i) Resolution No. 31 of the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

recalling further

j) Resolution No. 14 of the Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

resolves

that the Government of the Republic of South Africa shall continue to be excluded from the Plenipotentiary Conference and from all other conferences, meetings and activities of the International Telecommunication Union, until such time that it completely eliminates its apartheid policies.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 234(Rev.2)-E

8 June 1989

Original: French

PLENARY MEETING

Algeria, Saudi Arabia, Benin, Burkina Faso, Cameroon, Central African Republic, Ethiopia, Gambia, Guinea (Rep. of), Indonesia, Iraq, Kenya, Liberia, Libya, Mali, Morocco, Niger, Nigeria, Uganda, Syria, Senegal, Sudan, Tanzania, Yemen A.R., Yemen (P.D.R. of), Zambia, Zimbabwe

DRAFT RESOLUTION

**On the Exclusion of the Government of the Republic of South Africa
from the Plenipotentiary Conference and from all Other Conferences,
Meetings and Activities of the Union**

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) Resolution No. 45 of the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference;
- c) Resolution 2145 (XXI), 27 October 1966, of the United Nations General Assembly on the question of Namibia;
- d) Resolution 2396 (XXIII), 2 December 1968, of the United Nations General Assembly on the apartheid policy of the Government of the Republic of South Africa;
- e) Resolution 2426 (XXIII), 18 December 1968, of the United Nations General Assembly calling on all specialized agencies and all international institutions to take the necessary steps to cease all financial, economic, technical or other assistance to the Government of the Republic of South Africa until it renounces its policy of racial discrimination;
- f) Resolution No. 6 of the World Administrative Telegraph and Telephone Conference (Geneva, 1973) concerning the participation of the Government of South Africa in ITU conferences and meetings;
- g) Resolution 36/121, 10 December 1981; Resolution 37/69, 9 December 1982; Resolution 38/39, 5 December 1983, Resolution 39/72, 13 December 1984; Resolution 40/64, 10 December 1985; Resolution 41/35, 10 November 1986, Resolution 42/23, 20 November 1987; and Resolution 43/50, 5 December 1988 of the United Nations General Assembly relating to the policies of apartheid of the Government of South Africa;

h) the provisions of Resolution No. 619 of the Administrative Council of the International Telecommunication Union declaring that the Government of the Republic of South Africa no longer has the right to represent Namibia within the Union;

i) Resolution No. 31 of the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

recalling further

j) Resolution No. 14 of the Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

resolves

that the Government of the Republic of South Africa shall continue to be excluded from the Plenipotentiary Conference and from all other conferences, meetings and activities of the International Telecommunication Union, until such time that it completely eliminates its apartheid policies.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 234(Rev.1)-E

8 June 1989

Original: French

PLENARY MEETING

Algeria, Saudi Arabia, Benin, Burkina Faso, Cameroon, Central African Republic,
Ethiopia, The Gambia, Iraq, Kenya, Liberia, Libya, Mali, Morocco,
Niger, Nigeria, Uganda, Syria, Senegal, Sudan, Tanzania,
Yemen A.R., Yemen (P.D.R. of), Zambia, Zimbabwe

DRAFT RESOLUTION

On the Exclusion of the Government of the Republic of South Africa
from the Plenipotentiary Conference and from all Other Conferences,
Meetings and Activities of the Union

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) Resolution No. 45 of the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference;
- c) Resolution 2145 (XXI), 27 October 1966, of the United Nations General Assembly on the question of Namibia;
- d) Resolution 2396 (XXIII), 2 December 1968, of the United Nations General Assembly on the apartheid policy of the Government of the Republic of South Africa;
- e) Resolution 2426 (XXIII), 18 December 1968, of the United Nations General Assembly calling on all specialized agencies and all international institutions to take the necessary steps to cease all financial, economic, technical or other assistance to the Government of the Republic of South Africa until it renounces its policy of racial discrimination;
- f) Resolution No. 6 of the World Administrative Telegraph and Telephone Conference (Geneva, 1973) concerning the participation of the Government of South Africa in ITU conferences and meetings;
- g) Resolution 36/121, 10 December 1981; Resolution 37/69, 9 December 1982; Resolution 38/39, 5 December 1983; Resolution 39/72, 13 December 1984; Resolution 40/64, 10 December 1985; Resolution 41/35, 10 November 1986; Resolution 42/23, 20 November 1987; and Resolution 43/50, 5 December 1988 of the United Nations General Assembly relating to the policies of apartheid of the Government of South Africa;
- h) the provisions of Resolution No. 619 of the Administrative Council of the International Telecommunication Union declaring that the Government of the Republic of South Africa no longer has the right to represent Namibia within the Union;

1) Resolution No. 31 of the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

recalling further

1) Resolution No. 14 of the Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

resolves

that the Government of the Republic of South Africa shall continue to be excluded from the Plenipotentiary Conference and from all other conferences, meetings and activities of the International Telecommunication Union, until such time that it completely eliminates its apartheid policies.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 234-E

7 June 1989

Original: French

PLENARY MEETING

Algeria, Cameroon, Kenya, Liberia, Uganda, Tanzania, Zambia, Zimbabwe

DRAFT RESOLUTION

On the Exclusion of the Government of the Republic of South Africa
from the Plenipotentiary Conference and from all Other Conferences,
Meetings and Activities of the Union

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) Resolution No. 45 of the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference;
- c) Resolution 2145 (XXI), 27 October 1966, of the United Nations General Assembly on the question of Namibia;
- d) Resolution 2396 (XXIII), 2 December 1968, of the United Nations General Assembly on the apartheid policy of the Government of the Republic of South Africa;
- e) Resolution 2426 (XXIII), 18 December 1968, of the United Nations General Assembly calling on all specialized agencies and all international institutions to take the necessary steps to cease all financial, economic, technical or other assistance to the Government of the Republic of South Africa until it renounces its policy of racial discrimination;
- f) Resolution No. 6 of the World Administrative Telegraph and Telephone Conference (Geneva, 1973) concerning the participation of the Government of South Africa in ITU conferences and meetings;
- g) Resolution 36/121, 10 December 1981; Resolution 37/69, 9 December 1982; Resolution 38/39, 5 December 1983; Resolution 39/72, 13 December 1984; Resolution 40/64, 10 December 1985; Resolution 41/35, 10 November 1986; Resolution 42/23, 20 November 1987; and Resolution 43/50, 5 December 1988 of the United Nations General Assembly relating to the policies of apartheid of the Government of South Africa;
- h) the provisions of Resolution No. 619 of the Administrative Council of the International Telecommunication Union declaring that the Government of the Republic of South Africa no longer has the right to represent Namibia within the Union;

i) Resolution No. 31 of the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

recalling further

j) Resolution No. 14 of the Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

resolves

that the Government of the Republic of South Africa shall continue to be excluded from the Plenipotentiary Conference and from all other conferences, meetings and activities of the International Telecommunication Union, until such time that it completely eliminates its apartheid policies.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 235-E

7 June 1989

Original: English/
Spanish

COMMITTEES 4 AND 5

Note by the Chairman of Committee 5 to the Chairman of Committee 4

DECISIONS HAVING FINANCIAL IMPLICATIONS

Further to your note in Document 193, after consideration of Document 29 Committee 5 has adopted decisions having annual financial implications:

<u>Item</u>	<u>Reference</u>
1. Credits for classification work	Doc. 29, para. 14.3.4
2. Credits for in-service training	Doc. 29, para. 14.5.1 and Res. COM5/2
3. Credits for long-service steps for Professional staff	Doc. 29, para. 14.8.1

The Committee recommends that the highest priority should be given to the allocation of credits for items 1 and 2 above.

Further decisions having financial implications will be communicated to Committee 4 following their adoption in Committee 5.

F. MOLINA NEGRO
Chairman of Committee 5

PLENIPOTENTIARY CONFERENCE

NICE, 1989

BLUE PAGES

Document 236-E

7 June 1989

B.1

PLENARY MEETING

FIRST SERIES OF TEXTS SUBMITTED BY THE EDITORIAL COMMITTEE TO THE PLENARY MEETING

The following texts are submitted to the Plenary Meeting for first reading:

<u>Source</u>	<u>Document</u>	<u>Title</u>
COM.4	208	Resolution No. COM4/1
		Resolution No. COM4/2
		Resolution No. COM4/3

M. THUE
Chairman of Committee 10

Annex: 3 pages

RESOLUTION No. COM4/1

Approval of the Accounts of the Union for the Years 1982 to 1988

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

considering

a) the provisions of No. 40 of the International Telecommunication Convention
(Nairobi, 1982);

b) the Report by the Administrative Council to the Plenipotentiary Conference
(Document 47), Document 186 relating to the financial management of the Union during
the years 1982 to 1988 and the first report of the Finance Committee of the present
Conference (Document 207),

resolves

to give its final approval of the accounts of the Union for the years 1982 to
1988.

RESOLUTION No. COM4/2

**Assistance Given by the Government of the Swiss Confederation
in Connection with the Finances of the Union**

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

considering

that in the years 1984 to 1986 the Government of the Swiss Confederation placed
funds at the disposal of the Union to improve its liquidity,

expresses

1. its appreciation to the Government of the Swiss Confederation for its
generous assistance in financial matters;

2. the hope that the arrangements in this field may be renewed;

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss
Confederation.

RESOLUTION No. COM4/3

Auditing of Union Accounts

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

considering

that the external auditor appointed by the Government of the Swiss Confederation
audited the Union accounts for the years 1982 to 1988 most carefully, competently and
accurately,

expresses

1. its warmest thanks to the Government of the Swiss Confederation;
2. the hope that the existing arrangements for the auditing of the Union
accounts may be renewed;

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss
Confederation.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 237(Rev.3)-E

19 June 1989

Original: English

PLENARY MEETING

Austria, Bahamas, Bhutan, Brazil, Burkina Faso, Cameroon, Congo,
Costa Rica, United Arab Emirates, Greece, Guinea (Republic of), India,
Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Lesotho, Lebanon,
Malawi, Mali, Mexico, Nepal, Qatar, Sudan, Sri Lanka, Sweden, Swaziland,
Tanzania, Thailand, Viet Nam, Zambia, Zimbabwe

RECOMMENDATION No. ...

World and Regional Telecommunication Exhibitions and Forums

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recognizing

a) that Telecommunication Exhibitions and associated Forums are of considerable assistance in keeping the Members of the Union informed of the latest advances in telecommunication techniques and in publicizing the possibilities of applying telecommunication science and technology for the benefit of all countries Members of the Union including the developing countries;

b) that World Telecommunication Exhibitions offer a universal opportunity for the display of state-of-the-art technology concerning all fields of telecommunication including electronic mass media;

c) that Regional Telecommunication Exhibitions and Forums - staged at the invitation of administrations of Member countries - bring the potential benefits of these events closer to the peoples of all continents, with scope for emphasis on the specific problems of, and possible solutions for, each region;

d) that such Exhibitions and Forums organized by the ITU with no commercial interest are best placed to take into account the needs of both developed and developing countries and facilitate the transfer of technology and of information essential to developing countries,

recommends

1. that the Union should, in collaboration with its Members, continue to organize World Telecommunication Exhibitions and Forums on a regular basis, preferably in the city of the seat of the Union and as a part of ITU's permanent activities;

2. that the Union continues to cooperate with administrations in organizing Regional Exhibitions and Forums in Member countries; that, so far as possible, these events should be synchronized with other important meetings or Conferences of the Union with a view to minimizing the expenses and encouraging wide participation;

recommends further

that a significant part of any excess of income over expenditure derived from such exhibitions should be used for the ITU's Technical Cooperation activities for the benefit of developing countries.

INTERNATIONAL TELECOMMUNICATION UNION
**PLENIPOTENTIARY
CONFERENCE**

NICE, 1989

Document 237(Rev.2)-E
14 June 1989
Original: English

PLENARY MEETING

Austria, Bahamas, Bhutan, Brazil, Burkina Faso, Cameroon, Costa Rica,
United Arab Emirates, Greece, India, Indonesia, Iran (Islamic Republic of),
Jamaica, Kenya, Lesotho, Lebanon, Malawi, Mexico, Nepal, Qatar, Sudan, Sri Lanka,
Sweden, Swaziland, Tanzania, Thailand, Viet Nam, Zambia, Zimbabwe

RECOMMENDATION No. ...

World and Regional Telecommunication Exhibitions and Forums

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recognizing

a) that Telecommunication Exhibitions and associated Forums are of considerable assistance in keeping the Members of the Union informed of the latest advances in telecommunication techniques and in publicizing the possibilities of applying telecommunication science and technology for the benefit of all countries Members of the Union including the developing countries;

b) that World Telecommunication Exhibitions offer a universal opportunity for the display of state-of-the-art technology concerning all fields of telecommunication including electronic mass media;

c) that Regional Telecommunication Exhibitions and Forums - staged at the invitation of administrations of Member countries - bring the potential benefits of these events closer to the peoples of all continents, with scope for emphasis on the specific problems of, and possible solutions for, each region;

d) that such Exhibitions and Forums organized by the ITU with no commercial interest are best placed to take into account the needs of both developed and developing countries and facilitate the transfer of technology and of information essential to developing countries,

recommends

1. that the Union should, in collaboration with its Members, continue to organize World Telecommunication Exhibitions and Forums on a regular basis, preferably in the city of the seat of the Union and as a part of ITU's permanent activities;

2. that the Union continues to cooperate with administrations in organizing Regional Exhibitions and Forums in Member countries; that, so far as possible, these events should be synchronized with other important meetings or Conferences of the Union with a view to minimizing the expenses and encouraging wide participation;

recommends further

that a significant part of any excess of income over expenditure derived from such exhibitions should be used for the ITU's Technical Cooperation activities for the benefit of developing countries.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 237(Rev.1)-E

12 June 1989

Original: English

PLENARY MEETING

Austria, Bhutan, Brazil, Cameroon, Costa Rica, United Arab Emirates,
India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Lesotho,
Lebanon, Malawi, Mexico, Nepal, Oatar, Sudan, Sri Lanka, Sweden,
Swaziland, Tanzania, Thailand, Viet Nam, Zambia, Zimbabwe

RECOMMENDATION No. ...

World and Regional Telecommunication Exhibitions and Forums

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recognizing

- a) that Telecommunication Exhibitions and associated Forums are of considerable assistance in keeping the Members of the Union informed of the latest advances in telecommunication techniques and in publicizing the possibilities of applying telecommunication science and technology for the benefit of all countries Members of the Union including the developing countries;
- b) that World Telecommunication Exhibitions offer a universal opportunity for the display of state-of-the-art technology concerning all fields of telecommunication including electronic mass media;
- c) that Regional Telecommunication Exhibitions and Forums - staged at the invitation of administrations of Member countries - bring the potential benefits of these events closer to the peoples of all continents, with scope for emphasis on the specific problems of, and possible solutions for, each region;
- d) that such Exhibitions and Forums organized by the ITU with no commercial interest are best placed to take into account the needs of both developed and developing countries and facilitate the transfer of technology and of information essential to developing countries,

recommends

- 1. that the Union should, in collaboration with its Members, continue to organize World Telecommunication Exhibitions and Forums on a regular basis, preferably in the city of the seat of the Union and as a part of ITU's permanent activities;

2. that the Union continues to cooperate with administrations in organizing Regional Exhibitions and Forums in Member countries; that, so far as possible, these events should be synchronized with other important meetings or Conferences of the Union with a view to minimizing the expenses and encouraging wide participation;

recommends further

that a significant part of any excess of income over expenditure derived from such exhibitions should be used for the ITU's Technical Cooperation activities for the benefit of developing countries.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 237-E

7 June 1989

Original: English

PLENARY MEETING

Austria, Brazil, Costa Rica, India, Indonesia, Kenya,
Malawi, Mexico, Sweden, Tanzania, Zambia, Zimbabwe

RECOMMENDATION No. ...

World and Regional Telecommunication Exhibitions and Forums

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recognizing

- that Telecommunication Exhibitions and associated Forums are of considerable assistance in keeping the Members of the Union informed of the latest advances in telecommunication techniques and in publicizing the possibilities of applying telecommunication science and technology for the benefit of all countries Members of the Union including the developing countries;
- that World Telecommunication Exhibitions offer a universal opportunity for the display of state-of-the-art technology concerning all fields of telecommunication including electronic mass media;
- that Regional Telecommunication Exhibitions and Forums - staged at the invitation of administrations of Member countries - bring the potential benefits of these events closer to the peoples of all continents, with scope for emphasis on the specific problems of, and possible solutions for, each region;
- that such Exhibitions and Forums organized by the ITU with no commercial interest are best placed to take into account the needs of both developed and developing countries and facilitate the transfer of technology and of information essential to developing countries,

recommends

- that the Union should, in collaboration with its Members, continue to organize World Telecommunication Exhibitions and Forums on a regular basis, preferably in the city of the seat of the Union and as a part of ITU's permanent activities;
- that the Union continues to cooperate with administrations in organizing Regional Exhibitions and Forums in Member countries; that, so far as possible, these events should be synchronized with other important meetings or Conferences of the Union with a view to minimizing the expenses and encouraging wide participation;

recommends further

- that a significant part of any excess of income over expenditure derived from such exhibitions should be used for the ITU's Technical Cooperation activities for the benefit of developing countries.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 238-E

7 June 1989

Original: English

COMMITTEE 7

CONCLUSION OF THE CHAIRMAN REGARDING
THE STRUCTURE FOR DEVELOPMENT AS
ADOPTED BY COMMITTEE 7

1. There is a consensus on the principle of creating a permanent organ for all network development, technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union.
2. Proposal of follow-up action
 - a) On the basis of the proposals received so far and the discussions heard during the general debate in the last two weeks the Chairman will provide the Committee with a document on the scope, type of activities, and status of the development organ.
 - b) The relationship of this new organ with the other organs will be discussed and decided upon once the Committee has gone through with the structure of the other organs, i.e., the general structural set up of the Union.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 239-E

13 June 1989

Original: French

COMMITTEE 4

SUMMARY RECORD

OF THE

FOURTH MEETING OF COMMITTEE 4

(FINANCES OF THE UNION)

Thursday, 8 June 1989, at 0935 hrs

Chairman: Mr. M. GHAZAL (Lebanon)

then Acting Chairman: Mr. P. GAGNE (Canada), Vice-Chairman

Subjects discussed:

Documents

1. Evolution of the budgets of the Union
from 1982 to 1989
2. Draft second report of Committee 4
to the Plenary Meeting
3. Draft third report of Committee 4
to the Plenary Meeting

DT/21

DT/23

DT/24

1. Evolution of the budgets of the Union from 1982 to 1989 (Document DT/21)

1.1 The Chairman introduced Document DT/21 relating to the evolution of the Union budgets from 1982 to 1989 in relation to the Geneva consumer price index. In the document, which had been requested at a previous meeting by several delegations particularly including that of the United Kingdom, 1984 was taken as the base year since that was the year when the Nairobi International Telecommunication Convention had entered into force.

1.2 The Secretary of the Committee said that the figures given for the operating budget represented Sections 1 to 9 relating to Headquarters expenditure plus the extended use of the computer by the IFRB. The figures for expenditure under the ordinary budget corresponded to the entire budget, including that for conferences. In the case of the ordinary budget, the index had moved from 100 to 110 as had the consumer price index.

1.3 The delegate of Byelorussia said that there was a difference between the limits on expenditure given in Additional Protocol I to the Convention (Expenses of the Union for the period 1983 to 1989) and the figures in Document DT/21. Was that because corrections had been made or because a decision had been taken by the Administrative Council? Furthermore, he wished to know whether the zero growth principle had been respected in the budget.

1.4 The Secretary of the Committee said that the Administrative Council had taken account of the zero growth principle. With regard to the difference between the two documents mentioned by the previous speaker, he explained that the basic estimates concerning the expenditure limits in Additional Protocol I were based on the situation at 1 September 1982 and did not allow for cost-of-living increases. When the Administrative Council had approved the budget, it had adjusted the limits in accordance with paragraph 4.3 of Additional Protocol I in order to allow for changes in the United Nations Common System and, in the case of non-staff expenditure, for the actual rise in the cost of living in Geneva. Accordingly, the budgets had not exceeded the adjusted limits. Referring to the report of the Administrative Council to the Plenipotentiary Conference, he said that the table in paragraph 2.2.6.2 (page 52) gave the figures for the limits on expenditure and for the budgets approved by the Administrative Council. It showed that each year there had been a margin between the budget and the limit and that in every case the budget had been lower than the limit set by the Plenipotentiary Conference and adjusted by the Administrative Council.

1.5 The delegate of Indonesia observed that zero growth had been maintained over the nine previous years but that world growth had risen steeply in 1981. His Delegation considered that the budget should be kept within its present limits and that steps should be taken to enhance the Union's efficiency.

1.6 The delegate of France observed that there were certain differences between the information in Document DT/21 and that set out in paragraph 2.2.6 of the Administrative Council's report to the Plenipotentiary Conference. For example, the amount given for the ordinary budget in 1984 was 96,246,500 Swiss francs, whereas the figure given in the Council's report was 90,200,001 Swiss francs. What was the reason for the 6,000,000 Swiss franc difference? The Secretary of the Committee replied that the figure in Document DT/21 represented the budget adjusted to allow for changes in the United Nations Common System, whereas the figure in the Administrative Council's report corresponded to the ordinary budget approved by the Administrative Council. He referred the members of the Committee to the table on page 58 of the report, which showed the amounts for the budget approved by the Administrative Council and the adjusted budget

on the same line. The difference between the two figures represented expenditure on equipping the CCITT Laboratory and on simultaneous interpretation equipment, both of which were financed from special funds and did not affect the amount of the contributory unit. Annex 6 to the report of the Administrative Council to the Plenipotentiary Conference contained detailed information in that connection.

1.7 In reply to the United Kingdom delegate, who asked whether inflation factors were applied to all the Union's budgets or to only some of them, the Secretary of the Committee said that all the budgets were adjusted to take account of changes in conditions of employment in the United Nations Common System.

1.8 The Secretary-General said that there were other factors affecting the situation which should also be taken into consideration. He provided some explanations for the benefit of delegations which were not Members of the Administrative Council.

1.9 The delegate of Chile asked whether the material in Annex 6 to the report of the Administrative Council to the Plenipotentiary Conference could be incorporated in Document DT/21. He was supported by the delegate of the German Democratic Republic, who considered that an extra column should be included in Document DT/21 enabling a comparison to be made with the ordinary budget adopted in Nairobi. He and the United Kingdom delegate thanked the Secretary of the Committee and the Secretary-General for their very clear comments and for the explanations provided.

1.10 The delegate of Byelorussia asked whether the zero growth principle was applied to budgets other than the ordinary budget. The Secretary-General outlined, in respect of technical cooperation and publications, the factors which determined how expenditure and income were set. The services provided evolved according to the draft document or agreement drawn up for individual countries. There were other problems which should not be overlooked, such as delays in recruiting experts, etc. The publications programme had also been subject to numerous fluctuations.

1.11 The Chairman said that the Secretariat would prepare a corrected version of Document DT/21 incorporating an additional column which took account of Annex 6 to the report of the Administrative Council to the Plenipotentiary Conference.

It was so agreed.

2. Draft second report of Committee 4 to the Plenary Meeting (Document DT/23)

2.1 The Chairman introduced the draft second report of the Finance Committee to the Plenary Meeting (Document DT/23), drawing the Committee's attention to the draft Resolution on the second page. If adopted, the draft Resolution would be submitted to the Plenary Meeting.

2.2 In reply to the United Kingdom delegate, who asked whether the document might need to be altered as a result of the discussions in Committee 6, the Chairman emphasized that the draft Resolution related only to the past deficit and was not concerned with the future.

2.3 The delegate of Colombia, referring to Resolution No. 16 of the Plenipotentiary Conference (Nairobi, 1982) and to the ITU's relations with UNDP, considered that the text of the first "having noted" paragraph of the draft Resolution should perhaps be amended. He proposed that the text should state that there was a shortfall in income to cover the administrative and operational service costs of technical cooperation projects and that it was incumbent upon the ITU, as UNDP's partner, to meet that shortfall.

2.4 The delegate of the United States of America said that, if the Resolution were to be adopted and incorporated into a new Convention, allowance would have to be made for the fact that UNDP might adopt new provisions.

2.5 The Secretary-General said that the information available to him indicated that UNDP might be contemplating a change in the arrangements, but that any such change was likely to consist in a reduction of its own contribution.

2.6 The delegate of France, considered that the first "having noted" paragraph should be deleted in view of the explanation that the shortfall in income was not entirely the result of administrative expenditure incurred by the ITU for projects executed in cooperation with UNDP.

2.7 The delegate of Burkina Faso, supported by the delegates of Colombia and Algeria, said that there was a shortfall in income which had to be met and that the paragraph should certainly not be deleted.

2.8 The delegate of Mexico supported the views expressed by the delegate of Colombia concerning the amendment of the first paragraph and by the United Kingdom delegate concerning the rewording of the paragraph headed "instructs the Administrative Council". With regard to the deletion of the second paragraph, a reference should be inserted indicating the origin of the 4,200,000 Swiss francs. The wording of the document should also be improved. The title referred to a shortfall in technical cooperation income, whereas the body of the text referred to a shortfall in income for projects executed for UNDP. Furthermore, the wording of the title was not satisfactory.

2.9 In reply to the Chairman, who asked whether he wished to propose a different title, the delegate of Mexico suggested that a Drafting Group be asked to amend the text.

2.10 The delegate of Switzerland observed that the negative difference between expenditure and income had not been produced only by projects executed for UNDP but also by other projects or studies. Maintaining the first "having noted" paragraph would suggest that the deficit was caused entirely by projects executed for UNDP and it would therefore be advisable to delete the paragraph, as the French delegate had proposed.

2.11 The delegate of Japan was in favour of maintaining the first "having noted" paragraph, since it enabled a more explicit reference to be made to Nairobi Resolution No. 16 on the ITU's role as an executing agency.

2.12 The United Kingdom delegate fully shared the views of the French delegate. Part of the shortfall in resources was attributable to activities beyond the scope of those covered by Resolution No. 16. In other words, the ITU's work had not always been related to projects financed by UNDP. The first paragraph definitely created the impression that the shortfall in income was due entirely to activities connected with Resolution No. 16, but, as the French delegate had pointed out, that suggestion was incorrect and should be removed. The text should be amended either by deleting the first paragraph or by rewording it.

2.13 The delegate of the United States said that, in general, she shared the views of the delegates of Switzerland and the United Kingdom and that, like the delegate of Mexico, she was in favour of amending the text in order to take account of all the comments made.

2.14 The Secretary-General drew attention to another error which should be corrected. In the first case, the decisions of the UNDP Governing Council were not confined to UNDP itself. According to the General Assembly resolution, a uniform percentage rate was to be applied to project implementation, whether UNDP projects or those of other bodies were involved. The Swiss delegate's statement to the effect that only UNDP was involved was therefore incorrect. In the second place, the Union's partnership responsibility was the cause of the situation. In the third place, as had been observed by the Colombian delegate, the shortfall in income had arisen because the Union itself had not made adequate provision for ceilings. Any amendment of the title might involve the Committee in lengthy discussions. The fact that the title referred to the shortfall in income made it clear that, in its accounts, the ITU had not met its responsibilities with regard to the management of technical cooperation activities. The issue was a general one which did not concern only UNDP. In order to avoid a lengthy debate, it would be advisable to adopt a text along the lines of that in the document, requesting the Administrative Council to continue to make arrangements for solving the problem, which related to the past. The future was not involved.

2.15 The Chairman suggested that a Working Group composed of Mexico, France, the United Kingdom, Burkina Faso, Colombia and Algeria should be set up to consider how the text might be amended.

2.16 The delegate of Mexico asked whether the 4,200,000 Swiss francs was attributable to UNDP or not.

2.17 The Secretary-General replied that it was not; the figure represented a negative balance in the ITU accounts caused by the Union's failure to make adequate financial allowance to meet its partnership responsibilities. When the matter had become urgent, the Secretary-General had drawn up a number of financing plans using funds from various sources, first and foremost the ordinary budget but also others. The ITU had thus been able to reduce the shortfall, as indicated in the document. If the shortfall for 1989 were added, the figure stood at 4,200,000 Swiss francs. Another aspect of the problem was that, under a decision adopted by the United Nations and the UNDP Governing Council, losses due to exchange rate fluctuations had to be borne by the organizations.

2.18 The delegate of the Philippines said that, as he understood it, the negative balance was the result of failure on the part of UNDP to reimburse funds to the ITU. If the amount in question had been reimbursed, there would not be a negative balance of 4,200,000 Swiss francs. He requested the Secretary-General or the Secretary of Committee 4 to provide an explanation.

2.19 The Chairman observed that the deficit for the years 1982 to 1989 amounted to a total of 17,000,000 Swiss francs. By means of financial acrobatics, the ITU had been able to amortize 13,000,000 Swiss francs out of that total. The 4,200,000 Swiss francs was what remained of the total amount of 17,000,000. The Committee was requesting the Administrative Council to continue to apply the policy which consisted in absorbing the deficit by means of the ordinary budget, using the Reserve Account or special income (exhibitions, postage stamps, savings under various headings). It was therefore not a question of 4,200,000 Swiss francs but of an overall shortfall in income of 17,000,000 Swiss francs.

2.20 The delegate of China supported the views expressed by the delegate of Burkina Faso and by other delegations with regard to maintaining the first paragraph. There had been a shortfall in income ever since the ITU had started to implement UNDP projects. The problem would have to be solved by applying more flexible methods or by charging expenditure to the ordinary budget.

2.21 The Secretary-General observed that the situation arose out of a general policy decision taken by the UNDP Governing Council and the United Nations General Assembly, to the effect that responsibilities were to be shared between the executing agency and UNDP. The reimbursement principle had been applied in earlier years, until the United Nations General Assembly had decided otherwise. The question of the amount of the UNDP contribution had been raised above all by the donor countries. The same principle applied to other special-purpose funds as well, and the ITU too was obliged to provide a contribution. He suggested that the Resolution should be adopted, if necessary with minor amendments. While it was true that the term "shortfall in income" might be misleading, it was the one which had always been used, and what appeared in the ITU accounts was indeed a shortfall in income. Once again, the point at issue was the present situation, not the future.

2.22 The Chairman requested the Working Group to meet as soon as possible and to prepare a final draft Resolution which could be adopted at the Committee's next meeting.

2.23 The delegate of Argentina observed that his country's name had been omitted from the part of Document DT/25 devoted to proposals. Accordingly he requested that consideration of the document be deferred so that his country's proposals could be taken into consideration together with the others.

2.24 The Chairman, in response to the request by the Argentine Delegation, asked the Secretary of Committee 4 to include that proposal in Document DT/25.

Mr. P. Gagne, Vice-Chairman, took the chair in the absence of the Chairman.

3. Draft third report of Committee 4 to the Plenary Meeting (Document DT/24)

3.1 The Acting Chairman, introducing the draft third report of Committee 4 to the Plenary Meeting, said that the Committee had already considered at its second meeting the request by the Republic of Sudan for the cancellation of its debts for the years 1980-1983 or for their readjustment on the basis of 1/8 unit. He then read out paragraphs a), b), c), d) and e) of the draft text relating to the action which the Committee would propose to the Plenary Meeting.

3.2 The delegate of Australia said that he welcomed the settlement of its arrears by the Central African Republic. However, in connection with Resolution No. 53 of the Nairobi Convention, it was to be regretted that three of the four countries concerned were still in arrears with the payment of their contributions. He would have liked resolves 8 of Resolution No. 53 of the Nairobi Convention, which stipulated "that this Resolution may not under any circumstances be invoked as a precedent" to be included in Document DT/24, possibly as paragraph 5 of draft Resolution No. COM4/5.

3.3 The Acting Chairman said that it would be a good idea to adopt the draft third report of the Committee so that it might be submitted to the Plenary Meeting that afternoon. Once the report was adopted by the Plenary Meeting, the Committee might proceed with the examination of the draft Resolution which, once adopted, would be transmitted to the Editorial Committee. The Acting Chairman therefore invited the delegates to approve the draft third report (Document DT/24).

3.4 The delegate of the United States of America said that she shared the views of the delegate of Australia. It would be preferable if the document were to stipulate that the case of the Republic of Sudan could not be invoked as a precedent.

- 3.5 The Secretary of the Committee said that he saw no objection to the inclusion of a sentence in the text. However, that might prevent the document from being submitted to the Plenary Meeting on the same day.
- 3.6 The Secretary-General felt that the sentence might be added, but that it should be preceded, for example, by a phrase such as: "a number of countries are concerned and consider that ...".
- 3.7 The delegate of the United States of America signified her agreement with the Secretary-General's suggestion.
- 3.8 The delegate of the United Kingdom, who likewise supported the Secretary-General's suggestion, said that the concerns of the Committee, reflected in the proposed text, were not those of a number of countries but of the Committee as a whole.
- 3.9 The Secretary-General said that it was not his intention to single out any country by name. It seemed to him to be a satisfactory solution to refer to the general view of the Committee as a whole, if the delegates were in agreement.
- 3.10 The delegate of the United Kingdom said that the draft Resolution might stipulate that it could not be invoked as a precedent.
- 3.11 The delegate of the Federal Republic of Germany said that, in view of the arrears amounting to 18,000,000 Swiss francs, it would doubtless be useful to introduce in the text to be submitted to the Plenary Meeting the operative paragraphs of Resolution No. 53 of the Nairobi Convention which followed "instructs the Secretary-General" and "invites the Administrative Council".
- 3.12 The delegate of Thailand, while expressing his sympathy for Sudan, supported the views of the delegate of the United Kingdom, whose concerns he shared with regard to the possibility of creating a precedent.
- 3.13 The Secretary of the Committee proposed the inclusion of the following changes: the addition of the following sentence before the last paragraph of the draft report (page 2): "However, the Finance Committee considers that the above-mentioned proposals should not be invoked as a precedent"; its insertion in the draft Resolution of an operative paragraph 5 under "resolves" reading: "this Resolution may not under any circumstances be invoked as a precedent". Following the suggestion made by the delegate of the Federal Republic of Germany, the following two sub-paragraphs would then be added: "instructs the Secretary-General: 1) to negotiate with the competent authorities of all the countries in arrears in the payment of their contributions the terms for the staggered payment of their debts; 2) to report annually to the Administrative Council on the progress made by these countries towards repaying their debts". The end of the text of the draft Resolution would remain as it stood: "invites the Administrative Council ...".
- 3.14 The delegate of Kuwait said that greater flexibility should be introduced in the provisions governing the restoration of the right to vote of countries which settled their arrears of contributions.
- 3.15 The Secretary-General, who expressed his understanding for the views of the delegate of Kuwait, pointed out that, until such time as the Convention was superseded, the existing text had to be observed. It was in fact a question which fell within the ambit of Committee 8, to which the delegate of Kuwait might submit his proposal with a view to its inclusion in a new Convention.

3.16 The delegate of Mali said that he wondered whether the inclusion in the Committee's report of the sentence quoted might not signify that, if another country found itself in the same situation as Sudan, it would not be granted the same advantages.

3.17 The Secretary of the Committee felt that no country could invoke the fact that the Plenipotentiary Conference had exempted Sudan to claim an automatic exemption for itself. The Plenipotentiary Conference would certainly consider each case brought before it.

3.18 The delegate of Burkina Faso said that the arguments which had prevailed for Sudan should in future apply to other countries. The additions made to the report should therefore be modified on grounds of fairness.

3.19 The Acting Chairman said that, in his view, the provisions included in the report under discussion matched precisely those dating from 1973 and 1983. All cases would be considered and any requests submitted would receive the same treatment.

In the absence of further comments, the draft third report of the Finance Committee to the Plenary Meeting, thus amended, was approved.

3.20 The Acting Chairman requested the Committee to consider draft Resolution No. COM4/5 (Settlement of Accounts in Arrears).

3.21 The Secretary of the Committee said that the following paragraph 5 should be added to the draft Resolution under "resolves": "that this Resolution may not under any circumstances be invoked as a precedent", followed by the text: "instructs the Secretary-General: 1) to negotiate with the competent authorities of all the countries in arrears in the payment of their contributions the terms for the staggered payment of their debts; 2) to report annually to the Administrative Council on the progress made by these countries towards repaying their debts". The end of the draft Resolution would remain unchanged.

3.22 The delegate of Burkina Faso supported the inclusion of the first part of the amendment starting with the words: "instructs the Secretary-General to negotiate with ...".

3.23 The delegate of Algeria said that he accepted the new paragraph 5 under "resolves". However, there seemed no purpose in stipulating that the Resolution could not be invoked under any circumstances, particularly since each request was considered separately. He therefore proposed that the sentence should not be added to the draft Resolution.

3.24 The delegate of the United Kingdom expressed his surprise at the attitude of the delegate of Algeria, since he had thought that the Committee had already reached unanimity on that point. In fact, the sentence merely reproduced operative paragraph 8 of Resolution No. 53 of the Nairobi Plenipotentiary Conference. The Committee should therefore adopt the draft Resolution as amended. He was supported by the delegates of the United States of America, the Federal Republic of Germany and the Netherlands.

3.25 The delegate of Byelorussia said that the Resolution might perhaps refer to "concerns" rather than "a precedent".

3.26 The delegate of Algeria said that he fully understood the views of the other speakers. However, his Delegation felt that a reference should not be made to "a precedent" unless there had in fact been a precedent. He requested that, if the Committee were to adopt the text referring to a precedent, his Delegation's reservations should be reflected in the Summary Record.

Draft Resolution No. COM4/5 was adopted.

The meeting rose at 1240 hours.

The Secretary:

R. PRELAZ

The Chairman:

M. GHAZAL

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 240-E
17 June 1989
Original: French

COMMITTEE 5

SUMMARY RECORD
OF THE
SIXTH MEETING OF COMMITTEE 5
(STAFF MATTERS)

Thursday, 8 June 1989, at 0940 hrs

Acting Chairman: Mr. K.D. MEIER (German Democratic Republic)

Subjects discussed:

Documents

- | | | |
|----|--|-----------------|
| 1. | Adoption of the summary record of the first meeting of Committee 5 | 167 |
| 2. | Draft Resolution on in-service training | DT/31 |
| 3. | Draft Resolution on recruitment of Union staff | DT/33 |
| 4. | Pension matters - Draft Resolutions | 209(Rev.1), 233 |

1. Approval of the summary record of the first meeting of Committee 5
(Document 167)

The summary record of the first meeting of Committee 5 was approved as amended (see Corrigendum 1 to Document 167).

2. Draft Resolution on in-service training (Document DT/31)

2.1 On a proposal by the delegate of the United Kingdom, it was agreed to delete, in the first part of the draft Resolution, the reference to Resolution No. 7 of the Plenipotentiary Conference of Malaga-Torremolinos (1973). The first paragraph of the Preamble would therefore read: "recalling Resolution No. 60 adopted by the Plenipotentiary Conference of Nairobi (1982) on in-service training".

2.2 The delegate of Australia, supported by the delegate of the German Democratic Republic, referring to the figure in brackets in the last paragraph of the operative part of the draft Resolution, said that not enough delegations had proposed doubling the percentage of the portion of the budget allocated to staff costs to warrant a mention in the text. He proposed amending the text to read: "instructs the Administrative Council to allocate the appropriate credits ... which shall represent 0.25% on the portion of the budget allocated to staff costs."

2.3 The Chairman of the Staff Council said that he had already expressed his views on the matter in the course of the discussion on Document 29. On that occasion he had pointed out that, although the ITU had a training budget, it had no system of human resource planning into which the budget could be integrated. The figure of 0.25% was very much less than the amount recommended by the ICSC and in the absence of any broader human resource policy, the amount would be of limited usefulness. He suggested, therefore, that the Conference should also instruct the Secretary-General to devise a human resource planning system with a view to making the most of the abilities of the ITU staff. At the request of the Chairman, he suggested that the last paragraph of the operative part could read: "instructs the Administrative Council to allocate the appropriate credits for the planning of human resources and in-service training ...".

2.4 The delegate of the United States said that the question of human resource planning was much broader than the in-service training aspect under consideration and could require significant resources. He would not wish this issue buried in this Resolution and his Delegation was prepared to cooperate with the Staff Council, the Secretariat and persons interested in devising a separate Resolution on a human resource planning system. With the support of the delegate of Norway, he proposed that the amendment proposed by Australia and seconded by the delegate of the German Democratic Republic should be adopted for the time being.

2.5 The delegate of Sweden said that on the contrary such a system should be mentioned in the same Resolution. As an alternative, credits representing 0.5% of the portion of the budget allocated to staff costs could be allocated to cover the resource requirements of both in-service training and human resource planning. In the first paragraph of the operative part, the end of paragraph 2 could be added at the end of paragraph 1, so that the text would read:

"instructs the Secretary-General

1. to continue ..., as adopted by the Nairobi Plenipotentiary Conference and to prepare medium and long-term plans to respond to the needs of the Union and its staff;

2. to report to the Administrative Council on progress in the implementation of in-service training."

The second paragraph of the Preamble could also be modified to read:

"recognizing the positive role of in-service training ... and the importance that should be attached to maintaining and to upgrading the professional skill of the staff;"

2.6 The delegates of the United Kingdom and Australia said that a draft Resolution restricted to in-service training would be likely to meet with a broader consensus.

2.7 The delegate of the Federal Republic of Germany, referring to the suggestion made by the Chairman of the Staff Council, said that it could be embodied in a revised version of Resolution No. 58 (Recruitment of Union staff) of the International Telecommunication Convention of Nairobi or even in a new Resolution. For the last part of the draft Resolution, he thought it preferable not to fix an upper limit to the credits allocated and suggested including the words "at least" before the 0.25% figure. That view was shared by the delegate of Greece.

2.8 The delegate of the Netherlands said that he was in favour of a Resolution on the development of human resources but considered that the matter extended beyond the Committee's competence.

It was decided to establish a Drafting Group, with the delegate of the United States as Chairman, to draw up a draft Resolution on the Union's human resources.

2.9 The Acting Chairman, referring to the last paragraph "instructs the Administrative Council", invited delegates to take a position on the proposal by the Federal Republic of Germany to add the words "at least" before "approximately 0.25%" so that the percentage would represent a minimum.

The delegate of the USSR supported the proposal.

2.10 The Secretary of the Committee, replying to a question from the delegate of the United Kingdom, who wanted to know if the figure fixed by the Nairobi Plenipotentiary Conference was a ceiling, quoted Resolution No. 60 of that Conference, in which it instructed the Administrative Council to "allocate appropriate credits for in-service training within the limit of 0.25% of the portion of the budget allocated to staff costs". The exact amount of the credits was naturally determined by the Administrative Council. It could be seen from Document 29 that in the 1989 budget a total of 120,000 Swiss francs was available for in-service training, whereas 0.25% of the staff costs would be 176,000 Swiss francs.

2.11 The Acting Chairman, replying to the delegate of Kenya, said that the amount recommended by the ICSC was 1%.

2.12 The delegates of the United Kingdom and Swaziland asked what percentage had actually been spent on training over recent years.

2.13 The Secretary of the Committee said that in the 1989 budget 120,000 Swiss francs was available for in-service training while in 1988 the sum had been 170,000 Swiss francs.

2.14 The delegate of the Federal Republic of Germany pointed out that other figures, and particularly those for 1984, were given on page 33, paragraph 2.2.4, of the Administrative Council's report to the Conference.

2.15 The delegate of the United Kingdom noted that in-service training expenditure had always been below the 0.25% level.

2.16 The Acting Chairman said that if there was no objection he would take it that the proposal to have the text read "at least 0.25%" was approved.

The draft Resolution on in-service training (Document DT/31) as amended was approved.

3. Draft Resolution on recruitment of Union staff (Document DT/33)

3.1 The Acting Chairman invited delegates to consider the draft Resolution annexed to Document DT/33, following the decision by Committee 5 to review Resolution No. 58 of the Nairobi Plenipotentiary Conference.

First preambular paragraph ("noting")

The paragraph was approved.

Second preambular paragraph ("further noting")

3.2 The delegate of the Federal Republic of Germany proposed deleting the reference to Document 29, which would have no sense once the Conference was over. The Acting Chairman said that the reference to the document could be maintained in brackets.

The second paragraph ("further noting") was approved.

Third preambular paragraph ("considering")

3.3 The delegate of Indonesia wondered whether a reference to the policy of recruiting young specialists could be added in sub-paragraph b) or elsewhere.

3.4 The Acting Chairman pointed that the question of recruiting young specialists was raised in sub-paragraph 3 of the last paragraph ("instructs the Secretary-General"). However, it seemed to him that it could also be mentioned in sub-paragraph b) of "considering".

3.5 The Secretary of the Committee said that sub-paragraph b) of the paragraph "considering" could read along the following lines: "the need to follow a recruitment policy appropriate to the requirements of the Union, including the redeployment of posts and the recruitment of young specialists, while observing the relevant recommendations ...".

The suggestion was approved.

3.6 The Chairman of the Staff Council said he wished to make a comment on the recruitment of young specialists at the P.1-P.2 level, although it did not relate directly to the draft Resolution. He drew the Committee's attention to the material and financial difficulties encountered by young specialists recruited in Geneva and hoped that the Committee would try to improve their situation.

3.7 The Acting Chairman took note of the comments by the Chairman of the Staff Council.

3.8 The delegate of the United States was in favour of deleting the words "in particular" in sub-paragraph d) of "considering", because it was not necessary to encourage the recruitment of women in the General Services category.

3.9 The Secretary of the Committee said it was usual to refer to the higher categories together with the Professional category and that an appropriate addition should be made in sub-paragraph d) of "considering" and sub-paragraph 1 of "resolves".

3.10 The Acting Chairman said that sub-paragraph d) of "considering" would be amended to read: "the need to encourage the recruitment of women in the Professional and higher categories".

3.11 The delegate of Australia drew the Committee's attention to sub-paragraph b) of the paragraph "considering" in Resolution No. 58 of the Nairobi Conference, which affirmed the need to pursue a rational and effective recruitment policy "in conformity with" the United Nations common system. He would be in favour of that form of words.

3.12 The delegate of the United Kingdom agreed with the delegate of Australia and proposed that in the English version of sub-paragraph b) of "considering", the word "observing" should be replaced by "in conformity with" while in the French version the words "tout en se conformant" should be replaced by "conforme".

3.13 The Secretary of the Committee said that the draft Resolution under consideration had been based on Document 29, due account being taken of the ICSC's recommendations. He would strongly recommend keeping the present wording, and particularly the expression "while observing" in the English version, to enable the ITU to continue to follow the policies already adopted which do not comply completely with all the ICSC's recommendations which were addressed to the system as a whole.

Sub-paragraph d) was approved without change.

3.14 The delegate of the USSR proposed that sub-paragraph d) under "considering" of Resolution No. 58 of the Nairobi Conference should be reflected in the draft Resolution under consideration. Constant advances were being made in telecommunications, and it was urgently necessary to recruit competent specialists.

3.15 The Acting Chairman thought that sub-paragraph d) of Resolution No. 58 of the Nairobi Conference could be added in the paragraph "considering" of the draft Resolution. The sub-paragraph, which read "the constant advances made in the technology and operation of telecommunications and the corresponding need to recruit the most competent specialists to work in the secretariats of the permanent organs of the ITU", could form a new sub-paragraph e) in the draft Resolution.

There being no objections, the new sub-paragraph e) was approved.

3.16 The delegate of Mexico raised the question of sub-paragraph a), which was in brackets.

3.17 The Acting Chairman proposed that the passage should be left in brackets until the provisions of the International Telecommunication Convention were adopted. He decided that consideration of sub-paragraph a) should be referred to the Plenary Meeting.

The paragraph "considering" was approved as amended.

The first operative paragraph ("resolves")

Sub-paragraphs 1, 2 and 3 were approved.

Second operative paragraph ("instructs the Secretary-General")

3.18 The delegate of Indonesia proposed that in sub-paragraph 3 the words "of the secretariats" should be replaced by "of all Members of the Union in a number of activities".

3.19 The delegate of Greece considered that the original text covered a greater number of activities.

3.20 The delegate of the United States asked for some clarification on the question of geographical representation. It should perhaps be indicated that the reference was to staff in the Professional and higher categories.

With regard to sub-paragraph 2, he proposed that the proposal made with regard to sub-paragraph d) under "considering" should again be adopted.

3.21 The delegate of Sweden proposed that in the second line of sub-paragraph 2 the word "category" should be replaced by "and higher categories" as had been done in sub-paragraph d) of "considering".

3.22 The Secretary of the Committee, replying to a question from the delegate of the United States, said that it was not all staff in the Professional category who were involved and suggested that sub-paragraph 1 should read: "to continue to pursue a recruitment policy designed to improve the geographical representation of the appointed staff in those posts of the Union budget to the geographical distribution".

He agreed that the words "and higher categories" should be added in sub-paragraph 2.

3.23 The delegate of Mali proposed that the beginning of sub-paragraph 2 should read "to favour, other qualifications being equal, the appointment of women candidates ...". The proposal was adopted.

3.24 The delegates of Italy and Sweden having made proposals relating to sub-paragraph 3 which were not adopted, the delegate of Mexico expressed the opinion that the problem involved was a drafting one and proposed that sub-paragraph 3 should read "with a view to improving the professionalism of the staff of the Union". After further discussion the terminating phrase "within the Union" was considered to have more general application.

Sub-paragraph 3, as amended, was approved.

Sub-paragraph 4 was approved.

The second operative paragraph ("instructs the Secretary-General"), as amended, was approved.

The draft Resolution on recruitment of the Union staff (Document DT/33), as amended, was approved.

4. Pension matters - Draft Resolutions (Documents 209(Rev.1) and 233)

- 4.1 The Acting Chairman said that two new documents had been submitted: Document 209(Rev.1) and Document 233. As they had just been circulated, members of the Committee might not have had time to study them in detail. He therefore proposed that a special Drafting Group should be setup to prepare a draft Resolution, consisting of the sponsors of the documents and any other members of the Committee who wished to take part.
- 4.2 The delegate of the United Kingdom expressed doubts regarding the status of Document 233 presented by the delegation of Switzerland. It had been stated at the previous meeting that the discussion would continue on the basis of Documents 209 and DL/6, which contained draft Resolution No. COM5/1 on pensions. The suggestion had been that the authors of Document 209 should hold consultations with a view to incorporating the comments of other delegations in a revised document. This had now been done and the result was reflected in Document 209(Rev.1).
- 4.3 The delegate of Switzerland disagreed with the delegate of the United Kingdom. It had been understood that Document 209 would be taken as a basis for the draft Resolution, but at the end of the meeting there had been a request by the Chairman for proposals, to which his Delegation had responded. He also fully endorsed the Chairman's proposal to set up a Drafting Group.
- 4.4 The delegate of the Federal Republic of Germany agreed entirely with the delegate of Switzerland.
- 4.5 The delegate of the German Democratic Republic said that considering a new document would delay the work. It had been definitely decided at the previous meeting that Document 209 should be used as a working basis. The delegate of Norway supported the delegates of the United Kingdom and the German Democratic Republic and advocated maintaining the decision taken at the previous meeting.
- 4.6 The delegate of Italy pointed out that although Documents 209 and 233 both had the same title, namely "Adjustment of pensions", it had been decided that the draft Resolution would be entitled "Adjustment of the level of pension".
- 4.7 The delegate of the USSR was in favour of proceeding on the basis of Document 209, while taking account of Document DL/6. He would be prepared to participate in a Drafting Group.
- 4.8 The delegates of France and Morocco, supported by the delegate of Algeria, believed that the document presented by Switzerland was helpful and should be given consideration; the Chairman's proposal to set up a Drafting Group was useful and would speed up the work. The delegate of Greece also thought that although the matter was delicate, the Chairman's proposal to set up a Drafting Group would facilitate progress. The delegates of Algeria and Yugoslavia also endorsed the Chairman's proposal.
- 4.9 The delegate of the Netherlands said that Document 233 tended to move away somewhat from the decisions taken at the previous meeting. He proposed, therefore, that Members might consult each other informally before the next meeting.
- 4.10 The delegate of Côte d'Ivoire said that nobody at the previous meeting had called for a new document. He thought that the Committee should therefore proceed on the basis of Document 209.

4.11 The Acting Chairman pointed out that Document 233 was an official document, which incorporated features of Documents 209 and DL/6. The document was an effort at a compromise and setting up a Drafting Group seemed to be the best solution. He asked for volunteers.

4.12 The delegates of Switzerland, the United Kingdom and Italy volunteered to join the Drafting Group.

The meeting rose at 1240 hours.

The Secretary:

A.B. MACLENNAN

The Acting Chairman:

K.D. MEIER

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 241-E
24 June 1989
Original: French

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 7

Replace paragraph 2.29 by the following:

2.29 The delegate of Guinea said that the strengthening of the duties of the Secretary-General raised certain problems in the absence of a detailed study on the interaction between the role of the Secretary-General and that of the various permanent organs, including the new organ for development. Such a study also needed to be carried out in order to ascertain whether it would be appropriate to increase the number of Deputy Secretaries-General, as other delegations were advocating. It was with that in mind that his Delegation supported the statement by the delegate of New Zealand.

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INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 241-E

20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Thursday, 8 June 1989, at 0950 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

- | | | |
|----|---|-------------------------------------|
| 1. | Organization of the Committee's work (continued) | - |
| 2. | Consideration of proposals relating to the
General Secretariat, the Coordination Committee
and information exchange (continued) | 199,
DT/15,
DL/9 + Corr.1 & 2 |
| 3. | Progress of work | |

1. Organization of the Committee's work

1.1 The delegate of the Netherlands requested that, in accordance with the suggestion made by several delegations at the previous meeting, the Committee should discuss the principles of the structure of the ITU before dealing with detailed texts.

1.2 The Chairman explained that his intention was to hold a discussion to arrive at a consensus but not to reach a decision at all costs. The aim of the general debate was to provide a full understanding of the subject and identify possible options. Those had now been identified as retaining the existing "federal" structure of ITU or adopting a revised structure. Both options had received support. In its discussion on the General Secretariat the Committee had so far agreed to establish a permanent organ for telecommunications development. It still had to discuss the form of that organ, the scope of its activities, budgetary implications and relations with other organs of the Secretariat. He invited the Committee to discuss Article 9 (General Secretariat) in full before discussing whether or not to retain the federal structure of the Union.

2. Consideration of proposals relating to the General Secretariat, the Coordination Committee and information exchange (continued) (Documents 199, DT/15, DL/9 + Corr.1 and 2)

Article 9 - General Secretariat

No. 65

2.1 The Chairman recalled that the proposal of the Delegation of Mali regarding the change of the Secretary-General's title remained in square brackets.

2.2 The delegate of Kuwait said that his Delegation's proposal (KWT/11/7) was designed to improve the communication of Member States, especially the developing countries, with the General Secretariat by increasing the number of Deputy Secretaries-General from one to three and having them elected from all the Union's regions. The word "each" in the proposal should be amended to read "all".

2.3 The delegate of Saudi Arabia supported the proposal.

2.4 The delegate of Australia believed that the ITU already had too many elected officials for its size. Since no figures on the cost of the proposal and no details of the duties of the proposed new officials were available, and it was not clear whether the regions involved were geographical or regulatory, he opposed the proposal.

2.5 The delegates of Czechoslovakia and the German Democratic Republic were not in favour of the Kuwait proposal.

2.6 The delegate of Zimbabwe asked for further justification of the proposal, in view of the costs involved.

2.7 The delegates of Kenya and Lesotho considered that without knowing whether the Union's future structure would be federal or pyramidal it would be a waste of time to take a decision on detailed proposals.

2.8 The delegate of Greece suggested that the Kuwait proposal be kept in square brackets for the time being.

2.9 The delegate of Kuwait said that from its experience on the Administrative Council his Delegation believed the proposal would be useful. It was, however, a preliminary one and if it were adopted the financial implications could then be considered later on. He supported the Greek suggestion to defer discussion to a later stage.

2.10 The delegate of the United States, supported by the delegates of Liberia and Somalia, endorsed the views of the Australian delegate and opposed the maintenance of the proposal in square brackets.

After a short procedural discussion it was agreed to maintain proposal KWT/11/7 in square brackets.

No. 67

2.11 The Chairman indicated that proposal KWT/11/8 was a consequential amendment to the proposal under No. 65 and should therefore remain in square brackets.

2.12 The delegate of Chile drew attention to his Delegation's amendment to No. 67 (CHL/43/6), specifying the body (the Plenipotentiary Conference) that elected the Secretary-General and the Deputy Secretary-General, in order to harmonize the text with No. 42 of the Convention, and deleting the word "normally" which was redundant in view of Nos. 69, 70 and 71. The amendment was one of form not substance.

2.13 The delegate of Greece supported the Chilean proposal, while considering that mention of the length of the Secretary-General's mandate should be included in the text of No. 67.

2.14 The delegates of Benin, Brazil and Lesotho considered that the word "normally" should be retained.

2.15 After discussion, the delegate of Chile withdrew his Delegation's proposals to delete the word "normally".

The Chilean proposal (CHL/43/6) was adopted, as amended.

2.16 The delegate of Greece, introduced his Delegation's proposal (GRC/110/10), which was designed to fill a gap in the present Convention by extending the functions of the Secretary-General and Deputy Secretary-General in managing the everyday affairs of the Union and make it clear that they were responsible to the Plenipotentiary and Administrative Conferences. His Delegation was prepared to accept drafting amendments to its proposal.

2.17 The delegate of Italy supported the Greek proposal. A provision empowering the Secretary-General to take urgent decisions was missing from the present Convention and should be included to allow the ITU to be competitive.

2.18 The delegate of Zambia supported the Greek proposal, subject to drafting changes. The delegates of Colombia, Lesotho, Ethiopia, Zimbabwe and Somalia also supported it.

2.19 The delegate of Spain said that unless Administrative Conference decisions called for specific action by the Secretary-General, his duty was to act through the Administrative Council. The Greek proposal would only be acceptable, therefore, if the reference to the Administrative Conferences was deleted. The delegate of Indonesia supported that position.

2.20 The delegate of the Federal Republic of Germany said that if there was to be only one person responsible for executive functions in the ITU, then the Greek proposal would have an impact on the discussion to be held after the discussion on Article 9. It was therefore unacceptable for the time being.

2.21 The Deputy Secretary-General pointed out that most of the Resolutions and Decisions of Administrative Conferences gave guidance to the Secretary-General, which had considerable impact on the activities of the General Secretariat and the Department of External Relations.

2.22 The delegate of New Zealand said that his Delegation supported a federal type structure but had some sympathy with the idea of reconsidering the executive mandate of the Secretary-General. He shared the view of the delegate of Finland that a stronger executive leadership role for the Secretary-General need not be incompatible with federal structures. Indeed more attention to executive management coordination would be very important to securing further administrative improvements throughout the Union and in implementing whatever reforms in structure and working methods should be decided by the present Conference. It was even more important with the prospect of an entirely new permanent organ. However, New Zealand did not see the need for far-reaching structural changes within Article 9 itself, and considered that further detailed work was needed on the interface between the role of the Secretary-General and that of the individual permanent bodies. The focus of the work should not therefore be Article 9, which appeared to be adequate constitutionally, but Article 56 (the new Article 4 of the proposed Convention) and Article 59. A lot of work had already gone into achieving a balance between executive responsibility and the separate policy and decision-making roles of the permanent bodies, and that work was continuing within the old Article 56. What might be needed, however, was a more explicit mandate within the old Article 56 for the Secretary-General to ensure overall effective staff organization and management practices throughout all the organs. That would more fairly match the accountabilities of the Secretary-General as set forth in No. 68. A considerable burden was imposed there and perhaps more needed to be done on the detailed responsibilities. Those were in any case complicated matters which required more time and in-depth study provided there were some guiding principles from the present Conference.

New Zealand had very considerable reservations regarding the proposal for further Deputy Secretaries-General and for the election of further officials to senior and middle management positions within the Union. Both kinds of appointment would seem only to blur the separation between the executive and policy-making roles needed for the overall good management of the Union.

2.23 The delegate of Malawi supported the spirit behind the Greek proposal, agreed that the powers of the Secretary-General should be enhanced and that he should be accountable for the overall functions of the Union.

2.24 The delegate of Chile said that the Secretary-General's present mandate under No. 68 was limited as compared with Article 4 of the Convention, and that the Constitution should contain a general picture of the areas of activity of the various elected officers of the Union. His Delegation supported the Greek proposal but considered that it should be left in abeyance until agreement was reached on the general structure of the Secretariat and on the Coordination Committee, given the advisory tasks assigned by the latter and the possible need for the Secretary-General to take decisions without its approval.

2.25 The delegate of Hungary said that the Recommendations and Resolutions contained in the Final Acts of Administrative Conferences should remain the responsibility of the permanent organs and not be added to the tasks of the Secretary-General, as the Greek proposal appeared to do. He was therefore opposed to that proposal.

2.26 The delegate of Tanzania said that his Delegation fully supported the Greek proposal which was timely and filled the gap in the present Convention. Furthermore, it was appropriate to Article 9 and not to Article 56 as had been suggested.

2.27 The delegate of Sri Lanka reiterated his earlier statement in favour of a single executive head with all organs reporting direct to him, and fully supported the Greek proposal.

2.28 The delegate of Jamaica said that the responsibilities outlined in No. 68 including that of taking care of the Union's resources seemed contrary to the principles of a federal structure. However, it was very difficult for the Secretary-General to have control over those resources if his powers were limited. The effectiveness of the Secretary-General and his coordinating role should therefore be emphasized as they related to the Administrative Council and the permanent organs of the Union. The principles outlined in the Greek proposal, were meritorious and except for minor editorial amendments, his Delegation fully supported it.

2.29 The delegate of Guinea said that the strengthening of the duties of the Secretary-General raised certain problems, and his Delegation supported the views expressed by the delegate of New Zealand.

2.30 The delegate of the United Kingdom endorsed the view that the appropriateness of the Greek text could not be judged until conclusions had been reached on the structure of the Union, and therefore supported the suggestion that it should be placed in square brackets for the time being. Minor drafting amendments would in any event be necessary, and the reference to administrative conferences and the link between changes to Article 9 and Article 56 required further consideration.

2.31 The delegate of Liberia supported the Greek proposal to strengthen the duties and authority of the Secretary-General. Furthermore, every organ of the Union should have its own budget and be accountable to the Secretary-General.

2.32 The delegate of Barbados agreed that the present Article 9 imposed a duty on the Secretary-General to take all the action required to ensure the economic use of the Union's resources. If that responsibility were to be effectively discharged, the responsibilities of the Secretary-General would have to be enhanced on the lines proposed by Greece. He therefore supported the Greek proposal in principle but like other delegations considered that there should be some drafting improvements to make the intent and purpose of the proposal clear.

2.33 The delegate of the USSR agreed with comments made to the effect that not necessarily all the decisions of administrative conferences went through the office of the Secretary-General and that many were addressed directly to the permanent organs of the Union. The section under discussion should also reflect the role of the Coordination Committee since the functions of the Secretary-General and that Committee could not be separated. For the time being, however, the Greek proposal should be placed in square brackets until a decision in principle on the structure of the Union was reached.

2.34 The delegate of the United States said that his Delegation, like others, had difficulties with the relationship between the functions of the Secretary-General and instructions from conferences to the other organs. Within the operating procedures of the Union, the Secretary-General had to work closely with the Coordination Committee which was a key element in ensuring the efficient and effective use of the Union's resources. That element could not be ignored. Furthermore, given the broad-based implications for the general discussion on the structure of the Union, the Greek proposal should be placed in square brackets for the time being.

2.35 The delegate of India expressed support for the Greek proposal which was appropriate to Article 9, although it could also be included in Article 56.

2.36 The delegate of Japan supported the views expressed by the delegates of the Federal Republic of Germany and the USSR. It was both appropriate and necessary to keep the Greek proposal in square brackets until the discussion on the structure of the Union and enhanced role of the Coordination Committee had taken place.

2.37 The delegate of Pakistan said that his Delegation understood and supported the principles on which the Greek proposal was based. It was not in favour of radical changes in the duties of the Secretary-General because too much responsibility was at variance with the idea of participatory management and decision-making, but there was a definite need to improve the present situation and to make the Union's actions more efficient and more result oriented.

2.38 The delegate of Brazil endorsed the views of those who had expressed doubts about the inclusion of administrative conferences in the Greek proposal. Committee 7 should reconsider the proposal later.

2.39 The delegate of Greece stressed that his Delegation had from the outset said that the proposal had been a substantial one to strengthen the powers of the Secretary-General for managerial and other purposes. It did not insist on the present wording and was aware that it could be improved. He agreed with those delegations which had stated that the subject could not be tackled in isolation and had wished to see a decision taken first on the structure of the Union. Like other delegations, the Greek Delegation had come to the Conference with an open mind, interested solely in achieving results that would benefit the Union. It therefore had no strong feelings as to whether its proposal was included in Article 56 or elsewhere, but felt that it was important that something should be added to Article 9 to enhance the power of the Secretary-General. The manner in which that was done would be discussed later. He fully agreed to the proposal being placed in square brackets.

It was agreed that proposal GRC/110/10 should remain in square brackets.

B/58/20

2.40 The delegate of Brazil suggested that his Administration's proposal be considered at a later stage since it did not affect the substance of Article 9.

It was so agreed.

3. Progress of work

3.1 The delegate of Cameroon pointed out that, according to the schedule of work in Document 143, Committee 7 should finish its work at the end of the third week of the Conference. Many of the difficulties encountered by Committee 7 had been due to questions interlinked with other Committees. It might therefore be useful if a small Contact Group could be formed to consider those problems and assist the Committee proceed faster with its work.

3.2 The delegate of Algeria supported that proposal. To enable a Contact Group to work more efficiently, the Chairman of Committee 7 might discuss its role with the Chairmen of Committees 4 and 6 and the Chairman of the Conference, with a view to guaranteeing that the results of the Group were equally valid for those two Committees.

3.3 The Chairman said that he would be discussing the matter with the Chairman of the Conference after the meeting.

The meeting rose at 1245 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 242-E

23 June 1989

Original: French

PLENARY MEETING

MINUTES

OF THE

ELEVENTH PLENARY MEETING

Thursday, 8 June 1989, at 1440 hrs

Chairman: Mr. J. GRENIER (France)

Subjects discussed:

Documents

- | | | |
|-----|---|--------------------------------|
| 1. | Condolences to the Delegation of Suriname | - |
| 2. | General policy statements (resumed) | - |
| 2.1 | Statement by the Minister of Communications of Senegal | - |
| 2.2 | Statement by the Minister of Works and Communications of Gambia | - |
| 3. | Request of the Republic of Sudan concerning its contributions | 231 |
| 4. | Procedures for the election of the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the members of the International Frequency Registration Board and the Members of the Administrative Council | DT/4,
155 + Add.1 |
| 5. | Oral reports from the Chairmen of Committees on the progress of their work | - |
| 6. | Programme of major conferences and meetings 1990-1994 | 41(Rev.1), 105,
219 + Add.1 |
| 7. | Draft Resolution - "Exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all Other Conferences and Meetings of the Union" | 234(Rev.1) |
| 8. | Miscellaneous | - |

1. Condolences to the Delegation of Suriname

1.1 The Chairman expressed the condolences of the delegations attending the Conference on the occasion of the air accident in which friends and relatives of members of the Delegation of Suriname had perished.

2. General policy statements (resumed)

2.1 The Minister of Communications of Senegal made the following statement:

"I should like first of all, as I address this distinguished assembly for the first time, to express my gratitude and thanks to France, our host country, a country which is the cradle of a tradition of cooperation and an unfailing source of humanitarian values, with which my own country, Senegal, shares a long tradition of friendship and active solidarity, one aspect of which is expressed in the fact that we both belong to the great family of French-speaking nations, and also to thank the French authorities for providing the Conference with such good conditions.

The French-speaking nations constitute an area of solid cooperation and solidarity, which includes the work of the third summit of Heads of States and Government held at Dakar during the first week of this Conference of ours, which is why, Mr. Chairman, we were unable to speak at the beginning.

Mr. Chairman, I should also like to convey to you my sincere congratulations on your election to the chair of this Conference.

I should also like to extend my heartfelt thanks to the members of the Conference for the confidence it has shown in my country, Senegal, by electing it as one of the Vice-Chairmen.

Let me take this opportunity to pay a tribute to the outgoing Secretary-General for all the efforts he has made for over 20 years in the service of the International Telecommunication Union.

Your Excellencies,
Ladies and Gentlemen,

Senegal attaches very special importance to the activities of the International Telecommunication Union.

The first token of this interest came in 1885, with the accession of our country, then under French mandate, to the Saint Petersburg Telegraph Convention of 1875.

Since then my country has spared no effort to take part in the Union's work, in particular through the various administrative conferences and the Administrative Council.

The large number of conferences held between 1982 and 1989 is evidence of the important and urgent nature of the questions raised by regulation in the light of technological progress.

As you know, telecommunications are passing through a crucial phase, following upon profound changes in technology and in attitudes.

These changes raise before us the prospect of an international economic environment whose nervous system would depend on the world telecommunication network.

The correlation between a country's economic and social development and its telecommunication network highlights the great issues and challenges that arise from these changes.

The Report entitled "The Changing Telecommunication Environment" produced by the Advisory Group set up by the Secretary-General, Mr. Richard Butler, shows this clearly.

With so much at stake, we are required to take a responsible attitude: there needs to be a logical readjustment of the policy to be followed in the telecommunication sector over the years ahead, and also of our Union's structure.

The Union has a duty to meet the challenges of standardization, and above all those connected with the world-wide development of telecommunications.

It ought to do so, and it can do so, if we give it the necessary resources.

On our ability to carry through the reforms with lucidity will to a large extent depend on the future of cooperation between Members and the triumph of our ideals in the Union.

To achieve these ends, my country has put before the Conference its ideas on a new approach to telecommunication development in the world, based on respect for the interests of all parties.

We are of the opinion that the development of telecommunication networks in developing countries is first and foremost a matter for which those countries themselves are responsible as is indicated in the conclusions of the Conference on Telecommunication Development held at Tunis in January 1986, a Conference which aroused so much interest that we think there would be every justification for institutionalizing it in the ITU.

However, the Union cannot carry out its development work properly unless its tasks are redefined and clearly described.

Our Conference should therefore learn from past weaknesses and propose new ways of mobilizing new and stable resources to ensure that the efforts made are successful.

The Union's commitment to this course of action should be reflected in proper provision for development activities, involving, firstly, the establishment of a permanent organ solely for this purpose, after the model of the organs concerned with standardization and regulation, and, secondly, the introduction of machinery for rigorous planning and rational use of the resources available.

This planning would be based on the recommendations of world and regional administrative conferences on telecommunication development.

Among the methods of mobilizing funds for development, the proposals submitted to you include the setting up of an international fund for telecommunication development. The original feature of this fund is that it would essentially be fed by interest-bearing deposits by suppliers of telecommunication equipment and services.

This Conference could, if it decided in favour of this proposal, decide on the most appropriate form for the fund to take.

Finally, Your Excellencies, Ladies and Gentlemen, in conclusion, I should like to express Senegal's full confidence in the Union's ability to take up the development challenge on the eve of the third millennium.

We are convinced that as in the past the International Telecommunication Union will be able to ensure that when mankind enters fully upon the new communication society, rightly regarded as the stuff of the future, the Union will be everywhere present as an instrument in the service of concord, peace and prosperity for the benefit of mankind, which is the beginning and end of all development activities."

2.2 Statement by the Minister of Works and Communications of Gambia

2.2.1 The Chairman noted that the Delegation of Gambia had made a general policy statement during the third Plenary Meeting and that the Minister of Works and Communications of that country now wished to make a few additional comments.

2.2.2 The Minister of Works and Communications of Gambia made the following statement:

"May I first of all take this opportunity to extend our heartfelt felicitations on your brilliant election as Chairman to guide the affairs of this Conference, which will register yet another milestone in the development of telecommunications in the developing world.

It is indeed a great honour and privilege for Gambia to participate once more in the Plenipotentiary Conference of the International Telecommunication Union, a Conference which is attended by nearly all the countries in the world and may therefore have, the greatest concentration of delegates, with the exception of course of the United Nations General Assembly.

It is common knowledge that Gambia has always shown a keen interest in the deliberations and discussions of the ITU Plenipotentiary Conference and I am delighted to be able to lead the Gambian Delegation again this year to this important Conference. Before going any further, however, I would like to take this opportunity, whilst I address you, to convey to you, on behalf of the Government and people of Gambia best wishes for the success of this Conference from our President, His Excellency Alhaji Sir Dawda Kairaba Jawara.

As far as Gambia is concerned, Mr. Chairman, the policy consideration of the changing telecommunications environment and its impact on the ITU deserve urgent in-depth analysis and study in order to improve and maintain the role of the ITU as the specialized and executing agency of the United Nations in telecommunications, for furthering international cooperation between peoples because of the vital link it provides. Mr. Chairman, even though I was unable to join you right from the beginning of this Conference because of important State matters which required my personal attention, I am confident that the policy options which have been discussed and considered, in addition to possible structural changes, will provide a sound basis for future development in the telecommunications sector in our respective countries.

Mr. Chairman, as some of you may be aware, it is in consideration of these objectives that the Gambian Government, with the assistance of the ITU and UNDP, took a major policy decision to establish the Gambia Telecommunications Company Ltd, known as GAMTEL in 1984 as a commercially State-owned company. This policy change in telecommunications operation in Gambia brought about explosive user demand and increased government awareness and conviction about the vital role of telecommunications in development and also as a major source of foreign exchange earning through GAMTEL's commercial and viable operations. This company has now transformed the state of telecommunications in Gambia by the introduction of a reliable

fully automatic telephone service at both national and international levels. This underscores the importance the Government of Gambia attaches to the improvement of telecommunications, as this substantially contributes to the socio-economic development of our country. If we are to speed up telecommunications development in our respective countries, with backup international support and cooperation, we must seriously consider and implement major policy changes towards viable operation of the telecommunications entities.

Within the framework of, and true to the spirit of the theme of this Conference, our policy in Gambia will be geared towards providing telecommunications facilities not only in the urban area, but more importantly to the remote rural areas. Needless to say, the implementation of this programme will require substantial technical and financial assistance from the developed countries, who I have no doubt will respond positively to the needs of the developing countries at the appropriate time if international cooperation is to be sustained.

Mr. Chairman, the achievements and shortfalls of the ITU in technical cooperation should be carefully and thoroughly examined at this Conference, so as to give prominence and impetus to telecommunications development in the developing countries and increase the level of international cooperation in the mobilization of funds for such development. I hope that cooperation and assistance will be forthcoming from our developed partners, so that the aspirations of Gambia for telecommunications development will become a reality and all developing countries represented here, for that matter. I am sure the ITU will not fail to coordinate and provide the desired impetus in these worthwhile endeavours. May I at this juncture, convey the gratitude of the Government and people of Gambia for the valuable assistance we have been receiving from the ITU, the Government and people of France, as well as other friendly countries in our telecommunications development and modernization programme.

Before I conclude these brief remarks, Mr. Chairman, I wish, on behalf of the Government and people of Gambia to thank the Government and people of France for hosting this Conference, as well as for the warm welcome and generous hospitality which has been accorded to me and members of my Delegation since our arrival in your beautiful and fascinating city of NICE, whose English pronunciation - NICE - gives more practical meaning to these excellent surroundings."

3. Request of the Republic of Sudan concerning its contributions (Document 231)

3.1 The Chairman noted that the question of Sudan's voting rights had been raised at the previous Plenary Meeting and invited the Chairman of Committee 4 to introduce the document concerned.

3.2 The Chairman of Committee 4 said that, at its second meeting held on 2 June 1989, his Committee had considered the request of the Republic of Sudan either to cancel its debt for the years 1980 to 1983 or to readjust it on the basis of 1/8 unit. Until the end of 1982, Sudan had shared in defraying the expenses of the Union in the one-unit class of contribution; since 1983, it had been contributing to ITU expenditure in the class of 1/8 unit. Sudan had paid up its contributions to the Union budget in full until the end of 1979, and then again from 1984 to 1989. On the other hand, its contributions for the years 1980 to 1983, together with the related interest on arrears, remained outstanding.

For the reasons given in Document 45(Rev.1), Sudan had requested the Plenipotentiary Conference either to cancel its debt for the years 1980 to 1983 or to reduce it to the level of the present contribution of 1/8 unit. After thorough consideration of that request, Committee 4 had decided that it could not agree to a reduction of the class of contribution to 1/8 unit, since the 1/8-unit class had not

been introduced until 1983. It had also noted that no Plenipotentiary Conference had ever agreed to the cancellation of debts of Members of the Union and considered that it should avoid creating a precedent.

On the other hand, in view of the significant effort made by Sudan to settle its contributions and publications arrears, Committee 4 now proposed the adoption of measures similar to those taken by the Plenipotentiary Conferences of Malaga-Torremolinos and Nairobi in favour of other countries with contributions and publications arrears. It therefore made the following proposals to the Plenary Meeting:

- a) the outstanding contributions of the Republic of Sudan for the years 1980 to 1983, amounting to 567,047.94 Swiss francs should be carried over to a special arrears account;
- b) the amounts transferred to the special arrears account should bear no further interest;
- c) the transfer of those amounts to the special account should not release Sudan from the obligation to pay the sum in question;
- d) the amounts due under the special arrears account should not be taken into account when applying No. 117 of the Convention;
- e) the amount due for interest on arrears, namely 306,507.55 Swiss francs, should be transferred to a special interest account.

Committee 4 considered, however, that those proposals should not be invoked as a precedent.

The text of Resolution No. COM4/5 adopted in that connection had been transmitted to the Editorial Committee, which would submit it to the Plenary Meeting in due course.

3.3 The delegate of Saudi Arabia supported the proposals in Document 231, for the reasons stated by the Chairman of Committee 4 and also because Sudan was endeavouring to fulfil all its obligations and, as a least developed country, should be encouraged in its attempts to settle the amounts owing to the Union, particularly because of the importance attached to the ITU budget by the Conference.

3.4 The delegate of China said that his Delegation sympathized with the economic problems facing Sudan because of natural disasters and for other reasons. At the same time, it noted that Sudan had made great efforts to fulfil its obligations to the ITU and, bearing in mind the principle of the desirability of general participation in Union activities, supported the proposals in Document 231.

The proposals in Document 231 were approved.

3.5 The delegate of Sudan expressed his Delegation's gratitude to the meeting for its understanding and appreciation of his Government's memorandum (Document 45(Rev.1)), which reflected its obligations to the Union and its pledge to live up to those obligations in the nearest possible future.

4. Procedures for the election of the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the members of the International Frequency Registration Board and the Members of the Administrative Council (Documents DT/4, 155 + Add.1)

4.1 The Chairman noted that the Plenary Meeting had to deal only with the actual procedures for the elections in question, not with all the proposals in Document 155 and its Addendum 1 which were separately under consideration in Committee 8.

Document DT/4

4.2 The Secretary-General said that each Plenipotentiary Conference established its own rules of procedure for elections and that the annexes to the document contained proposals based on the procedures adopted by the previous conferences and meetings. It would be seen that each procedure was slightly different, taking account of the particular features of the office or organ concerned; in the case in Annex 1, the possibility that there might be more than one Deputy Secretary-General should be borne in mind. The meeting would also note that the current Conference was the first at which all the elected officials would be elected.

4.3 The delegate of Iraq asked for some clarification of the procedure of voting by proxy.

4.4 The Secretary-General drew attention to No. 391 of the Nairobi Convention, under which a Member unable to send its own delegation might give the delegation of another Member powers to vote and sign on its behalf. Four such applications for transfers of powers had already been found to be in order by Committee 2.

4.5 The delegate of the Yemen Arab Republic said that the Government of the People's Democratic Republic of Yemen wished to transfer its Delegation's powers to his Delegation, but that Committee 2 had not acceded to that request. The matter was becoming urgent, since the Delegation of the People's Democratic Republic of Yemen would be arriving on Monday, 12 June 1989, and the proxy might have to be used in the intervening period.

4.6 The Secretary-General said that the reason for the delay was the fact that the transfer of powers had been communicated by telex instead of facsimile, whereas the final sentence of No. 391 of the Convention specified that the powers must be conveyed by means of an instrument signed by one of the authorities mentioned in Nos. 381 or 382. He therefore suggested that the Conference should approve the findings of the Chairman of Committee 2, and if in the meantime an instrument in proper form was received from the People's Democratic Republic of Yemen, the Chairman of Committee 2 should be authorized to accept that instrument and to act accordingly.

It was so agreed.

It was further agreed, at the suggestion of the delegate of the United Kingdom, that if a similar situation should arise in respect of any other delegation before the date of the first election, the Chairman of Committee 2 should be authorized to act in the same manner.

Annex 1 - Procedures for the election of the Secretary-General and the Deputy Secretary-General

Annex 1 was approved.

Annex 2 - Procedures for the election of the Directors of the International Consultative Committees

Annex 2 was approved.

Annex 3 - Procedures for the election of the members of the IFRB

4.7 The Secretary-General observed that the words "having the right to vote" should be inserted after "Each delegation" in paragraph 5.

4.8 The delegate of India pointed out that such an addition might be unnecessary in view of the fact that the words "having the right to vote" already appeared in paragraph 3, by analogy with similar paragraphs of Annexes 1, 2 and 4.

4.9 The Secretary-General suggested that alignment between the four annexes and between the language versions should be left to the Secretariat.

It was so agreed.

Annex 3 was approved on that understanding.

Annex 4 - Procedures for the election of the Members of the Administrative Council

4.10 The delegate of Lebanon said it was to be hoped that the provisions of the Convention on elections, particularly Nos. 103 and 104, would be duly applied. The Chairman observed that that remark was not directly relevant to the procedures under consideration.

4.11 The delegate of Guinea drew attention to his Delegation's suggestion in Document 145 that the system of the elections to the Administrative Council would be improved by the adoption of a system of rotation, so that a larger number of Members could serve on the Council.

4.12 The Chairman said that the Guinean proposal and other proposals for a system of rotation would be considered in Committee 7 and that the relevant decisions of that Committee might well have an impact on Annex 4.

4.13 In reply to a question by the delegate of Romania, the Chairman said that a vote would be taken in all cases, even if the number of candidatures was equal to the number of seats in the Administrative Council.

Annex 4 was approved.

Document 155 + Add.1

At the suggestion of the Chairman, the meeting took note of Document 155 and Addendum 1, which had not yet been considered by Committee 8.

5. Oral reports from the Chairmen of Committees on the progress of their work

5.1 The Chairman, speaking as Chairman of Committee 1, said that he had at that stage nothing special to report on the progress of work of the Steering Committee which was due to meet again at the end of the Plenary Meeting.

5.2 The Chairman of Committee 2 said that Committee 2 had held its first meeting on the morning of 30 May and had established a Working Group consisting of its Chairman and Vice-Chairman and the delegates of Argentina, Czechoslovakia, Indonesia, Kenya and Sweden. Under No. 391 of the Nairobi Convention, if a Member was unable to send its own delegation, it might give the delegation of another Member powers to vote and sign on its behalf. There had been three such transfers of powers:

- 1) from the principality of Liechtenstein to the Confederation of Switzerland,
- 2) from the Hashemite Kingdom of Jordan to the Republic of Iraq, and
- 3) from the Solomon Islands to Australia.

All had been examined by Committee 2 at its first meeting and had been found to be in order (Documents 174, 175 and 176). Under powers delegated to him by the Committee, he had that morning examined the transfer of powers from Vanuatu to Japan and had also found it to be in order.

The Working Group had met on 5 and 7 June. It had in all examined 114 credentials and found them to be in order. The Secretariat had sent reminders to those delegations which had not yet deposited their credentials, and he hoped that they would do so as soon as possible.

5.3 The Chairman of Committee 3 said that the Committee had held its first meeting on 30 May and had considered three documents. It had noted Document 118 containing its terms of reference. Considering the agreement between the Government of France and the Secretary-General of the ITU (Document 76), the Committee had noted that the additional expenditure of 1,616,000 Swiss francs incurred by holding the Conference in Nice would be met by the French Government, and it had thanked the French Administration and Government for the excellent facilities made available. The Committee had also noted Document 75 concerning the budget of the Conference as approved by the 43rd session of the Administrative Council.

5.4 The Chairman of Committee 4 said that Committee 4 had begun its work on 31 May and had held four meetings. The first important item on its agenda, the Report by the Administrative Council to the Plenipotentiary Conference, section 2.2.6, had already been approved. The second, the examination of the financial management of the Union for the years 1982 to 1988 (Document 186) had also been approved, and in that connection the three draft Resolutions Nos. COM4/1, COM4/2 and COM4/3 were submitted to the Conference. The ITU publication policy (Document 24) had been studied at length and it had been decided to set up a Working Group under the chairmanship of the Vice-Chairman of Committee 4, which should report its conclusions to the next meeting of Committee 4. So far as arrears were concerned, the general position was given in Document 181 and he drew attention also to Document 231 which had just been approved by the Plenary. Committee 4 had begun to discuss the actuarial situation of the Staff Pension Fund and, after approval of the relevant document, had referred it to Committee 5 for the latter's opinion. Committee 4 had also discussed technical cooperation support costs (Document 47, section 2.2.6.6(4) and Document 179). For the time being, the Committee had agreed to request future sessions of the Administrative Council to investigate how the shortfall in income on technical cooperation support costs could be absorbed for the years 1982 to 1989. During the years 1986 to 1989, the Administrative Council had succeeded in reducing that shortfall by some 13 million Swiss francs out of a total deficit of 15 million Swiss francs. At the end of 1989 there would be an outstanding

amount estimated at 2,200,000 Swiss francs, so that a total sum of 4,200,000 Swiss francs would remain to be absorbed. Committee 4 was about to submit draft Resolution No. COM4/4 to the Plenary concerning the shortfall in income on technical cooperation from UNDP. So far as future reimbursement of costs from UNDP was concerned, Committee 6 had done an excellent job and Committee 4 was awaiting the results of Committee 6's work in order to see what steps should be taken in future to absorb the shortfall in technical cooperation support costs. Committee 4 would submit a draft Resolution to the Plenary requesting the Administrative Council to distribute the absorption of the shortfall of 4,200,000 Swiss francs over the next 3 to 4 years. Committee 4 was still awaiting reports from Committees 5, 6, 7, 8 and possibly 9 which would enable it to study the limits of the Union's financial expenditure for the period 1990 to 1994. Finally, the Committee had already begun to study the proposals for the amendment of the Constitution and Convention which had been referred to it.

5.5 The Chairman of Committee 5 said that his Committee had held six meetings. The first thing he wished to point out was that discussions had taken longer than anticipated and the Committee would be unable to complete its work by the end of the third week, but that was because staff matters were of great importance and deserved mature consideration. During its meetings, Committee 5 had adopted certain decisions with financial implications such as credits for re-grading, for in-service training and for long-service steps. With regard to the latter, it had followed the ICSC recommendations. The Committee had adopted Resolutions on professional training and on staff contracts.

There had been lengthy debates in the Committee on the problem of pension adjustments, a problem which had already been raised at the Plenipotentiary Conferences in Torremolinos and Nairobi, as well as in the Administrative Council. Finally, the Committee had decided to set up a Working Group to produce a draft Resolution showing various alternatives which might replace Resolution No. 61 of the Nairobi Plenipotentiary Conference. In his view, that was the best way of attempting to solve the serious problem of the purchasing power of pensions so as to reach a solution which, while taking into account the just claims of the staff, would be compatible with the requirements of the United Nations Common System. At that stage, he wished to draw attention to the fact that, possibly because the meetings of Committee 5 had coincided with those of Committee 7, there had been very limited participation by delegates in the meetings of Committee 5; only some 40 or 50 out of a total of some 130 accredited delegations had been present at its meetings. He expressed the hope that there would be a better attendance in the future since, although the subjects with which Committee 5 dealt were somewhat specialized, they were of great importance for the future of the Union.

5.6 The Chairman agreed that it was essential to give thorough consideration to matters involving the staff of the Union and observed that the meetings of Committee 5 and Committee 7 would not coincide on the following day.

5.7 The Chairman of Committee 6 said that Committee 6 had so far held five meetings. Its work had dealt with two main points:

- 1) the report by the Group of Experts on "The Changing Nature of ITU Technical Cooperation and Related Field Activities" (Document 33); and
- 2) the study of the implementation of the report of the Independent Commission - "The Missing Link" report.

The Committee had almost completed its study of Document 33, reviewing the various activities outlined therein with a view to improving technical cooperation and adapting it to the needs of the developing countries, and had adopted for the future a budgetary and accounting system which would make it possible to distinguish in the Union budget between activities related to its role as a United Nations specialized agency, which would come under the regular budget, and activities connected with its role as an executive agency of UNDP which would be financed, as far as possible, by the latter body. At its most recent meeting, the Committee had studied a recapitulative Document DT/30 which was intended to help Committee 4 to understand the new requirements of technical cooperation. The Committee hoped to complete its consideration of "The Missing Link" report the following week.

5.8 The Chairman of Committee 7 said that the ten meetings of the Committee held so far had been devoted to a general discussion on the structure of the Union, leading to the identification of several possible variants. There had been general agreement that any change in structure had to be carefully studied and progressively implemented to avoid disruption of ongoing activities. Two options had been identified for the general structure, three for the CCIs, three for the IFRB and two for the General Secretariat. The Committee had then commenced an examination of the various organs of the Union, following a request by the Plenary that its work be synchronized with the election processes. The Committee had agreed in principle that a permanent organ for development should be established on a footing of equality with other organs of the Union, to deal with the development of telecommunications and technical cooperation and assistance. The specific structure of that organ remained to be discussed. The Committee had then decided that it would be better to discuss the general structure of the Union before dealing with the specific activities of each organ. The discussion had been lively and open-minded and he was confident that a conclusion would be reached that would be to the benefit of all.

5.9 The Vice-Chairman of Committee 8, as Acting Chairman, said that during its six meetings to date the Committee had examined 15 Articles of the draft Constitution. There remained some five Articles of the draft Constitution as well as Document B, the draft "Convention" or "General Regulations". The question of deciding between "State" or "Member" had also to be resolved in conjunction with Committee 9.

5.10 The Chairman of Committee 9 said that, in its four meetings to date, the Committee had agreed on a text for the Preamble of the draft Constitution and had reached preliminary agreement on the text of Article 1. The Committee had also noted the consultation between Chairmen on questions concerning the scope of the various Committees, a report on which would soon be put before Plenary. In view of its important work, the Committee should be given higher priority for meetings.

5.11 The Chairman of Committee 10 said that, at its first meeting, the Editorial Committee had established its working methods and at its second meeting had examined three short Resolutions transmitted to it by Committee 4. Those texts were contained in Blue Document 236 and, in view of their non-controversial nature, could be dealt with rapidly in Plenary.

6. Programme of major conferences and meetings 1990-1994
(Documents 41(Rev.1), 105 and 219 + Add.1)

6.1 The Secretary-General, introducing Document 41(Rev.1) which had been prepared following discussions in the Administrative Council, recalled that there had been general agreement in Council that the programme should not be as heavy as in the previous period, that there should only be one major conference per year, and that the periodicity of Plenipotentiary Conferences provided for in the Nairobi Convention should be respected. No conclusion had been reached in Council, however, on whether the proposed 1992 World Administrative Radio Conference should be all embracing. It was

clear, from the deliberations of HFBC-87, MOB-87 and ORB-88 that there was a desire for a limited radio-frequency spectrum reallocation conference to cover, in particular, new services associated with high definition television and other requirements of satellite sound broadcasting, as well as issues arising from the requirements of the Globe Maritime Distress and Safety System and extra spectrum for the mobile satellite service itself. A question that remained to be settled was the extent to which, and where, the follow-up from HFBC-87 with respect to the review and oversight of the software development prepared through the IFRB, as a result of decisions of that conference, was to be dealt with.

The financial aspects of the programme of major conferences and meetings were covered in Document 105. While the programme appeared less intensive than in the past, the documents and associated requirements for the two Consultative Committees showed growth of some 15% in the first two years and of 10% thereafter and thus implied additional expenditure, unless changes were made. Document 219 indicated the increase in seminars, particularly at regional level, following suggestions made by the IFRB, and those also implied increased expenditure. It appeared, therefore, that the expenditure for the next round of conferences and meetings would not be significantly less than in the previous period. The Conference would have to decide on the type, scope and function of the conference to be held in 1992. The Secretary-General and the Administrative Council had been informed that the Administration of Spain was willing to host a world administrative conference in 1992.

6.2 The delegate of Morocco, supported by the delegates of Brazil, Canada, Qatar and the Islamic Republic of Iran, proposed that, in order to save valuable time, a Working Group of the Plenary be set up to consider the various proposals and submit a draft programme to the Plenary.

6.3 The delegate of Turkey, while agreeing with the proposal of Morocco, said that he would first like to present his Delegation's proposal to the Plenary.

6.4 The delegate of Algeria pointed out that the many delegations whose proposals were listed before that of Turkey were entitled to take the floor before the delegate of Turkey.

6.5 The Chairman suggested that, in view of lack of time, discussion be deferred until the next meeting.

It was so agreed.

7. Draft Resolution - "Exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all Other Conferences, Meetings and Activities of the Union"
(Document 234(Rev.1))

7.1 The delegate of the Yemen Arab Republic fully supported the request made by the African countries to expel the Republic of South Africa from the ITU, as well as from all its affiliated organs, because of the policy of apartheid and aggression perpetrated by its racist Government against the people of South Africa. His Delegation supported the draft Resolution and called for a vote to be taken on it.

7.2 The delegate of Mali was honoured to submit the draft Resolution to the Conference; it stemmed from Resolutions adopted in Montreux, Malaga-Torremolinos and Nairobi by the Union and from other Resolutions adopted by the specialized agencies of the United Nations. Since the Nairobi Conference in 1982, the situation of the black majority had not improved and racial discrimination still continued to have the force of law. That perpetual affront to the people of the whole world was in contradiction to the Charter of the United Nations and the Universal Declaration of Human Rights. The

text of the Nairobi Resolution had been improved by adding a provision in the last paragraph maintaining exclusion until apartheid policies were eliminated from the country, as verified by the United Nations Organization. The draft Resolution was supported by a long list of countries and its text was as contained in Document 234.

7.3 The delegate of Angola totally and unconditionally supported the draft Resolution. It was painful to note that such a Resolution again had to be submitted and dealt with but, unfortunately, that was the case because the policies of the Republic of South Africa had not changed since the Nairobi Conference.

7.4 The delegate of Somalia supported the draft Resolution and asked for his country to be included among the list of sponsors.

7.5 The delegate of Kuwait supported the draft Resolution and the comments made by the delegate of Mali.

7.6 The delegate of Spain, speaking on behalf of the twelve States Members of the European Community, said that the Twelve wished to make their position with respect to the draft Resolution extremely clear in order to avoid any erroneous interpretation of it.

The Twelve had repeatedly expressed their total condemnation of the system of apartheid institutionalized by the Government of the Republic of South Africa, a system which was totally contrary to the philosophy of human rights, the principles of democracy and the most basic standards of political and social organization. Nevertheless, the Twelve continued to adhere strictly to the principle of universality in international organizations, considering that that principle was the only one capable of ensuring that those organizations carried out useful work and were able to achieve their goals. That applied equally to the ITU, and Article 1 of the ITU Constitution stressed the principle of universality. The especially technical nature of the ITU further strengthened that consideration. In the light of the above, the Twelve could not support the draft Resolution.

7.7 The delegate of Australia said that successive Australian Governments had expressed strong opposition to the abhorrent apartheid policies of the present South African regime. The Australian Government maintained its consistent and total opposition, and supported measures designed to bring about the abolition of the apartheid system. Nonetheless, the Australian Government would vote against the draft Resolution because Australia firmly believed in the principle of universality of membership in international organizations and therefore could not support any Resolution which would result in the exclusion of any Member State from the ITU.

7.8 The delegate of Canada said that Canada's record against apartheid spoke for itself. His Delegation would vote against the draft Resolution, however, because of its conviction that the continued viability of the United Nations system and of its specialized agencies depended on universality of membership.

7.9 The delegate of the United States said that the United States' opposition to apartheid had been firm, consistent and long-standing. However, as his Government had previously stated at the present Conference and at many other United Nations conferences, the Government of the United States supported the principle of universality of membership in the ITU and in other United Nations organizations. His Delegation therefore opposed any decision to exclude the Republic of South Africa from participation in the ITU and from its conferences, meetings and activities. A decision such as that was contrary to the principle of the sovereign equality of all Members, which was the underlying thread of the United Nations system. His Delegation continued to stress the importance of the principle of universality.

7.10 The Secretary-General said that there appeared to be some divergence in interpretation of the draft Resolution and, for the purpose of clarification, said that he understood the draft Resolution to seek to continue to exclude the Republic of South Africa from participation in conferences and meetings of the Union.

7.11 In view of the large number of delegates requesting the floor, the Chairman said that the meeting should immediately proceed to vote on the draft Resolution, bearing in mind the clarification given by the Secretary-General.

On that understanding, the draft Resolution was adopted by 67 votes in favour, 22 against, and 5 abstentions.

7.12 The delegate of Japan, in explanation of his vote, said that his Delegation considered the apartheid policy to be deplorable and unacceptable. Japan thus strongly opposed the apartheid policy. His Delegation, however, had voted on the basis of the principle of universality and the desirability of universal participation in the Union, as stipulated in Article 1 of the International Telecommunication Convention.

7.13 The delegate of Switzerland, in explanation of his vote, said that Switzerland firmly condemned apartheid which violated fundamental human rights and was incompatible with its own democratic and humanitarian traditions. That position of principle had been publicly expressed on numerous occasions. His country was very concerned about the serious consequences of apartheid and attached the greatest importance to following a process likely to help resolve the problem without violence. His Delegation wished to recall that the external policy of Switzerland rested, in particular, on the principle of universality which the Swiss Government had defended in all circumstances in the past. It intended to do the same in the future. His country maintained relations with countries having widely different political, economic and social systems, including the Republic of South Africa. Switzerland had thus been unable to support the Resolution.

7.14 The delegate of Angola said that, although her country did not at present have the right to vote, she wished to express support for the Resolution and to explain that the principle of universality also implied the obligation of countries to represent their entire populations.

7.15 The delegate of Sweden, speaking on behalf of the four Nordic countries, Finland, Iceland, Norway and Sweden, in explanation of their vote against the Resolution, said that on the basis of the principle of universality, the Nordic countries were not in a position to support proposals aiming at exclusion of a Member State from the activities of the organization. That did not, however, in any way imply acceptance of the policy of apartheid which the Nordic countries had strongly condemned, inter alia in their joint programme of action against apartheid.

7.16 The delegate of Tanzania said that he had voted for the Resolution because the views of his country were clear. Tanzania was a sponsor of the Resolution and opposed apartheid.

7.17 The delegate of New Zealand, in explanation of his vote against the Resolution, said that New Zealand's view accorded with that expressed by the European Community and by other like-minded delegations. New Zealand wished to maintain the principle of universality within the ITU and thus could not support the Resolution.

7.18 The delegate of Guinea, in explanation of his vote in support of the Resolution, recognized the principle of universality but said that in the Republic of South Africa the population had no way of communicating or of expressing itself. The only course was to support the Resolution. He asked for his country to be included among the sponsors of the Resolution.

7.19 The delegate of Nigeria, in explanation of his vote in favour of the Resolution, said that it followed from the principle of the primary universality of the human race, extended to the ITU. He had, therefore, voted in support of Article 1 of the International Telecommunication Convention and hoped that that principle of universality would continue to prevail.

8. Miscellaneous

8.1 The delegate of Suriname thanked the Secretary-General, the Deputy Secretary-General and the many delegations that had expressed their condolences in connection with the recent tragic air crash in her country, which had cost the lives of so many.

The meeting rose at 1845 hours.

The Secretary-General:

R.E. BUTLER

The Chairman:

J. GRENIER

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 243-E

8 June 1989

Original: English

PLENARY MEETING

Iceland

RESERVATION TO THE FINAL ACTS

In a note, Document 73, the Secretary-General has recommended that the Plenipotentiary Conference, Nice, 1989, as a matter of urgency considers the question of reservations made after the closure of an administrative conference. The Secretary-General makes a reference in particular to the Final Acts of the World Administrative Radio Conference for the Mobile Services, Geneva, 1987 (WARC MOB-87) and the Statements Nos. 51 and 52 contained in the Final Protocol attached thereto.

The Delegation of Iceland declares in this connection, that not having attended WARC MOB-87 and consequently not having had the opportunity to make, in accordance with Article 582 of the Convention, Nairobi, 1982, a reservation to Articles 55 and 56 of the Radio Regulations on the lines of Statements Nos. 51 and 52, that it intends to make a reservation with respect to the said Articles at the time of signing the Final Acts of the Plenipotentiary Conference, Nice, 1989.

This declaration is made with reference to the Preamble to the Convention, Nairobi, 1982, in which the sovereign right of each country to regulate its telecommunications is recognized. It will be claimed by the Member country of Iceland that the Final Protocol of the Plenipotentiary Conference, Nice, 1989 is the correct instrument with which to exercise its sovereign right to reserve its position with respect to the said decisions of the WARC MOB-87.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 244-E

7 June 1989

Original: English

PLENARY MEETING
COMMITTEE 6

United States

PROPOSAL FOR THE WORK OF THE CONFERENCE

THE CENTRE FOR TELECOMMUNICATIONS DEVELOPMENT

The United States endorses the report of the Advisory Board of the Centre for Telecommunications Development (Document 34) and its conclusion that the rationale for creating the Centre remains valid and realistic. We view the Centre as having achieved a primary objective of bringing new players, particularly the private sector, into the process of communications development. Despite some problems, the United States still believes that the Centre can play the influential role envisaged for it by the International Independent Commission for World-Wide Telecommunications Development.

We share the disappointment of other countries with the Centre's slow progress in rendering advice and providing technical assistance to developing countries. A major shortcoming has been the Centre's inability to establish a unique role for its services that is appealing to both its potential contributors and users. By unique, we refer to a sense of purpose and an innovative, creative programme that distinguishes the Centre from other ITU organs also engaged in promoting telecommunications development.

Given its unique character, the Centre should be concentrating its attention on projects relatively close to the investment phase, as opposed to the longer term projects to be pursued by the Technical Cooperation Department (TCD). We believe that the Centre's activities should be complementary to those of the TCD, not duplicative. Some activities that should be included in the Centre's next Action Plan would be to:

- assist developing countries in preparing formal project proposals for presentation to multilateral, bilateral and commercial lenders. Such work would help move plans for new investments in telecommunications infrastructures towards innovative and realistic implementation with the guidance of experts with recent experience in industry and telecommunications administrations;
- undertake appropriate studies that build political and public awareness of the contribution of telecommunications to socio-economic development. Such studies would cover policy and regulatory trends, new opportunities for utilizing available resources, and the removal of obstacles inhibiting growth of the telecommunications sector;
- establish more creative links with the private sector, serving as a neutral resource for information concerning development plans, projects, and commercial opportunities in the developing countries.

Clarification of the Centre's mandate to focus more on policy analysis and pre-investment assistance should improve coordination with the TCD, which will continue to provide the planning, training, and management inputs to the development process.

The United States supports finding a means to provide the CTD with secure and stable means for its funding. We continue to believe that the Centre's strength will depend on its ability to attract the voluntary support of governments, donor organizations, and private industry. One means of supplementing voluntary contributions would be to specify that "excess revenues derived from the telecom exhibitions" be made available for the CTD's activities (see draft Resolution USA/244/1).

USA/244/1

RESOLUTION No. X

Telecommunication Exhibitions

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that the Union conducts telecommunication exhibitions to keep Members informed of the latest advances in telecommunication techniques, services and opportunities;

b) that Members, including the developing countries, are afforded the opportunity to observe and discuss the latest telecommunication techniques and how they could be applied to advance economic development and growth;

c) that the telecommunication exhibitions have been conducted for numerous years by the International Telecommunication Union, in close collaboration with its Members, with no charge on the budget of the Union;

d) that the planning, organization and conduct of telecommunication exhibitions have become a part of the Unions efforts to meet the needs of its Members,

considering further

a) that the telecommunication exhibitions represent a source of revenue that can continue to serve the purposes of the Union and especially those that benefit the developing countries;

b) that the Union has been encouraged to direct a significant part of the after expense revenues from these exhibitions into technical cooperation;

c) that the availability of new resources for the Union has been limited,

recognizing

a) that if additional emphasis is placed on telecommunication exhibitions, it is possible to raise revenues over those available from the current programme of world and regional telecommunication exhibitions;

b) that a majority of the exhibitors and revenue come from the telecommunication industries, suppliers of equipment and services, and governmental organizations with interests in telecommunication network development;

c) that technical cooperation and development work of the Union and the Centre for Telecommunication Development has received considerable discussion since the Nairobi Plenipotentiary Conference (1982);

d) that the potential for technical cooperation and development through a process of voluntary contributions of services and resources has not been fully exploited;

e) that the Centre for Telecommunications Development provides the opportunity for the telecommunication industry and governmental organizations to contribute towards expansion of telecommunications in the developing countries;

f) that the Centre needs additional sources of revenue to allow its development into an effective independent source of development assistance,

instructs the Secretary-General

a) to continue efforts to organize telecommunication exhibitions in keeping with the conditions expressed in Opinion No. 3 (Nairobi, 1982);

b) to develop appropriate additional exhibitions, forums and telecommunication activities concerned with diverse technological developments, applications, services and options available to support network development;

c) to direct the excess revenue over expenditures derived from all exhibitions to be paid into the Centre for Telecommunication Development to support the Centre's activities;

d) to submit a report to the Administrative Council two years before the next Plenipotentiary Conference regarding the results of these efforts and revenues supplied to the Centre for Telecommunications Development;

instructs the Administrative Council

a) to review the report from the Secretary-General making appropriate comments and recommendations;

b) to report to the next Plenipotentiary Conference its views and recommendations regarding the effectiveness of this approach to provide additional revenue for the Centre for Telecommunication Development;

requests all Members of the Union

a) to participate and support the Union's efforts in this regard;

b) to encourage their SIOs, RPOAs, and other organizations to actively support the planning and conduct of telecommunication exhibitions sponsored by the Union.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 245-E

8 June 1989

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PLENARY MEETING

Note by the Secretary-General

PROCEDURES FOR THE ELECTION OF THE SECRETARY-GENERAL,
THE DEPUTY SECRETARY-GENERAL, THE DIRECTORS OF
THE INTERNATIONAL CONSULTATIVE COMMITTEES,
THE MEMBERS OF THE INTERNATIONAL FREQUENCY REGISTRATION BOARD
AND THE MEMBERS OF THE ADMINISTRATIVE COUNCIL

(see Document 3)

I attach hereto, for the information of the Conference, the procedures approved by the eleventh Plenary Meeting for the following elections:

- Secretary-General and Deputy Secretary-General: see Annex 1
- Directors of the CCIs: see Annex 2
- members of the IFRB: see Annex 3
- Members of the Administrative Council: see Annex 4.

R.E. BUTLER
Secretary-General

Annexes: 4

ANNEX 1

Procedures for the election of the Secretary-General
and the Deputy Secretary-General

For the election of the Secretary-General and the Deputy Secretary-General, the Plenipotentiary Conferences of Malaga-Torremolinos (1973) and Nairobi (1982) followed the procedures set out below.

1. Voting concerning the election of the Secretary-General and the Deputy Secretary-General shall be by secret ballot.
2. Proxy votes in accordance with Nos. 391 to 393 of the International Telecommunication Convention, Nairobi, 1982, shall be permitted.
3. Any candidate obtaining a majority of votes shall be elected.
4. A majority shall consist of more than half the delegations present and voting. The provisions of No. 544 of the Convention shall apply when the number of abstentions exceeds half the number of votes cast (for, against, abstentions).
5. Each delegation having the right to vote shall receive a single ballot paper bearing the names of all candidates in alphabetical order.
6. Each delegation should indicate on its ballot paper the candidate it supports by means of a cross against the name of that candidate.
7. Blank ballot papers shall be considered as abstentions and ballot papers containing more than one cross shall be considered as invalid and shall not be counted.
8. If, in the first ballot, no candidate is elected in accordance with the provisions of paragraph 3 above, one or, if necessary, two further ballots shall be taken, after successive intervals of at least six hours, in order to obtain a majority.
9. If, after the third ballot, no candidate has obtained a majority, there shall, after an interval of at least twelve hours, be a fourth ballot in which the two candidates having the largest number of votes at the third ballot shall be voted upon.
10. If, however, after the third ballot, there is a tie between several candidates so that the two candidates to be voted upon at the fourth ballot cannot be selected, one or, if necessary, two additional ballots, after successive intervals of at least six hours, shall first be held to distinguish between the candidates in question.
11. If there is a tie in both the additional ballots mentioned in paragraph 10 above, the Chairman shall draw lots to determine the candidate or candidates to be selected among those obtaining the same number of votes.
12. If, after the fourth and last ballot, there is a tie, the Chairman shall draw lots to determine the candidate who shall be declared elected.

ANNEX 2

Procedures for the election of the Directors
of the International Consultative Committees

For the election of the Directors of the CCIs, the XVth (Geneva, 1982) and XVIth (Dubrovnik, 1986) Plenary Assemblies of the CCIR and the VIth (Geneva, 1976) and VIIIth (Malaga-Torremolinos, 1984) Plenary Assemblies of the CCITT followed the procedures set out below.

1. Voting procedure for the election.
2. Voting shall be by secret ballot.
3. Proxy votes in accordance with Nos. 391 to 393 of the International Telecommunication Convention, Nairobi, 1982, shall be permitted.
4. Any candidate obtaining a majority of votes shall be elected.
5. A majority shall consist of more than half the delegations present and voting. The provisions of No. 544 of the Convention shall apply when the number of abstentions exceeds half the number of votes cast (for, against, abstentions).
6. The delegation of each Member of the Union having the right to vote shall receive a single ballot paper bearing the names of all candidates in alphabetical order.
7. Each delegation should indicate on its ballot paper the candidate it supports by means of a cross against the name of that candidate.
8. Blank ballot papers shall be considered as abstentions and ballot papers containing more than one cross shall be considered as invalid and shall not be counted.
9. If, in the first ballot, no candidate is elected in accordance with the provisions of paragraph 4 above, one or, if necessary, two further ballots shall be taken, after successive intervals of at least six hours, in order to obtain a majority.
10. If, after the third ballot, no candidate has obtained a majority, there shall, after an interval of at least twelve hours, be a fourth ballot in which the two candidates having the largest number of votes at the third ballot shall be voted upon.
 - a) If, however, after the third ballot, there is a tie between several candidates so that the two candidates to be voted upon at the fourth ballot cannot be selected, one or, if necessary, two additional ballots, after successive intervals of at least six hours, shall first be held to distinguish between the candidates in question.
 - b) If there is a tie in both the additional ballots mentioned in paragraph 10 a) above, the Chairman of the Plenary Assembly shall draw lots to determine the candidate or candidates to be selected among those obtaining the same number of votes.
11. If, after the fourth and last ballot, there is a tie, the Chairman shall draw lots to determine the candidate who shall be declared elected.

ANNEX 3

Procedures for the election
of members of the IFRB

For the election of Members of the IFRB, the World Administrative Maritime Radio Conference of Geneva (1974) and the Plenipotentiary Conference of Nairobi (1982) followed the procedures set out below.

1. One member of the IFRB shall be elected from each of the Regions A, B, C, D and E.
2. The election shall take place by secret ballot.
3. Proxy votes in accordance with Nos. 391 to 393 of the International Telecommunication Convention, Nairobi, 1982, shall be permitted.
4. Each delegation having the right to vote shall receive a voting slip bearing the names, in French alphabetical order, of the candidates and against the name of each candidate, the name of the countries concerned, Members of the Union, which have presented candidates for membership of the Board, grouped into the Regions A, B, C, D and E.
5. Before proceeding to the vote, five tellers, one for each region, shall be designated by the Chairman of the Conference.
6. Each delegation should indicate on its voting slip the names of the candidates it supports by means of crosses against a maximum of one candidate per region.
7. Voting slips bearing more than one cross for any region shall be considered invalid for the region or regions concerned.
8. The candidates receiving the largest number of votes for each region shall be elected members of the IFRB.
9. After the ballot, a list shall be drawn up by the Secretariat of the candidates in each region in decreasing order of the number of votes obtained. This list, after verification by the tellers, shall be handed to the Chairman of the Conference.
10. Special ballots shall be held to classify, if necessary, candidates for the same region receiving an equal number of votes.

ANNEX 4

Procedures for the election of the Members
of the Administrative Council

For the election of Members of the Union to serve on the Administrative Council, the Plenipotentiary Conferences of Malaga-Torremolinos (1973) and Nairobi (1982) followed the procedures set out below.

1. The number of countries, Members of the Union, to be elected from each of the Regions A, B, C, D and E (see Attachment) are as follows :

Region A: 8	Region D: 11
Region B: 7	Region E: 11
Region C: 4	

PRO MEM: These figures applied to the elections held in 1982 and may need amendment in the light of any decisions taken by the present Conference.

2. The election shall take place by secret ballot.

3. Proxy votes in accordance with Nos. 391 to 393 of the International Telecommunication Convention, Nairobi, 1982, shall be permitted.

4. Each delegation having the right to vote shall receive a single voting slip bearing the names, in French alphabetical order, of the countries, Members of the Union, which are candidates, grouped into the Regions A, B, C, D and E.

5. Before proceeding to the vote, five tellers, one for each region, shall be designated by the Chairman.

6. Each delegation should indicate on its voting slip the names of the countries it supports, by means of crosses against the names of a maximum of :

8 countries for Region A	11 countries for Region D
7 countries for Region B	11 countries for Region E
4 countries for Region C	

PRO MEM: (see 1 above)

7. Voting slips bearing respectively for any region more than 8, 7, 4, 11, 11 crosses will be considered invalid for the region or regions concerned.

8. After the count, a list shall be drawn up by the Secretariat of candidate countries in each region in decreasing order of the number of votes obtained. This list, after verification by the tellers, shall be handed to the Chairman of the Conference.

9. If, for any region, several countries tie for the last place or places, a special vote shall be taken to decide between the candidates.

10. The following shall be declared Members of the Administrative Council:

- the 8 countries which obtained the most votes for Region A
- the 7 countries which obtained the most votes for Region B.
- the 4 countries which obtained the most votes for Region C
- the 11 countries which obtained the most votes for Region D
- the 11 countries which obtained the most votes for Region E

PRO MEM: (see 1 above)

Attachment: 1

ATTACHMENT

(see section 1 of Annex 4)

Region A - The Americas (32 countries) (30 countries in 1982)

Antigua and Barbuda	Grenada
Argentine Republic	Guatemala (Republic of)
Bahamas (Commonwealth of the)	Guyana
Barbados	Haiti (Republic of)
Belize	Honduras (Republic of)
Bolivia (Republic of)	Jamaica
Brazil (Federative Republic of)	Mexico
Canada	Nicaragua
Chile	Panama (Republic of)
Colombia (Republic of)	Paraguay (Republic of)
Costa Rica	Peru
Cuba	Saint Vincent and the Grenadines
Dominican Republic	Suriname (Republic of)
El Salvador (Republic of)	Trinidad and Tobago
Ecuador	Uruguay (Eastern Republic of)
United States of America	Venezuela (Republic of)

Region B - Western Europe (25 countries) (25 countries in 1982)

Germany (Federal Republic of)	Liechtenstein (Principality of)
Austria	Luxembourg
Belgium	Malta (Republic of)
Cyprus (Republic of)	Monaco
Vatican City State	Norway
Denmark	Netherlands (Kingdom of the)
Spain	Portugal
Finland	United Kingdom of Great Britain and Northern Ireland
France	San Marino (Republic of)
Greece	Sweden
Ireland	Switzerland (Confederation of)
Iceland	Turkey
Italy	

Region C - Eastern Europe and Northern Asia (12 countries) (12 countries in 1982)

Albania (Socialist People's Republic of)	German Democratic Republic
Byelorussian Soviet Socialist Republic	Ukrainian Soviet Socialist Republic
Bulgaria (People's Republic of)	Romania (Socialist Republic of)
Hungarian People's Republic	Czechoslovak Socialist Republic
Mongolian People's Republic	Union of Soviet Socialist Republics
Poland (People's Republic of)	Yugoslavia (Socialist Federal Republic of)

Region D - Africa (51 countries) (50 countries in 1982)

Algeria (People's Democratic Republic of)	Malawi
Angola (People's Republic of)	Mali (Republic of)
Benin (People's Republic of)	Morocco (Kingdom of)
Botswana (Republic of)	Mauritius
Burkina Faso	Mauritania (Islamic Republic of)
Burundi (Republic of)	Mozambique (People's Republic of)
Cameroon (Republic of)	Namibia
Cape Verde (Republic of)	Niger (Republic of the)
Central African Republic	Nigeria (Federal Republic of)
Comoros (Islamic Federal Republic of the)	Uganda (Republic of)
Congo (People's Republic of the)	Rwandese Republic
Côte d'Ivoire (Republic of)	Sao Tome and Principe (Democratic Republic of)
Djibouti (Republic of)	Senegal (Republic of)
Egypt (Arab Republic of)	Sierra Leone
Ethiopia (People's Democratic Republic of)	Somali Democratic Republic
Gabonese Republic	Sudan (Republic of the)
Gambia (Republic of the)	South Africa (Republic of)
Ghana	Swaziland (Kingdom of)
Guinea (Republic of)	Tanzania (United Republic of)
Guinea-Bissau (Republic of)	Chad (Republic of)
Equatorial Guinea (Republic of)	Togolese Republic
Kenya (Republic of)	Tunisia
Lesotho (Kingdom of)	Zaire (Republic of)
Liberia (Republic of)	Zambia (Republic of)
Libya (Socialist People's Libyan Arab Jamahiriya)	Zimbabwe (Republic of)
Madagascar (Democratic Republic of)	

Region E - Asia and Australasia (46 countries) (40 countries in 1982)

Afghanistan (Republic of)	Lebanon
Saudi Arabia (Kingdom of)	Malaysia
Australia	Maldives (Republic of)
Bahrain (State of)	Nauru (Republic of)
Bangladesh (People's Republic of)	Nepal
Bhutan (Kingdom of)	New Zealand
Burma (Socialist Republic of the Union of)	Oman (Sultanate of)
Brunei Darussalam (Negara)	Pakistan (Islamic Republic of)
China (People's Republic of)	Papua New Guinea
Korea (Republic of)	Philippines (Republic of the)
United Arab Emirates	Qatar (State of)
Fiji (Republic of)	Syrian Arab Republic
India (Republic of)	Democratic People's Republic of Korea
Indonesia (Republic of)	Solomon Islands
Iran (Islamic Republic of)	Western Samoa (Independent State of)
Iraq (Republic of)	Singapore (Republic of)
Israel (State of)	Sri Lanka (Democratic Socialist Republic of)
Japan	Thailand
Jordan (Hashemite Kingdom of)	Tonga (Kingdom of)
Democratic Kampuchea	Vanuatu (Republic of)
Kiribati (Republic of)	Viet Nam (Socialist Republic of)
Kuwait (State of)	Yemen Arab Republic
Lao People's Democratic Republic	Yemen (People's Democratic Republic of)

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 246 (Rev.1) -E

8 June 1989

Original : English

Note by the Secretary-General

TRANSFER OF POWERS

(This revised version does not concern the English text.)

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 246-E

8 June 1989

Original : English

PLENARY MEETING

Note by the Secretary-General

TRANSFER OF POWERS .

Republic of Vanuatu - Japan

The Government of the Republic of Vanuatu has informed me that it cannot send a delegation to the Conference.

In pursuance of 391 of the Convention, it has given the delegation of Japan powers to represent it and to vote on its behalf at the elections which will be held during this Conference.

The instrument for the transfer of powers has been deposited with the Secretariat of the Credentials Committee. The Chairman has examined this instrument as authorized by the Committee and has found it to be in order.

R.E. BUTLER
Secretary-General

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 247-E

8 June 1989

Original: English

COMMITTEE 7

United States of America

INTERNATIONAL CONSULTATIVE COMMITTEES

DRAFT CONSTITUTION

Article 11

USA/247/1

ADD

86A

(4) The technical and operating Recommendations of each Consultative Committee shall address those characteristics considered necessary for the efficient and rational use of telecommunications and/or of the radio spectrum.

USA/247/2

ADD

86B

(5) So far as possible each Consultative Committee shall promote flexibility and diversity in its Recommendations.

Reasons: To recognize, and be responsive to, the changing nature of telecommunication technologies and environment in the world today.

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 248-E

9 June 1989

Original: English/
Spanish

COMMITTEE 10

FIRST SERIES OF TEXTS FROM COMMITTEE 5 TO THE EDITORIAL COMMITTEE

Committee 5 has adopted the attached texts, which it submits to the Editorial Committee for consideration and for transmission in due course to the Plenary Meeting.

F. MOLINA NEGRO
Chairman of Committee 5

Annexes: 2

ANNEX 1

RESOLUTION No. COM5/2

In-Service Training

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

Resolution No. 60 adopted by the Plenipotentiary Conference of Nairobi (1982) on
in-service training,

recognizing

the positive role of in-service training in optimizing staff productivity and
effectiveness and the importance which should be attached to maintaining and to
upgrading the professional skill of the staff,

instructs the Secretary-General

to continue to apply the "Rules for in-service training of the ITU staff" as
adopted by the Nairobi Plenipotentiary Conference and to prepare medium and long-term
plans to respond to the needs of the Union and its staff;

instructs the Administrative Council

to allocate the appropriate credits for in-service training in accordance with
an established programme which shall represent at least 0.25% of the portion of the
budget allocated to staff costs.

ANNEX 2

RESOLUTION No. COM5/3

Recruitment of Union Staff

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

noting

a) Provision No. 104 of the International Telecommunication Convention
(Nairobi, 1982);

b) the report of the Administrative Council concerning the implementation of
Resolution No. 58 of the Plenipotentiary Conference (Nairobi, 1982);

c) the increase in the number of countries from which the staff of the Union
is recruited and the improvement in the geographical distribution of appointed staff;

d) the successful implementation of the measures designed to encourage the
recruitment of young professionals at the P.1/P.2 level,

further noting

the recommendations of the ICSC on recruitment policy and procedures as reported
by the Secretary-General in the document entitled "General Staff Policy and Management"
(Document 29),

considering

[a) the pertinent provisions of the International Telecommunication Convention
(Nice, 1989);]

b) the need to follow a recruitment policy appropriate to the requirements of
the Union, including the redeployment of posts and the recruitment of young
specialists, while observing the relevant recommendations as established by the ICSC;

c) the need to continue to improve the geographical distribution of the
appointed staff of the Union;

d) the need to encourage the recruitment of women in the Professional and
higher categories;

e) the constant advances made in the technology and operation of
telecommunications and the corresponding need to recruit the most competent specialists
to work in the secretariats of the permanent organs of the ITU,

resolves

1. that appointed staff in the Professional and higher categories will
continue to be recruited on an international basis and, in general, vacancies for these
posts will be advertised to the administrations of all Members of the Union; however,
reasonable promotion possibilities for existing staff must continue to be ensured;

2. that, when filling vacant posts by international recruitment, in choosing between candidates who meet the qualification requirements for a post, preference will be given to the candidates from regions of the world which are insufficiently represented in the staffing of the Union;

3. that, in general, staff in the General Service category (grades G.1 to G.7) will be recruited from among persons resident in Switzerland, or in French territory within 25 km of Geneva. Exceptionally, when vacancies at the G.5, G.6 and G.7 level are of a technical nature, recruitment to fill these posts may be made on an international basis;

instructs the Secretary-General

1. to continue to pursue a recruitment policy designed to improve the geographical representation of the appointed staff in those posts of the Union subject to geographical distribution;

2. to favour, other qualifications being equal, the appointment of women candidates to posts in the Professional and higher categories with a view to improving the representation of women in the staff of the Union;

3. to continue to recruit young specialists at the P.1/P.2 level where appropriate with a view to improving the professionalism within the Union;

4. to continue to observe the recommendations of the ICSC relevant to the situation of the Union in matters of recruitment.

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 249-E
9 June 1989
Original : English

PLENARY MEETING

Note by the Secretary-General

CANDIDACIES FOR THE POST OF SECRETARY-GENERAL

I have the honour to inform the Conference that the following
candidacy has been withdrawn :

- Mr. Maurice Habib GHAZAL (Lebanon).

The message to that effect which I have received is attached.

R.E. BUTLER
Secretary-General

ANNEX

(Translation)

Mr. R.E. Butler,
Secretary-General of the
International Telecommunication Union,
Nice.

The Lebanese Delegation would like you to inform the Plenipotentiary Conference that it has decided to withdraw the candidacy of Mr. Maurice Habib GHAZAL for the post of Secretary-General.

The Head of Delegation

(signed)

Ambassador Fouad TURK

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 249-E

8 June 1989

Original: English

Note by the Secretary-General

CANDIDACIES FOR THE POST OF SECRETARY-GENERAL

The following candidacies for the post of Secretary-General were submitted by the deadline for nominations (Thursday, 8 June 1989 at 1500 hours UTC - see Document No. 198) :

- Mr. Maurice Habib GHAZAL (Lebanon)
- Mr. Francisco MOLINA NEGRO (Spain)
- Mr. Pekka TARJANNE (Finland)

R.E. BUTLER
Secretary-General

**PLENIPOTENTIARY
CONFERENCE**

NICE, 1989

Document 250-E

12 June 1989

LIST OF DOCUMENTS
(Documents 201 to 250)

Nº	Origin	Title	Destination
201	C.4	Summary Record of the third meeting of Committee 4	C.4
202	C.5	Summary Record of the third meeting of Committee 5	C.5
203	C.6	Summary Record of the third meeting of Committee 6 (not yet published)	C.6
204	C.7	Summary Record of the fifth meeting of Committee 7 (not yet published)	C.7
205	C.8	Summary Record of the fourth meeting of Committee 8	C.8
206	C.7	Summary Record of the sixth meeting of Committee 7	C.7
207	C.4	First Report of Committee 4 to the Plenary Meeting	PL
208	C.4	First series of texts from Committee 4 to the Editorial Committee	C.10
209 (Rev.1)	AUS, USA, HOL, G	Proposals for the work of the Conference - Draft Resolution No. ... - Adjustment of pensions	C.5
210 +Corr. 1	C.7	Note from the Chairman of Committee 7 - Chairman's Summary	C.7
211	WG2-A	First Report by Working Group 2-A to Committee 2	C.2
212	C.5	Summary Record of the fourth meeting of Committee 5 (not yet published)	C.5
213	C.6	Summary Record of the fourth meeting of Committee 6 (not yet published)	C.6
214	C.7	Summary Record of the seventh meeting of Committee 7 (not yet published)	C.7
215	C.7	Summary Record of the eighth meeting of Committee 7 (not yet published)	C.7

Nº	Origin	Title	Destination
216	C.8	Summary Record of the fifth meeting of Committee 8	C.8
217	C.9	Summary Record of the second meeting of Committee 9	C.9
218	C.9	Summary Record of the third meeting of Committee 9	C.9
219 +Add. 1	SG	IFRB Seminars	PL, C.6
220	C.6	Note by the Chairman of Committee 6 to the Chairman of Committee 7	C.7
221	C.6	Note by the Chairman of Committee 6 to the Chairman of Committee 8	C.8
222	C.6	Note by the Chairman of Committee 6	-
223	C.6	Note by the Chairman of Committee 6 to the Chairman of Committee 8	C.8
224	SG	Proclamation of the President of the United States	-
225	C.5	Summary Record of the fifth meeting of Committee 5 (not yet published)	C.5
226	C.6	Summary Record of the fifth meeting of Committee 6 (not yet published)	C.6
227	C.7	Summary Record of the ninth meeting of Committee 7 (not yet published)	C.7
228	C.8	Summary Record of the sixth meeting of Committee 8 (not yet published)	C.8
229	C.9	Summary Record of the fourth meeting of Committee 9 (not yet published)	C.9
230	C.4	Second Report of the Finance Committee to the Plenary Meeting	PL

Nº	Origin	Title	Destination
231	C.4	Third Report of the Finance Committee to the Plenary Meeting	PL
232	WG2-A	Second Report by Working Group 2-A to Committee 2	C.2
233	SUI	Proposals for the work of the Conference - Draft Resolution No. ... - Adjustment of Pensions	C.5
234 (Rev.3)	*)	Draft Resolution on the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other Conferences, Meetings and activities of the Union	PL
235	C.5	Note by the Chairman of Committee 5 to the Chairman of Committee 4 - Decisions having financial implications	C.4
236	C.10	B.1	PL
237	AUT, B, CTR, IND, INS, KEN, MWI, MEX, S, TZA, ZMB, ZWE	Recommendation No. ... - World and Regional Telecommunication Exhibitions and Forums	PL
238	C.7	Conclusion of the Chairman regarding the structure for development as adopted by Committee 7	C.7
239	C.4	Summary Record of the fourth meeting of Committee 4 (not yet published)	C.4
240	C.5	Summary Record of the sixth meeting of Committee 5 (not yet published)	C.5
241	C.7	Summary Record of the tenth meeting of Committee 7 (not yet published)	C.7
242	PL	Minutes of the eleventh Plenary Meeting (not yet published)	PL
243	ISL	Reservation to the Final Acts	PL

*) ALG, ARS, BEN, BFA, CME, CAF, ETH, GMB, GUI, INS, IRN, IRQ, KEN, LBR, LBY, MLI, MRC, NGR, NIG, UGA, SYR, SEN, SOM, SDN, TZA, YEM, YMS, ZMB, ZWE

No.	Origin	Title	Destination
244	USA	Proposal for the work of the Conference - The Centre for Telecommunications Development	PL,C.6
245	SG	Procedures for the election of the Secretary- General, the Deputy Secretary-General, the Directors of the CCIs, the members of the IFRB, and the members of the Administrative Council	PL
246	SG	Note by the Secretary-General - Transfer of Powers - Republic of Vanuatu - Japan	PL
247	USA	Draft Constitution - Article 11 - International Consultative Committees	C.7
248	C.5	First series of texts from Committee 5 to the Editorial Committee	C.10
249 + Corr.1	SG	Candidacies for the post of Secretary-General	-
250	SG	List of documents (201 to 250)	-

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 251-E

20 June 1989

Original: English

COMMITTEE 5

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 5

(STAFF MATTERS)

Friday, 9 June 1989, at 1430 hrs

Chairman: Mr. F. MOLINA NEGRO (Spain)

Subjects discussed:

Documents

- | | | |
|----|---|-------|
| 1. | Summary record of the second meeting of
Committee 5 | 189 |
| 2. | Actuarial situation of the ITU Staff
Superannuation and Benevolent Funds | 32 |
| 3. | Staff requirements and financial ceilings | 87 |
| 4. | Salaries of ITU elected officials | 31 |
| 5. | Draft Constitution (Document A) - Article 13 | DT/26 |

1. Summary record of the second meeting of Committee 5 (Document 189)

The summary record of the second meeting was approved.

2. Actuarial situation of the ITU Staff Superannuation and Benevolent Funds
(Document 32)

2.1 The Chairman invited delegates to express their views on the draft Resolution relating to the rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent Funds set out in Annex 2 to Document 32, for which a subsidy of 250,000 Swiss francs to cover the deficit of the Provident Fund had already been approved in Committee 4.

2.2 The delegate of the United States noted that there were two Funds and asked whether the one which was in a relatively healthy financial situation could be used to offset the other's deficit.

2.3 The Chairman explained that the two Funds were separate and related to different categories of staff.

2.4 The Secretary of the Pension Committee explained that the Provident Fund concerned staff members who had joined the Union before 1 January 1949 and that the regulations required it to be managed quite separately from the Reserve and Complement Fund. It provided support for the older pensioners and the pensions it paid out were not adjusted in relation to the cost of living. Its actuarial situation had been a matter of concern since the Montreux Plenipotentiary Conference in 1965.

The draft Resolution in Annex 2 to Document 32 was approved.

3. Staff requirements and financial ceilings (Document 87)

3.1 The Deputy Secretary-General introduced Document 87 containing a report by the Secretary-General on staffing and financial requirements together with details of posts to be created. The Committee and the Conference should take account of the information it provided in order to set financial ceilings for future activities and regularize certain situations, on the understanding that it would be for the Administrative Council to approve the credits for each annual budget. The financial implications were not substantial.

3.2 The Chairman said that Document 87 supplemented Document 29. He emphasized that Committee 5 was required only to approve certain measures which would be taken into account by the Finance Committee. He invited delegates to express their views on the necessary action outlined in Part II (page 3).

3.3 The delegate of the United Kingdom said it was surprising that the Committee should be preparing the future on the basis of a document setting out the results of decisions taken by the Nairobi Plenipotentiary Conference. He advocated a cautious approach and suggested that the Committee should take account of decisions taken in other bodies of the Conference.

3.4 The delegate of France considered that posts which were currently frozen should be unfrozen before new ones were created. With regard to paragraph III.3 of Document 87, it was premature to create permanent posts for conferences before the future conference schedule had been drawn up.

3.5 The Chairman said that care should be taken to avoid adopting the kind of decision taken at Nairobi, which had entailed a reduction of the staff and created considerable difficulties in the General Secretariat.

3.6 The delegate of the Netherlands said that he was not a Member of the Administrative Council and would therefore welcome further information about the estimate of 1% per year as the lowest acceptable figure for staff growth. That question, together with Document 39, should perhaps be considered at a later stage.

3.7 The Chairman observed that a number of documents, including the summary records of Administrative Council meetings, were distributed to all Members every year and provided useful information, as did the reports on the financial management of the Union. Furthermore, any Member was free to request additional information.

3.8 The Secretary-General explained that the purpose of Document 87 was not only to deal with the consequences of the Nairobi Plenipotentiary Conference's hasty decision to reduce the budget, but also to provide a solid foundation for staff organization. The financial constraints had had a very adverse effect on the common services and on documentation. Since expenditure on the buildings was irreducible, the ordinary staff budget had in fact been subject to a 12% reduction. Computer requirements had continued to expand. No provision had been made to offset the immediate repercussions of the budget reductions on the Secretariat.

Replying to the delegate of France, he observed that the conference staff estimate had been kept to an absolute minimum and that it was essential to renew the contracts of competent persons who had worked regularly for the Union.

Finally, it was important to bring out the difficulties to which the 1982 decision had given rise; they had been so acute that he had contemplated the need for convening an Extraordinary Plenipotentiary Conference. In that connection, he drew attention to Document DT/29 which showed growth in staff and productivity and also to Document 39 in which an estimated growth of 1% was accepted by the Administrative Council.

3.9 The delegate of the United States said it was unfortunate that Document 87, particularly paragraphs II a), b) and c) (Necessary action), was not being considered in conjunction with a general work programme. It was difficult to take a stand on the unfreezing of posts without knowing either the work programme for the coming period or the corresponding staff requirements.

3.10 The Chairman said that there had been no objective justification for the 10% reduction and that it was important to avoid taking a further decision of the same kind. The proposed transfer of credits would not lead to any increase in costs; rather, it reflected a more rational staff management policy.

3.11 The delegate of the United Kingdom shared the United States delegate's view that the Committee should consider other documents and should draw the other Committees' attention to the problems to which the Nairobi Plenipotentiary Conference's decisions had given rise.

3.12 The Secretary-General observed that the United States and other countries had called for action with regard to telecommunication information exchange services without making any provision for conferences. Decisions had been taken and must now be carried out. Productivity could absorb part of the workload but had its limits. He again made reference to the information on pages 2 and 3 of Document DT/29 and referred also to Document 25 concerning the Computer Department which showed the ever-increasing workload for which no provision had been made in 1982.

3.13 The delegate of Canada said that his Delegation was not opposed to an increase of human resources but would welcome information on the financial implications of such a policy. Furthermore, if ceilings had to be set, it would be for the Administrative Council to decide on the level of any increase.

3.14 The Chairman observed that the Administrative Council allocated funds on the basis of previously established programmes and that Committee 5 should give the Finance Committee the information it needed in order to take decisions with regard to the establishment of financial ceilings.

3.15 The Secretary-General said that, from the financial standpoint, all that was involved was the transfer of credits for 27 posts from Section 17 to Sections 2 and 3 of the budget so that those 27 posts could be created on a permanent basis. The transfer would have no financial implications for the ITU and would result in a more rational distribution of staff.

3.16 The delegate of Australia took note of the difficulties encountered by the ITU since 1982; however, if minimum staffing limits were to be set, it was necessary to have a better general idea of the future programme.

3.17 The Chairman observed that the Conference was required not only to frame policy but also to take all the necessary action to ensure that it was applied without inhibiting the development of the Union.

3.18 The delegates of Australia and Japan said that their respective Delegations had reservations with regard to the third measure proposed on page 3 of Document 87, namely, the yearly provision of 1% of staff costs for the creation of posts and the modification of post classifications.

3.19 The Secretary-General deplored the fact that some delegations had misgivings about the proposed budgetary changes. He pointed out that the demands of Member countries were responsible for the Union's increased workload and he appealed to national administrations not to underestimate the cost of the services they obtained from the ITU. A provision of 1% per year for growth would not be adequate with the present increase in workload.

3.20 The delegate of the United States said that the concern expressed by certain delegations might have been aroused by the wording of the document, which suggested that it was a matter of urgency to take action whereas, on the contrary, it was necessary to weigh any decision carefully and, above all, to ensure that the corresponding credits would be available.

3.21 The delegate of Mexico asked for precise quantitative details concerning the various countries' requirements and the services provided by the Union, having regard to the spectacular development of the telecommunication industry.

3.22 The Chairman pointed out that the information and statistics required for the quantitative assessment of requirements and the establishment of financial ceilings were a matter for the Finance Committee, after which the Administrative Council made budgetary allocations on the basis of approved programmes. Although Document 87 outlined the action to be taken from the budgetary standpoint, the Committee could only advocate the adoption of those measures by the Finance Committee. Accordingly, the Committee should take a stand on the qualitative aspect of the proposed action.

3.23 The delegate of the United States said that his Delegation was able to support the action required under II a). However, with regard to II c), it was necessary first and foremost to ensure, within the budgetary limits set, that the credits allocated to a specific activity would be sufficient to meet the corresponding staff requirements.

3.24 The delegates of Canada, France and the United Kingdom proposed that the Committee should take a stand on the three measures outlined on page 3 of the document (transfer of credits, re-establishment of the credits for frozen posts, and the budgetary implications of future developments). The establishment of an order of priority for decisions of principle would facilitate the Finance Committee's task.

3.25 The Secretary-General repeated that he was anxious for the ITU staffing situation to be reflected more accurately in the budget, as would be the case if the proposed credit transfers were made. With regard to the frozen posts, everybody was well aware of the difficulties to which that decision had given rise. As to the future, he pointed out that an annual increase of 2% had been considered by the Nairobi Plenipotentiary Conference to be a realistic growth rate whereas, in reality, staff numbers had actually grown by only 1.5% per year between July 1982 and July 1988.

3.26 The delegate of Canada, speaking as Vice-Chairman of the Finance Committee, restressed the need to establish an order of priority. His Delegation approved the transfer of credits, the re-establishment of the credits for frozen posts and, consequently, the increase of the ceiling by 1,500,000 Swiss francs (which did not necessarily mean that the Administrative Council would agree to create all the posts represented by that sum). However, it reserved its position on the annual increase in staff expenditure until more was known about the programme of activities as a whole.

3.27 The Chairman observed that the object of the exercise was to set budget ceilings rather than give specific figures. Committee 5 might transmit its conclusions on Document 87 to Committee 4 together with a statement to the effect that it was for the latter to determine the credits to be provided for staff costs in the financial ceilings.

The Committee decided to endorse the Canadian position.

3.28 The Chairman said that the conclusions of Committee 5 on Document 87 would be transmitted to the Finance Committee.

4. Salaries of ITU elected officials (Document 31)

4.1 The Secretary of the Committee said that Document 31 ("Salaries of ITU elected officials"), to be examined, concerned the replacement of Resolution No. 55 of the International Telecommunication Convention (Nairobi, 1982). A draft Resolution was proposed in Annex 2. The figures shown against GATT in the column "Representation allowance" in the table of Annex 1 were quoted in Swiss francs.

4.2 The delegate of the United States said that the paragraph under "resolves" in the draft Resolution constituting Annex 2 of Document 31 reproduced the text of Resolution No. 55 of the Nairobi Convention; a decision therefore had to be reached on the percentages. He could agree to inserting the same percentages as in Resolution No. 55 (Nairobi, 1982).

With regard to paragraph 2, he proposed that remuneration be calculated by the methodology approved by the General Assembly.

He agreed with the principle enounced in the paragraph under "further resolves", but said that the increase should bear a reasonable relation to the figures indicated in Resolution No. 55 (Nairobi, 1982).

4.3 The Secretary-General said that he was somewhat puzzled by the proposal by the delegate of the United States concerning paragraph 2, since the United Nations General Assembly decided only the salaries and pensionable remuneration of United Nations officials. He suggested that the Deputy Head of the Personnel Department should provide some clarification and then discuss the matter privately with the delegate of the United States.

4.4 The Deputy Head of the Personnel Department corroborated the statement made by the Secretary-General, explaining that the United Nations General Assembly fixed the pensionable remuneration of United Nations officials in particular, the Secretary-General and the Administrator of UNDP.

So far as the executive heads of the specialized agencies were concerned, it was up to their governing bodies to determine what level should be applied. Furthermore, the practices adopted varied from one agency to another.

4.5 The Secretary-General said that, if the members of the Committee agreed, he would prefer to take up that important question together with the delegate of the United States. He therefore proposed that that item of the agenda should be held in abeyance.

It was decided to suspend the discussion of "resolves" (paragraph 2).

4.6 The Chairman said that paragraph 1 should include the figures appearing in the left-hand column at the bottom of page 3 of Document 31, which corresponded to those contained in Resolution No. 55 of the Nairobi Convention.

4.7 The Secretary of the Committee suggested, with regard to the text under "further resolves", and in view of the 15% increase in the Swiss index, the insertion of the following figures: 24,000 Swiss francs for the Secretary-General, 12,000 Swiss francs for the Deputy Secretary-General and the Directors of the Consultative Committees and 12,000 Swiss francs for the IFRB (for the Board as a whole, at the Chairman's discretion).

It was so decided.

The draft Resolution on pages 5 and 6 of Document 31 would be approved as soon as the Secretary-General and the delegate of the United States had agreed on "resolves" (paragraph 2).

5. Draft Constitution (Document A) - Article 13 (Document DT/26)

5.1 The Chairman pointed out that the proposals contained in Document DT/26 depended on the decisions that would be adopted by Committee 7. It would therefore be premature to consider that document, with the exception of proposal SLM/17/20 on page 3, involving the addition of the following paragraph:

"The Administrative Council shall have the authority to remove from office any elected official who acts in serious breach of this Article 13 or acts in other way which is incompatible with the status of an international official".

He wondered whether an official elected by the Plenipotentiary Conference could be relieved of his duties and whether any particular rule existed in that respect.

5.2 The Secretary-General stated that the Staff Regulations for elected officials (Regulation VIII.1) contained a provision to the effect that the services of an official might be terminated when he was unable to perform his duties as a result of infirmity, illness or the weakening of his physical or mental faculties.

It was therefore for the Plenipotentiary Conference to decide whether an additional provision was required or not and whether it was necessary to specify that the Administrative Council was empowered to change the rules governing elected officials.

5.3 The Chairman pointed out that the point was covered by Chapter IX (Disciplinary Measures), on page 43 of the Staff Regulations and Staff Rules for Elected Officials.

5.4 The delegate of the United States said that the panel of legal experts which was currently examining the draft Constitution should be consulted, since it was the first time that such a question had arisen.

5.5 The Secretary-General said that he fully shared the views expressed by the delegate of the United States.

5.6 The delegate of France said that the inclusion of such a proposal in the Convention or the Constitution was unnecessary, since the matter was already dealt with in the Staff Regulations. It would also be useful to know what criteria the Administrative Council might apply in deciding that an official had breached the Regulations.

5.7 The delegate of Zambia said that he also felt that the subject was already covered in the Regulations. It was therefore necessary to refer to the disciplinary measures already provided and to establish criteria whereby the conduct of officials might be judged.

5.8 The Chairman said that, given the existence of the Staff Rules and Staff Regulations for Elected Officials, the problem was to decide whether that text was adequate or whether a new rule should be added to the Convention or the Constitution.

After various views had been heard, he suggested that the question should be left aside until the Legal Adviser had given his opinion. There was also the question as to whether there was support for that proposal from any other delegation.

5.9 The Secretary-General said that he fully shared the views expressed by the Chairman and expressed the hope that a solution might be found.

The meeting rose at 1745 hours.

The Secretary:

A. MACLENNAN

The Chairman:

F. MOLINA NEGRO

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 252(Rev.1)-E
28 June 1989
Original: English

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 7

1. Amend paragraph 1.10 as follows, to read:

"1.10 The delegate of the Philippines stated that she can support in principle in maintaining the status quo structure and proposed that new provisions or amendmens to the basic instrument or a resolution may be introduced, to provide for the enhancement of the internal work processes and methods of the Union with a view to achieving optimum efficiency and economy, increasing the coordination among the organs and strengthening technical cooperation activities through the best possible mechanism. Any structural change should occur only after careful review and evaluation which took account of the organizational, functional and financial aspects. With respect to the powers of the Secretary-General, she shared the views embodied in the Greek proposal to some extent, but nevertheless supported the current text, in the belief that the current provisions were broad enough for a dynamic Secretary-General to be effective and make the Union function well in a changing environment. In addition, No. 308 of the Nairobi Convention already gave the Secretary-General the power to perform any other functions entrusted to him by the Administrative Council.

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 252(Rev.1)-E

24 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Friday, 9 June 1989, at 0940 hrs and at 1940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. General discussion of principles related
to structural models for implementation
at Nice and for future evolution

210 and Corr.1

1. General discussion of principles related to structural models for implementation at Nice and for future evolution (Document 210 and Corr.1)

1.1 The Chairman, recalling that the Plenary Meeting had taken note of his oral report and that the Steering Committee had expressed concern at the rate of progress in Committee 7, pointed out that the work of Committee 7 impacted on the other committees and the election process. At the previous meeting it had been decided that Committee 7 should return to a discussion of the general structure. The Chairman's summary, as presented in Document 210 and its Corr.1, was to be used merely as a guide for discussion and the wording in the summary in no way expressed preference for any alternative, either in the document or still to be formulated. He hoped that after discussion there would be a convergence of views on a principle applicable to the general structure which would form the basis for decisions on all the organs.

1.2 The delegate of Cameroon, referring to Annex 3 (Corr.1) to Document 210, said that in Alternative 1 on page 7 there ought not to have been a thick black line linking the General Secretariat and the Development Bureau.

1.3 The delegate of Australia said that his Delegation was satisfied with the broad existing structure of the Union which had proved itself at times of significant work pressures. He recognized that there were problems in ITU but felt that they could be addressed in the Coordination Committee and by making some appropriate changes to enhance the role of the Secretary-General. The real principle of ITU was one of balance between the needs of the industrialized countries, developing countries and countries in between. He was in favour of an evolutionary process and making improvements as needed and felt that that could be done when reviewing the various organs. He believed that there was a consensus in favour of the existing structure and moved for securing improvements by methods and processes.

1.4 The delegate of the United Kingdom supported the "federal" structure, but was open to the consideration of change if independent analysis showed that those changes would enhance the efficiency and effectiveness of the Union. The term "federal" was not analogous to "states within a state" but meant a structure which properly protected the professional integrity and independence of the specialist staff in the CCIs and the IFRB, whose impartiality and objectivity was vital if they were to carry out their functions correctly. The Chairman's summary in Document 210 had suggested that the present structure worked well, but some delegations had argued that the structure would work better if more authority were concentrated in the hands of the Secretary-General. A Plenipotentiary Conference, however, was not the place to test such a hypothesis. No changes could be envisaged without all the facts, the relevant expert witnesses and relevant conclusions. Key questions needed to be asked as to the nature of the day-to-day problems of the present structure. He favoured the approach taken in Nairobi in 1982 towards splitting the Convention into two parts where careful analysis, review and consideration had preceded the work in Committee 9 and hoped that that would serve as an example for considering changes in the structure of the Union.

1.5 The delegate of Italy, stating that his Delegation was in favour of a "federal" structure for the Union, said the words "federal structure" had to be explained. Each of the organs of the ITU had to be autonomous with regard to the technical questions in their purview but had to follow the directives of the Secretary-General in all matters concerning general policy, administrative and staff matters. An organ could not be led by a committee which only had an advisory capacity. It had to be led by a single person.

1.6 The delegate of the German Democratic Republic, supporting a "federal" structure, agreed with the explanations of the delegate of the United Kingdom. One of the reasons for a "federal" structure was the IFRB. In accordance with the wishes of the Nairobi Plenipotentiary Conference a Panel of Experts had analysed all the possibilities and had concluded that the structure of the IFRB should remain as it stood. With respect to rationalization of the CCIs, he was in favour of a step-by-step approach but felt that no decision on the matter should be taken at the present Conference.

1.7 The delegate of Canada, questioned the appropriateness of making the Heads of the permanent organs responsible to the Secretary-General rather than directly to the Members who had elected them. He saw dangers in the duties and responsibilities of the IFRB emanating from the Radio Regulations and conference resolutions being made accountable to the Secretary-General. The units in the ITU were not self-sufficient. The General Secretariat provided a central Publications Unit, a Computer Department, a Finance Department and a Personnel Department. Opportunities for savings inherent in a change from a "federal" structure to a more integrated one had been greatly overstated. Decisions could be taken at Nice on the improvement of coordination among the various organs, based on proposals for the Coordination Committee. Only those changes required in the Convention and which had been well thought out and studied should be focused on. Further improvements could only be made after careful review.

1.8 The delegate of France recalled that many items still needed to be addressed by Committee 6 before Committee 7 could formulate conclusions on others. He hoped that the debate on the "federal" versus "centralized" structure would not be reduced to a clash of slogans. The basic aim was to improve the functioning of the Union, eliminate duplication of work in the organs and rationalize activities. Coordination amongst the four fields of action, the General Secretariat, the CCIs, the IFRB and Technical Cooperation and Assistance had to be reinforced and that could be done within the present federal structure if the terms of reference of the Coordination Committee were clearly defined. The collegiate nature of that coordination had to be enhanced so that, at all levels, each component was better informed of decisions concerning the others and could thus better situate its own activities within the organization. The Secretary-General should continue acting on general policy issues and administrative and staff matters. He was in favour not of revolution but of a better organization of the existing elements, which did not exclude a more ambitious study provided it were carried out in a more concerted way. If it transpired that another structure was necessary to carry out the tasks and objectives of the Union, that could of course be implemented, but at a later stage.

1.9 The delegate of Denmark was in favour of the existing structure in principle to meet the challenges of the future as it had done in the past. A new organ for development could fit in well as shown in Alternative 1 of Document 210. He was not opposed to changes but pointed out that the environment had been changing and technology evolving for many years. Experiences, good and bad, had taught that changes should be embarked upon only if all their consequences could be proved beyond a doubt and when those consequences were more positive than negative. He preferred greater cooperation among the heads of the organs and streamlining of work and supported all efforts to make internal improvements an on-going process in any organization.

1.10 The delegate of the Philippines, speaking in favour of the "status quo" as far as structure was concerned, proposed immediate action either in the form of new provisions or amendments to the basic instrument or in the form of a resolution. This action was to enhance the internal work processes and methods of the Union with a view to achieving optimum efficiency and economy, increasing the coordination among the organs and strengthening technical cooperation activities through the best possible mechanism. This should occur after careful review and evaluation which took account of the organizational, functional and financial aspects. With respect to the powers of the

Secretary-General, she shared the views embodied in the Greek proposal to some extent, but nevertheless supported the current text, in the belief that the current provisions were broad enough for a dynamic Secretary-General to be effective and make the Union function well in a changing environment. In addition, No. 308 of the Nairobi Convention already gave the Secretary-General the power to perform any other functions entrusted to him by the Administrative Council.

1.11 The delegate of the United States said that the structure should not be described as "federal" or "pyramidal" but be efficient and functional and perform the basic activities of the Union, i.e. standard-setting and spectrum allocation, regulatory and frequency registration work and technical assistance. Each of those activities had different purposes and reflected different needs and consequently required different skills, training and background in those responsible, as well as different procedures, technical resources and organs with individual work programmes, vital to all Members, developed or developing. Each sovereign nation wanted direct access into the processes of each organ and direct feedback and the current structure provided that. He supported the delegate of Canada on the value of that privilege and the responsiveness of the work programme being reduced by strong centralized management. Such semi-autonomous organs with decision-making power best served the needs of all sovereign states. Control was assured through the Coordination Committee, chaired by the Secretary-General. That could be an effective management mechanism for building confidence and cohesive organization. Ultimately, the organs were responsible to the Members. Between Plenipotentiary Conferences the Members were represented by the Administrative Council which exercised fiscal control through yearly budget approval. The Secretary-General had the power to see that the Union's functions were being carried out, that the organs were properly staffed, that budget matters were carefully considered, that programmes were coordinated and that communications between the organs and the Administrative Council, and even the Plenipotentiary Conference, were working effectively. He provided leadership for the Union as a whole. The record had shown that such a system worked and could adapt to change. However, improvements were always possible and those concerning the Coordination Committee were appropriate in that they would lead to more efficiency, in the interests of the Members. Changes to the structure beyond that required careful thought, consideration and study. He supported the comments by the delegate of the United Kingdom in that study and careful and well-organized in-depth review was essential. In his view, the current situation did not justify any change.

1.12 The delegate of Papua New Guinea, supporting the analysis made by the delegates of the United Kingdom and Canada, agreed that merely electing officials and placing them under the authority of the Secretary-General was inadequate. There was a serious need to strengthen the Coordination Committee in order to boost efficiency. The management process could be improved after careful study and analysis and the Coordination Committee should be strengthened.

1.13 The delegate of the Federal Republic of Germany, said that the different tasks fulfilled by the various organs of the ITU required individual procedures and methods. The present structure had not only proved itself in the past but had shown itself capable of adaptation, as illustrated by the CCITT Plenary Assembly in Melbourne, where great progress in respect of procedures had been made. He expressed the opinion that the ITU was one of the most efficient international organizations. He warned against comparing the ITU to an industrial enterprise and espousing the related management principle. He was also in favour of analysing the working methods of various organs and, if necessary, improving them, taking into account the proposal submitted by the Federal Republic of Germany in Document 97, in which an in-depth overall review of all ITU organs had been suggested. Equal weight for all activities could best be ensured by a federal structure. Any difficulties could be resolved by improvements within the Coordination Committee. Speaking in favour of a "federal" structure, he supported Alternative 1.

1.14 The delegate of Belgium concurred with the statement of the delegate of the Federal Republic of Germany.

1.15 The delegate of Benin said that his Administration was in favour of the new permanent organ for development being placed on the same footing as other ITU activities. It was also in favour of maintaining the present structure of the Union, although it could be improved, but this should not be done in undue haste. The Conference should request the Administrative Council to set up a committee of qualified persons to consider the problem of restructuring.

1.16 The delegate of Kenya said that his Administration believed that an urgent study of the exact situation in the ITU as a whole was required, pending which study the current structure should be maintained. His Administration was in favour, however, of Alternative 1 which included the development bureau. The Committee should now set up a Working Group to draw up the terms of reference for a committee of eminent persons to review the working methods of the permanent organs of the ITU. They should include a time-limit for conclusion of that task and for a decision to be taken at Plenipotentiary Conference level.

1.17 The delegate of Brazil expressed his Administration's general satisfaction with the structure and performance of the ITU, but agreed that there was room for improvement. The Committee had adopted a historic decision in respect of the establishment of a permanent organ for development. He agreed on the need for a thorough study before significant changes were made to the structure of the Union. His Administration supported the existing "federal" structure which had proved itself capable of adapting to new situations. It also supported the strengthening of the Coordination Committee. His Delegation would prefer Alternative 1 and supported the suggestion of the delegate of Cameroon that consideration be given to the relationship of the General Secretariat and the new permanent organ.

1.18 The delegate of Japan thought that the current "federal" structure worked well although some improvements could further enhance the operation of the Union. Modern management science strongly recommended the decentralization of responsibilities for achieving quicker response and avoiding one-sided decision-making. Recalling the successful results of the CCITT Plenary Assembly in Melbourne, he agreed that reform permitted more efficient, timely and cheaper standard-making. However, he believed that the expertise required in the CCIR and the CCITT were not the same, and more study was needed to decide whether a structural change would be necessary or not. He spoke in favour of the current IFRB structure which allowed impartiality and a high level of technically complex decision-making. Supporting the unique character of the Union in which each unit was motivated to work efficiently towards the fulfillment of its tasks, he said that the existing coordination mechanism had to be enhanced so as to be able to solve any coordination difficulties associated with federalism. He concluded that structural change might be necessary but only after detailed analysis.

1.19 The delegate of Greece said that the debate had shown that all administrations, whether they wished to change the structure of the Union or not, desired improvements in the Organization. One school of thought considered that those improvements could be achieved within the existing "federal" structure, the other that what was needed was a consolidated structure concentrating administrative, financial and functional powers. The question was whether those powers should be embodied in one individual or in the Coordination Committee. Under the present Convention, the Coordination Committee was an Advisory Group with no power to impose decisions on the other organs of the ITU or on the Secretary-General, and hence it was unable, in its present form, to centralize the functions of the Union. His Administration believed it preferable to enhance the authority of the Secretary-General. The fears that had been expressed about

concentrating authority in one person who might not prove competent were exaggerated, since the Administrative Council supervised the work of the various organs and Article 56 could be amended to spell out more specifically the duties of the person concerned. He therefore supported the Italian delegate's proposal.

1.20 The delegate of India strongly supported Alternative 3 in Document 210(Corr.1), as well as the principle of integration and a single point of an accountability and responsibility, for the reasons he had already given. He agreed that the permanent organs of the Union should have the necessary authority and autonomy to carry out their technical functions without interference but that Secretariat functions should be concentrated through appropriate restructuring. The changes proposed were not revolutionary but merely designed to integrate the Secretariats of the CCIs under a single Director, with the structure of the Study Groups remaining unchanged. Nothing drastic was being proposed in regard to the IFRB either: the Board was merely to be requested to deal with collegiate functions and essential matters of interpretation, its other functions being left to the excellent IFRB Secretariat with additional computer facilities. He stressed that the new permanent organ for development should be placed under the direct responsibility of the Secretary-General and not be autonomous.

1.21 The delegate of Lesotho considered that if Article 9, No. 67 of the Nairobi Convention was to be maintained, the Secretary-General must be given the necessary powers to coordinate certain functions and make decisions in case of disputes. That would in no way undermine the work of the specialized secretariats. He could support either Alternative 2 or Alternative 3, and believed that the Conference should adopt a Resolution appointing a panel of experts to carry out a thorough study of the structure of the Union. He was in favour of the establishment of a permanent organ for development.

1.22 The delegate of Indonesia said that the Committee must consider how to move to Alternative 3 from the present structure, which had been described by a former Legal Adviser as fragmented and grossly inefficient. Reform of that structure was long overdue. The future of ITU had to be carefully considered, savings made and expenditure avoided on bodies like the Coordination Committee which would be unnecessary if the structure was unified. The authority and responsibility of the Secretary-General should not be decreased. He supported the idea of the project approach put forward by the Director of CCITT and wished to see more developing countries participate in Study Groups.

1.23 The delegate of Peru favoured a "federal" structure for the Union, which did not necessarily imply that changes should not be made to the present structure nor that major reforms such as merging the CCIs, reorganizing the IFRB and studying the optimum amount of power given to the Secretary-General should not be undertaken. Moreover he was in favour of establishing a permanent body for development. All those matters would have to be considered, whatever the kind of structure agreed upon.

1.24 The delegate of Senegal was anxious that whatever structure was adopted should be properly implemented and that due account should be taken of the requirements of the developing countries. No objection had been raised to strengthening the Secretary-General's authority and it was important to reinforce the Coordination Committee. He therefore endorsed the Greek proposal which provided a good basis for compromise.

1.25 The delegate of Mexico was in favour of the existing structure which worked well, although working methods could be improved. The possible merger of certain specialized organs required study. There seemed to be general agreement on the need to strengthen the Coordination Committee. Account must be taken of the changing telecommunications environment but that could not be done by taking inadequately prepared decisions. The present Plenipotentiary Conference should make no radical changes but a thorough analysis be made by a Panel of Experts after the Conference on a possible new structure, taking into account all the financial implications.

1.26 The delegate of the USSR said that his Administration was satisfied with the present structure of the ITU and wished to see it maintained. Nonetheless, improvements could be made in the methods of work of the permanent organs through coordination, and the role of the Coordination Committee should be strengthened. His Delegation was in favour of Alternative 1 and of the Coordinating Committee provided therein. It had been argued that the Secretary-General did not have sufficient responsibility but the Convention gave him very considerable powers and perhaps those powers and those of the Coordination Committee were not sufficiently used. Careful study of the matter was needed, and the newly elected officials might be able to approach the present structure from a fresh point of view. The pyramidal structure of other international organizations was unsuitable for the ITU because of its range of activities covered almost the entire planet. The kind of coordination provided by the skilled membership of the Coordination Committee was necessary. A Resolution should be adopted establishing an expert group to study the improvement of the methods of work of each permanent organ.

1.27 The delegate of Ethiopia said that his Delegation failed to see how the necessary administrative and operational tasks of the Union were to be carried out effectively if the necessary powers were not given to the Secretary-General. His Delegation's proposals were not radical but merely designed to achieve administrative adjustments to the degree necessary to enhance managerial functions in the Union. There was no desire to lessen the authority of the Directors to carry out their own functions but merely to streamline managerial activities, ensure that administration was cohesive and that the Head of the Union was accountable to the whole organization. His Delegation could not agree to the maintenance of the status quo and supported Alternative 3, while reserving its right to speak again about the various organs.

The meeting was suspended at 1240 hours and resumed at 1940 hours.

1.28 The delegate of Chile, recalling that the difference in the level of telecommunications of Member countries was still significant, stressed the need for more action by a stronger regional presence in favour of development and technical cooperation. Admitting minor changes to the structure, he said that the working methods of the permanent organs must be improved and coordinated and an organ for development and technical cooperation be set up. However, there should be no great increase in the Union's budget. Consequently, he supported Alternative 1 in Corr.1 to Document 210 as it could accommodate more radical changes in the future and was the most economical.

1.29 The delegate of Saudi Arabia, recalling that the views of his Delegation on the structure had been stated at a previous meeting, said that the best structure was one that served the interests of all the Members. Recognizing that each of the organs had different functions, different administrative problems and different work issues, he was in favour of retaining the structure as it was. He was aware nonetheless of a certain imbalance and wondered what the implications of structural problems would be for ITU's development. He expressed concern at vesting all responsibility in one person. Querying the significance of a "federal" structure, he said he preferred a "horizontal" structure to the present one. The responsibilities of the elected officials varied as did their relationships to the Administrative Council, the Plenipotentiary Conference, and the Secretary-General who, in turn, had to be

recognized by all as the highest official. The situation of the Development Bureau was different since the Secretary-General needed surveillance authority over it due to its relations with regional and specialized agencies of the UN system. Consequently, in-depth consideration would have to be given to structural matters in the medium-term future and he reserved the right to intervene when the status of the separate organs were discussed.

1.30 The delegate of Iraq approved the present "federal" structure and said that no modifications should be made for the time being. The present structure allowed for certain changes, as could be seen from the decision taken in Committee 7 to keep the Development Bureau on an equal footing with the IFRB and the CCIs. He thought that consideration should be given to merging the CCIs and a Group of Experts be set up to study the matter, as had been done for the IFRB. He supported the Kenyan proposal to create a Group of Experts on the structure of the Union in general and to include in its terms of reference the consideration of the impact of a merger of the CCIs. That Working Group could report to the next Plenipotentiary Conference or to a special conference to consider the structure in two to three years time. He insisted on the need to strengthen the Coordination Committee and upgrade it to the status of an Executive Council. Such a Council would have well-defined responsibilities with a view to decentralizing decision-making in the context of the present federal structure. The Group of Experts could see whether that was in line with the Administrative Council and commercial interests. Consideration by such a Group of Experts of the structure of the Union should not prevent the Conference from taking decisions concerning studies on harmonizing the various functions and responsibilities. As the Director of the CCITT had mentioned, it was also necessary to study the frequency of CCIR and CCITT Plenary Assemblies.

1.31 The delegate of China was generally satisfied with the current structure. His major concern lay with the elected officials and coordination between the organs. Due to the changing telecommunications environment, improvements were required to the structure to improve working methods and increase efficiency so as to be able to give better service to the Members. Any structural changes had to be evolutionary and careful study precede any action on a new structure.

He supported Alternative 1 in Corrigendum 1 to Document 210, while stressing that the Coordination Committee had to be strengthened and that technical cooperation activities should satisfy the concerns of the developing countries, in particular enough financial support should be given to the activities of the Development Bureau. He was in favour of a Group of Experts to study the structure of the ITU as a whole.

1.32 The delegate of Lebanon felt that the present structure was valid for the time being. The Chairman of Committee 7 had taken an historic decision for the creation of a permanent organ for development and technical assistance. That organ had to be incorporated into the "federal" structure of the Union and all the substantive Committees of the Conference had to consider the matter with a view to a definitive study of its implementation. He supported the setting up of a Group of Experts to study the material in Document 210 and report to the next Plenipotentiary Conference. However, creation of the permanent organ for all matters relating to the development of networks and technical cooperation and assistance as in Document 238 should be studied forthwith.

1.33 The delegate of Venezuela believed that the present structure was functioning adequately but that efficiency must be increased and working methods improved. Supporting the strengthening of the Coordination Committee and a separate organ for technical cooperation, he favoured Alternative 1.

1.34 The delegate of Yugoslavia, supporting the "federal" structure, said there were two basic principles to be included in a definition of the structure. These were the professional independence and autonomy of each of the permanent organs of the Union, i.e. CCITT, CCIR, IFRB and the Department for Development, and their guidance by impartial directors. The common interests in overlapping areas such as budget, appointments, seminars, conferences, technical cooperation, etc. should be examined, discussed and resolved in a Coordination Committee headed by the Secretary-General as the legal representative and leader of the Union as a whole. The status of the Coordination Committee therefore had to be heightened, and adequately described in the relevant documents, so that it was in a position to solve the inevitable problems inherent in a "federal" structure.

1.35 The delegate of Suriname, supporting changes in working methods towards greater effectiveness and efficiency so that ITU could respond to the rapidly changing telecommunications environment, said that such changes, and possibly structural changes, should be based on further analysis and that a Group of Experts should take up the evaluation of all the organs of the Union. Improved working methods and better coordination between the organs had become vital and it was important to ensure that the Secretary-General be able to ensure the economic use of resources under Article 9. She could support a structural change at the present time to include the enhancement of development and coordination within a separate organ and urged that stable funding for development be ensured at the Nice Conference.

1.36 The delegate of Mali, speaking in favour of efficiency and coordination, and against upheaval, supported the intervention by the delegate of Italy. He believed it was possible to give more power to the Secretary-General without detracting from the technical authority of the elected officials. A permanent organ for development had to have the same importance and financial means as the other organs in the structure. With reference to the Working Group to be set up, the Conference should decide when and to whom the report was to be submitted.

1.37 The delegate of Argentina supported the "federal" structure which had provided a balance over the years. He welcomed the inclusion of the International Development Bureau as one of the permanent organs and said resources had to be provided so that the three objectives of the Union could be properly fulfilled. Referring to Document 115, he said that more efficiency and economy could be realized if the Coordination Committee were strengthened. In the interest of efficiency, he was open to substantive changes based on study and supported the creation of a Group of Experts to that end.

1.38 The delegate of Zambia supported Alternative 3 in Annex 3 of Corr.1 to Document 210 as the only alternative representing his Delegation's wish for reasonable and non-revolutionary change and the appropriate status for development activities. He believed that the structure was related to the management of the Union and that no change should to be envisaged before a comprehensive study had been carried out. Any savings, including that resulting from a possible merger of the CCIs, would also have to be evaluated. He believed that the professional autonomy of the permanent organs should prevail but not at the expense of coordination. Referring to the general consensus in favour of the Development Bureau, he recalled that development activities had for a long time been included in the Convention but that it was only at the current Plenipotentiary Conference that development was being discussed, and in that respect it was important to take timely action. He favoured the creation of a Study Group to

submit a carefully researched case for change to a special Plenipotentiary Conference in two years time. The process could be started straightaway by a Resolution in favour of such a study which could include a restructuring of the General Secretariat and a merger of the CCIs. Referring to Alternative 3 in Corr.1 to Document 210 he said that the permanent organ for development should have an elected Director under the authority of the Secretary-General. His country's contributions had not been based on frustrations but on objective analysis of the current situation and the requirements of the future.

1.39 The delegate of the Netherlands supported the existing so-called federal structure of the Union. She was of the opinion that the Union functioned quite well and, generally speaking, adapted itself to changes if necessary. She felt that the impartiality and objectivity of the permanent organs were precious goods for the main activities of the Union and hence for the benefit of all ITU Member States.

In her view, the Secretary-General had at present sufficient powers to deal properly with his tasks but a strengthening of the Coordination Committee was needed and would be crucial for the proper functioning of the Union. She wondered what were the exact problems encountered by Members with the present structure, and whether the organization really functioned badly or there were other reasons. She did think that streamlining and improved working methods were needed but was not convinced that substantial changes in the structure of the union, apart from enhancement of technical cooperation, were needed to bring about a more efficient, better functioning of the ITU.

Nevertheless, she was in favour of a thorough review of the working methods and possible changes to the structure. That review should be careful and thorough, including all financial, staffing and organizational matters.

She supported the ideas expressed by the delegate of Kenya on a review of working methods and possible changes in the future, which could be reflected in a Resolution. She expressed the wish that the Chairman would come back to the matter in his summary of the debate.

1.40 The delegate of Algeria said that, as the highest authority of the Union, the Secretary-General should be given the practical means and authority to carry out his task and that the relationships between the organs should be improved. The new permanent organ for development should have the same status as the other permanent organs and its own elected Director, although the Secretary-General should be responsible for making the organ an operational body and ensuring that the aspirations of the Members of the Union were met. The functions of the Director should be defined by Committee 7 which should also decide to allot it a sizeable portion of the budget. To that effect a document should be submitted to Committee 4. The Algerian Delegation had no special preference for any of the alternatives in Document 210.

1.41 The delegate of Tanzania recalled that there had been calls for improvements since 1965. Changes in the Convention had been made at the Nairobi Plenipotentiary Conference which had reinforced the issue of development. As far as organizational management was concerned, while many participants had experience in such matters, they were not applying the same criteria as they did to their own national institutions. However, it was difficult to see in what ways the Union differed from other national or international organizations. There had been much talk of changes in technology, in environment, of the need for a dynamic organization and for a practical and efficient organization to meet basic needs and the needs of both developed and developing countries. It had also been said that the Union should use modern management systems, and be a balanced but innovative organization. The decision to create a separate organ was a move in the right direction and a decision was now required to treat it like the

other organs as far as financing was concerned. Committee 7 therefore had a duty, as did the Conference itself, to provide clear terms of reference for that organ and to draw up a timetable for working out the details of its establishment.

1.42 The delegate of the Islamic Republic of Iran said that his Delegation wished to see an efficient and effective organization which was responsive to its mandate and its main areas of responsibility. The Union needed to adapt to a new environment and in that regard his Delegation endorsed Italy's proposal that the Secretary-General be responsible for general policy, administrative policies and staff matters for all the permanent organs. Administrations should be cautious but at the same time clear and firm in their decisions for change. In that regard an Expert Committee should be set up to study the desired changes in the structure of the Union, the CCIs and the IFRB. However, great care should be taken to avoid the inadequacies of former Groups of Experts set up to carry out special studies, such as the Group of Experts on the long-term future of the IFRB. That body had been established 15 months after the date decided by the Nairobi Plenipotentiary Conference in Resolution No. 68, and its Report, submitted two years later than intended by the same Conference, had been sent out to administrations only in September 1988 and without the comments of the Administrative Council. The essential issues had been addressed by Committee 7 and a global solution was now required, including the provision of adequate financial resources for the newly created organ for development, as stated by the delegates of Algeria, Suriname and Tanzania.

1.43 The delegate of Paraguay said that although generally speaking the present structure of the Union had proved satisfactory, his Delegation recognized the need for changes to bring about a more effective and efficient operation. However, there should be no sudden, radical changes, rather a Group of Experts should be set up to consider the issues in detail. With regard to the creation of a new permanent organ, the proposal by the delegate of Cameroon concerning the relationship between that organ and the Secretary-General should be studied closely.

1.44 The delegate of Pakistan recalled that his Delegation had already spoken of the need for change or improvement in the Union to remove certain weaknesses and increase its efficiency, and to that end it had supported the Greek proposal. The problems had been amply identified in the discussions and a consensus was emerging as to how the Conference should proceed to achieve its goal. His Delegation endorsed the suggestions made by Italy and Yugoslavia to strengthen the Coordination Committee and also the suggestion that machinery should be set in motion to study the structure of the Union and make recommendations based on consultations at all levels of the Union, including the elected officials, the Professional staff and General Service staff. His Delegation welcomed the creation of a permanent organ for development because the ITU symbolized not only international cooperation but also technical help and guidance to hundreds and thousands of workers throughout the world.

1.45 The delegate of Zimbabwe said that while there was majority support for the proposal to improve the existing structure of the Union there appeared to be differing views as to whether the Secretary-General should be given more power, some speakers having suggested that any additional responsibilities should be vested on the Coordination Committee. His Delegation was in favour of strengthening the position of the Secretary-General to give him overall control of the various organs of the Union, and of the idea that a Group of Experts should be set up to look into the various options, including the need to streamline the working methods. That Group should report to a World Telecommunications Development Conference in three years time, and its recommendations should then be adopted.

1.46 The delegate of Burundi said that although the so-called federal structure of the Union had been satisfactory for some years, the Union could not just mark time. It had become somewhat cumbersome in its operations, and there was now a need to give the various organs of the Union, including the new permanent organ for development some autonomy. Autonomy was essential for rapid decision-making and would ensure a more flexible operational approach. However the administrative authority of the Secretary-General should be enhanced through a stronger Coordination Committee. The new permanent organ should be set up as soon as possible and given adequate financial means to discharge its duties.

1.47 The delegate of Hungary said that there was a consensus in Committee 7 that what was needed was an effective, useful, active, well-organized and well-managed Telecommunication Union. Under the present Convention, the Union had four permanent organs and the Secretary-General was responsible for coordinating their activities. While he could request and act on the advice of the Coordination Committee, experience had shown that there was room for improvement in the work of that Committee. Cooperation between the permanent organs should be a routine matter at every level. Another of the Secretary-General's tasks was to organize the General Secretariat and there, too, there was room for improvement. The basic decisions for the work of the two CCIs were taken at their Plenary Assemblies and in their Study Groups by the administrations, and those decisions gave sufficient professional guidance for the work of the two elected Directors. The CCITT, at WATTC-88, had been able to renew its methods and the task of the present Conference was to encourage that procedure. The IFRB had originally been created as a collegiate body with a very special field of activity in managing the frequency spectrum. The high quality of service which it had provided since its founding had been recognized by the Nairobi Plenipotentiary Conference, and its results had only been possible because of its collegiate nature. A Panel of Experts had already studied the work of the Board and had produced numerous recommendations for improvement. Generally speaking, changes should only be made after careful consideration of all the organizational aspects of the Union and their consequences. There should be no major changes in the basic structure of the Union at the present Conference but the possibilities of reorganization should be studied in detail by a high level group as originally proposed by the Federal Republic of Germany.

1.48 The delegate of Uruguay said that although the ITU had operated satisfactorily so far, the Coordination Committee should be strengthened to make the organization more efficient. The creation of a new organ for technical cooperation was appropriate, as was a "federal" structure for the Union.

1.49 The delegate of the Byelorussian Soviet Socialist Republic endorsed proposals to improve the efficiency of the Union and to ensure a more rational use of available resources. With its existing structure, the Union had proved itself capable of carrying out the tasks set for it but new methods of work should be defined for the permanent organs to ensure their interaction and an enhanced role for the Coordination Committee. Technical cooperation also needed to be developed and to that end his Delegation endorsed the establishment of a special organ headed by an elected official. It had no objection to the establishment of a special Group of Experts to consider in detail the working methods of the permanent organs and existing structure. That Group should prepare proposals for submission to the next Plenipotentiary Conference. Revolutionary changes would not assist development or enhance the working methods of the Union, and could not be supported.

1.50 The delegate of Bulgaria said that his Delegation wished the ITU to be a dynamic and energetic organization capable of adjusting to new conditions. As many speakers had already pointed out, that could be achieved by improving the structure of the Union and its methods of work. Immediate improvements could be made in methods of work, as had been seen at the latest Plenary Assembly of the CCITT but the situation was less clear as regards structure. For the time being, therefore, the existing federal structure should be retained pending an in-depth study on all structural aspects.

1.51 The delegate of Morocco said that his Delegation favoured a cautious and pragmatic approach with proper preparation for the future, bearing in mind that there would be imperfections whatever the structure, and that the present structure had proved its worth. The recent historic step to create a new permanent organ for development would complete the existing structure of the Union, but it would have to be given the means to enable it to discharge its duties on an equal footing with the other organs. The powers and functions of the new organ should therefore be defined before the end of the Conference. Special measures should be taken to enhance the role of the Coordination Committee and a representative Working Group should be set up to study in detail the structure of the Union. If that were agreed in principle, its terms of reference could be discussed by the Committee.

The meeting rose at 2215 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

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COMMITTEE 7

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Friday, 9 June 1989, at 0940 hrs and at 1940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. General discussion of principles related to structural models for implementation at Nice and for future evolution

210 and Corr.1

1. General discussion of principles related to structural models for implementation at Nice and for future evolution (Document 210 and Corr.1)

1.1 The Chairman, recalling that the Plenary Meeting had taken note of his oral report and that the Steering Committee had expressed concern at the rate of progress in Committee 7, pointed out that the work of Committee 7 impacted on the other committees and the election process. At the previous meeting it had been decided that Committee 7 should return to a discussion of the general structure. The Chairman's summary, as presented in Document 210 and its Corr.1, was to be used merely as a guide for discussion and the wording in the summary in no way expressed preference for any alternative, either in the document or still to be formulated. He hoped that after discussion there would be a convergence of views on a principle applicable to the general structure which would form the basis for decisions on all the organs.

1.2 The delegate of Cameroon, referring to Annex 3 (Corr.1) to Document 210, said that in Alternative 1 on page 7 there ought not to have been a thick black line linking the General Secretariat and the Development Bureau.

1.3 The delegate of Australia said that his Delegation was satisfied with the broad existing structure of the Union which had proved itself at times of significant work pressures. He recognized that there were problems in ITU but felt that they could be addressed in the Coordination Committee and by making some appropriate changes to enhance the role of the Secretary-General. The real principle of ITU was one of balance between the needs of the industrialized countries, developing countries and countries in between. He was in favour of an evolutionary process and making improvements as needed and felt that that could be done when reviewing the various organs. He believed that there was a consensus in favour of the existing structure and moved for securing improvements by methods and processes.

1.4 The delegate of the United Kingdom supported the "federal" structure, but was open to the consideration of change if independent analysis showed that those changes would enhance the efficiency and effectiveness of the Union. The term "federal" was not analogous to "states within a state" but meant a structure which properly protected the professional integrity and independence of the specialist staff in the CCIs and the IFRB, whose impartiality and objectivity was vital if they were to carry out their functions correctly. The Chairman's summary in Document 210 had suggested that the present structure worked well, but some delegations had argued that the structure would work better if more authority were concentrated in the hands of the Secretary-General. A Plenipotentiary Conference, however, was not the place to test such a hypothesis. No changes could be envisaged without all the facts, the relevant expert witnesses and relevant conclusions. Key questions needed to be asked as to the nature of the day-to-day problems of the present structure. He favoured the approach taken in Nairobi in 1982 towards splitting the Convention into two parts where careful analysis, review and consideration had preceded the work in Committee 9 and hoped that that would serve as an example for considering changes in the structure of the Union.

1.5 The delegate of Italy, stating that his Delegation was in favour of a "federal" structure for the Union, said the words "federal structure" had to be explained. Each of the organs of the ITU had to be autonomous with regard to the technical questions in their purview but had to follow the directives of the Secretary-General in all matters concerning general policy, administrative and staff matters. An organ could not be led by a committee which only had an advisory capacity. It had to be led by a single person.

1.6 The delegate of the German Democratic Republic, supporting a "federal" structure, agreed with the explanations of the delegate of the United Kingdom. One of the reasons for a "federal" structure was the IFRB. In accordance with the wishes of the Nairobi Plenipotentiary Conference a Panel of Experts had analysed all the

possibilities and had concluded that the structure of the IFRB should remain as it stood. With respect to rationalization of the CCIs, he was in favour of a step-by-step approach but felt that no decision on the matter should be taken at the present Conference.

1.7 The delegate of Canada, questioned the appropriateness of making the Heads of the permanent organs responsible to the Secretary-General rather than to the Members who had elected them. He saw dangers in the duties and responsibilities of the IFRB emanating from the Radio Regulations and conference resolutions being made accountable to the Secretary-General. The units in the ITU were not self-contained and the General Secretariat provided a central Publications Unit, a Computer Department, a Finance Department and a Personnel Department. Opportunities for savings inherent in a change from a "federal" structure to a more integrated one had been greatly overstated. Decisions could be taken at Nice on the improvement of coordination among the various organs, based on proposals for the Coordination Committee. Only those changes required in the Convention and which had been well thought out and studied should be focused on. Further improvements could only be made after careful review.

1.8 The delegate of France recalled that many items still needed to be addressed by Committee 6 before Committee 7 could formulate conclusions on others. He hoped that the debate on the "federal" versus "centralized" structure would not be reduced to a clash of slogans. The basic aim was to improve the functioning of the Union, eliminate duplication of work in the organs and rationalize activities. Coordination amongst the four fields of action, the General Secretariat, the CCIs, the IFRB and Technical Cooperation and Assistance had to be reinforced and that could be done within the present federal structure if the terms of reference of the Coordination Committee were clearly defined. The collegiate nature of that coordination had to be enhanced so that, at all levels, each component was better informed of decisions concerning the others and could thus better situate its own activities within the organization. The Secretary-General should continue acting on general policy issues and administrative and staff matters. He was in favour not of revolution but of a better organization of the existing elements, which did not exclude a more ambitious study provided it were carried out in a more concerted way. If it transpired that another structure was necessary to carry out the tasks and objectives of the Union, that could of course be implemented, but at a later stage.

1.9 The delegate of Denmark was in favour of the existing structure in principle to meet the challenges of the future as it had done in the past. A new organ for development could fit in well as shown in Alternative 1 of Document 210. He was not opposed to changes but pointed out that the environment had been changing and technology evolving for many years. Experiences, good and bad, had taught that changes should be embarked upon only if all their consequences could be proved beyond a doubt and when those consequences were more positive than negative. He preferred greater cooperation among the heads of the organs and streamlining of work and supported all efforts to make internal improvements an on-going process in any organization.

1.10 The delegate of the Philippines, speaking in favour of the "status quo" as far as structure was concerned, proposed immediate action either in the form of new provisions or amendments to the basic instrument or in the form of a resolution. This action was to enhance the internal work processes and methods of the Union with a view to achieving optimum efficiency and economy, increasing the coordination among the organs and strengthening technical cooperation activities through the best possible mechanism. This should occur after careful review and evaluation which took account of the organizational, functional and financial aspects. With respect to the powers of the Secretary-General, she shared the views embodied in the Greek proposal to some extent,

but nevertheless supported the current text, in the belief that the current provisions were broad enough for a dynamic Secretary-General to be effective and make the Union function well in a changing environment. In addition, No. 308 of the Nairobi Convention already gave the Secretary-General the power to perform any other functions entrusted to him by the Administrative Council.

1.11 The delegate of the United States said that the structure should not be described as "federal" or "pyramidal" but be efficient and functional and perform the basic activities of the Union, i.e. standard-setting and spectrum allocation, regulatory and frequency registration work and technical assistance. Each of those activities had different purposes and reflected different needs and consequently required different skills, training and background in those responsible, as well as different procedures, technical resources and organs with individual work programmes, vital to all Members, developed or developing. Each sovereign nation wanted direct access into the processes of each organ and direct feedback and the current structure provided that. He supported the delegate of Canada on the value of that privilege and the responsiveness of the work programme being reduced by strong centralized management. Such semi-autonomous organs with decision-making power best served the needs of all sovereign states. Control was assured through the Coordination Committee, chaired by the Secretary-General. That could be an effective management mechanism for building confidence and cohesive organization. Ultimately, the organs were responsible to the Members. Between Plenipotentiary Conferences the Members were represented by the Administrative Council which exercised fiscal control through yearly budget approval. The Secretary-General had the power to see that the Union's functions were being carried out, that the organs were properly staffed, that budget matters were carefully considered, that programmes were coordinated and that communications between the organs and the Administrative Council, and even the Plenipotentiary Conference, were working effectively. He provided leadership for the Union as a whole. The record had shown that such a system worked and could adapt to change. However, improvements were always possible and those concerning the Coordination Committee were appropriate in that they would lead to more efficiency, in the interests of the Members. Changes to the structure beyond that required careful thought, consideration and study. He supported the comments by the delegate of the United Kingdom in that study and careful and well-organized in-depth review was essential. In his view, the current situation did not justify any change.

1.12 The delegate of Papua New Guinea, supporting the analysis made by the delegates of the United Kingdom and Canada, agreed that merely electing officials and placing them under the authority of the Secretary-General was inadequate. There was a serious need to strengthen the Coordination Committee in order to boost efficiency. The management process could be improved after careful study and analysis and the Coordination Committee should be strengthened.

1.13 The delegate of the Federal Republic of Germany, said the purposes of the Union were fulfilled by the various organs, each with its own areas and skills. The present structure had not only proved itself in the past but had shown itself capable of adaptation, as illustrated by the CCITT Plenary Assembly in Melbourne where great progress in respect of procedures had been made. He was in favour of evolutionary processes for adaptation and opposed to abrupt changes, adding that any change needed careful consideration. He warned against comparing ITU to an industrial enterprise and espousing the related management principles. He was also in favour of analysing the working methods of various organs and, if necessary, improving them. Improvements could be made in the Coordination Committee and it was important that activities and decisions were balanced. Speaking in favour of a "federal" structure, he supported Alternative 1.

1.14 The delegate of Belgium concurred with the statement of the delegate of the Federal Republic of Germany.

1.15 The delegate of Benin said that his Administration was in favour of the new permanent organ for development being placed on the same footing as other ITU activities. It was also in favour of maintaining the present structure of the Union, although it could be improved, but this should not be done in undue haste. The Conference should request the Administrative Council to set up a committee of qualified persons to consider the problem of restructuring.

1.16 The delegate of Kenya said that his Administration believed that an urgent study of the exact situation in the ITU as a whole was required, pending which study the current structure should be maintained. His Administration was in favour, however, of Alternative 1 which included the development bureau. The Committee should now set up a Working Group to draw up the terms of reference for a committee of eminent persons to review the working methods of the permanent organs of the ITU. They should include a time-limit for conclusion of that task and for a decision to be taken at Plenipotentiary Conference level.

1.17 The delegate of Brazil expressed his Administration's general satisfaction with the structure and performance of the ITU, but agreed that there was room for improvement. The Committee had adopted a historic decision in respect of the establishment of a permanent organ for development. He agreed on the need for a thorough study before significant changes were made to the structure of the Union. His Administration supported the existing "federal" structure which had proved itself capable of adapting to new situations. It also supported the strengthening of the Coordination Committee. His Delegation would prefer Alternative 1 and supported the suggestion of the delegate of Cameroon that consideration be given to the relationship of the General Secretariat and the new permanent organ.

1.18 The delegate of Japan thought that the current "federal" structure worked well although some improvements could further enhance the operation of the Union. Modern management science strongly recommended the decentralization of responsibilities for achieving quicker response and avoiding one-sided decision-making. Recalling the successful results of the CCITT Plenary Assembly in Melbourne, he agreed that reform permitted more efficient, timely and cheaper standard-making. However, he believed that the expertise required in the CCIR and the CCITT were not the same, and more study was needed before drastic change could be envisaged. He spoke in favour of the current IFRB structure which allowed impartiality and a high level of technically complex decision-making. Supporting the unique character of the Union in which each unit was motivated to work efficiently towards the fulfillment of its tasks, he said that the existing coordination mechanism had to be enhanced so as to be able to solve any coordination difficulties associated with federalism. He concluded that structural change was possible but only after detailed analysis.

1.19 The delegate of Greece said that the debate had shown that all administrations, whether they wished to change the structure of the Union or not, desired improvements in the Organization. One school of thought considered that those improvements could be achieved within the existing "federal" structure, the other that what was needed was a consolidated structure concentrating administrative, financial and functional powers. The question was whether those powers should be embodied in one individual or in the Coordination Committee. Under the present Convention, the Coordination Committee was an Advisory Group with no power to impose decisions on the other organs of the ITU or on the Secretary-General, and hence it was unable, in its present form, to centralize the functions of the Union. His Administration believed it preferable to enhance the

authority of the Secretary-General. The fears that had been expressed about concentrating authority in one person who might not prove competent were exaggerated, since the Administrative Council supervised the work of the various organs and Article 56 could be amended to spell out more specifically the duties of the person concerned. He therefore supported the Italian delegate's proposal.

1.20 The delegate of India strongly supported Alternative 3 in Document 210(Corr.1), as well as the principle of integration and a single point of an accountability and responsibility, for the reasons he had already given. He agreed that the permanent organs of the Union should have the necessary authority and autonomy to carry out their technical functions without interference but that Secretariat functions should be concentrated through appropriate restructuring. The changes proposed were not revolutionary but merely designed to integrate the Secretariats of the CCIs under a single Director, with the structure of the Study Groups remaining unchanged. Nothing drastic was being proposed in regard to the IFRB either: the Board was merely to be requested to deal with collegiate functions and essential matters of interpretation, its other functions being left to the excellent IFRB Secretariat with additional computer facilities. He stressed that the new permanent organ for development should be placed under the direct responsibility of the Secretary-General and not be autonomous.

1.21 The delegate of Lesotho considered that if Article 9, No. 67 of the Nairobi Convention was to be maintained, the Secretary-General must be given the necessary powers to coordinate certain functions and make decisions in case of disputes. That would in no way undermine the work of the specialized secretariats. He could support either Alternative 2 or Alternative 3, and believed that the Conference should adopt a Resolution appointing a panel of experts to carry out a thorough study of the structure of the Union. He was in favour of the establishment of a permanent organ for development.

1.22 The delegate of Indonesia said that the Committee must consider how to move to Alternative 3 from the present structure, which had been described by a former Legal Adviser as fragmented and grossly inefficient. Reform of that structure was long overdue. The future of ITU had to be carefully considered, savings made and expenditure avoided on bodies like the Coordination Committee which would be unnecessary if the structure was unified. The authority and responsibility of the Secretary-General should not be decreased. He supported the idea of the project approach put forward by the Director of CCITT and wished to see more developing countries participate in Study Groups.

1.23 The delegate of Peru favoured a "federal" structure for the Union, which did not necessarily imply that changes should not be made to the present structure nor that major reforms such as merging the CCIs, reorganizing the IFRB and studying the optimum amount of power given to the Secretary-General should not be undertaken. Moreover he was in favour of establishing a permanent body for development. All those matters would have to be considered, whatever the kind of structure agreed upon.

1.24 The delegate of Senegal was anxious that whatever structure was adopted should be properly implemented and that due account should be taken of the requirements of the developing countries. No objection had been raised to strengthening the Secretary-General's authority and it was important to reinforce the Coordination Committee. He therefore endorsed the Greek proposal which provided a good basis for compromise.

1.25 The delegate of Mexico was in favour of the existing structure which worked well, although working methods could be improved. The possible merger of certain specialized organs required study. There seemed to be general agreement on the need to strengthen the Coordination Committee. Account must be taken of the changing telecommunications environment but that could not be done by taking inadequately

prepared decisions. The present Plenipotentiary Conference should make no radical changes but a thorough analysis be made by a Panel of Experts after the Conference on a possible new structure, taking into account all the financial implications.

1.26 The delegate of the USSR said that his Administration was satisfied with the present structure of the ITU and wished to see it maintained. Nonetheless, improvements could be made in the methods of work of the permanent organs through coordination, and the role of the Coordination Committee should be strengthened. His Delegation was in favour of Alternative 1 and of the Coordinating Committee provided therein. It had been argued that the Secretary-General did not have sufficient responsibility but the Convention gave him very considerable powers and perhaps those powers and those of the Coordination Committee were not sufficiently used. Careful study of the matter was needed, and the newly elected officials might be able to approach the present structure from a fresh point of view. The pyramidal structure of other international organizations was unsuitable for the ITU because of its range of activities covered almost the entire planet. The kind of coordination provided by the skilled membership of the Coordination Committee was necessary. A Resolution should be adopted establishing an expert group to study the improvement of the methods of work of each permanent organ.

1.27 The delegate of Ethiopia said that his Delegation failed to see how the necessary administrative and operational tasks of the Union were to be carried out effectively if the necessary powers were not given to the Secretary-General. His Delegation's proposals were not radical but merely designed to achieve administrative adjustments to the degree necessary to enhance managerial functions in the Union. There was no desire to lessen the authority of the Directors to carry out their own functions but merely to streamline managerial activities, ensure that administration was cohesive and that the Head of the Union was accountable to the whole organization. His Delegation could not agree to the maintenance of the status quo and supported Alternative 3, while reserving its right to speak again about the various organs.

The meeting was suspended at 1240 hours and resumed at 1940 hours.

1.28 The delegate of Chile, recalling that the difference in the level of telecommunications of Member countries was still significant, stressed the need for more action by a stronger regional presence in favour of development and technical cooperation. Admitting minor changes to the structure, he said that the working methods of the permanent organs must be improved and coordinated and an organ for development and technical cooperation be set up. However, there should be no great increase in the Union's budget. Consequently, he supported Alternative 1 in Corr.1 to Document 210 as it could accommodate more radical changes in the future and was the most economical.

1.29 The delegate of Saudi Arabia, recalling that the views of his Delegation on the structure had been stated at a previous meeting, said that the best structure was one that served the interests of all the Members. Recognizing that each of the organs had different functions, different administrative problems and different work issues, he was in favour of retaining the structure as it was. He was aware nonetheless of a certain imbalance and wondered what the implications of structural problems would be for ITU's development. He expressed concern at vesting all responsibility in one person. Querying the significance of a "federal" structure, he said he preferred a "horizontal" structure to the present one. The responsibilities of the elected officials varied as did their relationships to the Administrative Council, the Plenipotentiary Conference, and the Secretary-General who, in turn, had to be recognized by all as the highest official. The situation of the Development Bureau was different since the Secretary-General needed surveillance authority over it due to its relations with regional and specialized agencies of the UN system. Consequently, in-depth consideration would have to be given to structural matters in the medium-term future and he reserved the right to intervene when the status of the separate organs were discussed.

1.30 The delegate of Iraq approved the present "federal" structure and said that no modifications should be made for the time being. The present structure allowed for certain changes, as could be seen from the decision taken in Committee 7 to keep the Development Bureau on an equal footing with the IFRB and the CCIs. He thought that consideration should be given to merging the CCIs and a Group of Experts be set up to study the matter, as had been done for the IFRB. He supported the Kenyan proposal to create a Group of Experts on the structure of the Union in general and to include in its terms of reference the consideration of the impact of a merger of the CCIs. That Working Group could report to the next Plenipotentiary Conference or to a special conference to consider the structure in two to three years time. He insisted on the need to strengthen the Coordination Committee and upgrade it to the status of an Executive Council. Such a Council would have well-defined responsibilities with a view to decentralizing decision-making in the context of the present federal structure. The Group of Experts could see whether that was in line with the Administrative Council and commercial interests. Consideration by such a Group of Experts of the structure of the Union should not prevent the Conference from taking decisions concerning studies on harmonizing the various functions and responsibilities. As the Director of the CCITT had mentioned, it was also necessary to study the frequency of CCIR and CCITT Plenary Assemblies.

1.31 The delegate of China was generally satisfied with the current structure. His major concern lay with the elected officials and coordination between the organs. Due to the changing telecommunications environment, improvements were required to the structure to improve working methods and increase efficiency so as to be able to give better service to the Members. Any structural changes had to be evolutionary and careful study precede any action on a new structure.

He supported Alternative 1 in Corrigendum 1 to Document 210, while stressing that the Coordination Committee had to be strengthened and that technical cooperation activities should satisfy the concerns of the developing countries, in particular enough financial support should be given to the activities of the Development Bureau. He was in favour of a Group of Experts to study the structure of the ITU as a whole.

1.32 The delegate of Lebanon felt that the present structure was valid for the time being. The Chairman of Committee 7 had taken an historic decision for the creation of a permanent organ for development and technical assistance. That organ had to be incorporated into the "federal" structure of the Union and all the substantive Committees of the Conference had to consider the matter with a view to a definitive study of its implementation. He supported the setting up of a Group of Experts to study the material in Document 210 and report to the next Plenipotentiary Conference. However, creation of the permanent organ for all matters relating to the development of networks and technical cooperation and assistance as in Document 238 should be studied forthwith.

1.33 The delegate of Venezuela believed that the present structure was functioning adequately but that efficiency must be increased and working methods improved. Supporting the strengthening of the Coordination Committee and a separate organ for technical cooperation, he favoured Alternative 1.

1.34 The delegate of Yugoslavia, supporting the "federal" structure, said there were two basic principles to be included in a definition of the structure. These were the professional independence and autonomy of each of the permanent organs of the Union, i.e. CCITT, CCIR, IFRB and the Department for Development, and their guidance by impartial directors. The common interests in overlapping areas such as budget, appointments, seminars, conferences, technical cooperation, etc. should be examined,

discussed and resolved in a Coordination Committee headed by the Secretary-General as the legal representative and leader of the Union as a whole. The status of the Coordination Committee therefore had to be heightened, and adequately described in the relevant documents, so that it was in a position to solve the inevitable problems inherent in a "federal" structure.

1.35 The delegate of Suriname, supporting changes in working methods towards greater effectiveness and efficiency so that ITU could respond to the rapidly changing telecommunications environment, said that such changes, and possibly structural changes, should be based on further analysis and that a Group of Experts should take up the evaluation of all the organs of the Union. Improved working methods and better coordination between the organs had become vital and it was important to ensure that the Secretary-General be able to ensure the economic use of resources under Article 9. She could support a structural change at the present time to include the enhancement of development and coordination within a separate organ and urged that stable funding for development be ensured at the Nice Conference.

1.36 The delegate of Mali, speaking in favour of efficiency and coordination, and against upheaval, supported the intervention by the delegate of Italy. He believed it was possible to give more power to the Secretary-General without detracting from the technical authority of the elected officials. A permanent organ for development had to have the same importance and financial means as the other organs in the structure. With reference to the Working Group to be set up, the Conference should decide when and to whom the report was to be submitted.

1.37 The delegate of Argentina supported the "federal" structure which had provided a balance over the years. He welcomed the inclusion of the International Development Bureau as one of the permanent organs and said resources had to be provided so that the three objectives of the Union could be properly fulfilled. Referring to Document 115, he said that more efficiency and economy could be realized if the Coordination Committee were strengthened. In the interest of efficiency, he was open to substantive changes based on study and supported the creation of a Group of Experts to that end.

1.38 The delegate of Zambia supported Alternative 3 in Annex 3 of Corr.1 to Document 210 as the only alternative representing his Delegation's wish for reasonable and non-revolutionary change and the appropriate status for development activities. He believed that the structure was related to the management of the Union and that no change should to be envisaged before a comprehensive study had been carried out. Any savings, including that resulting from a possible merger of the CCIs, would also have to be evaluated. He believed that the professional autonomy of the permanent organs should prevail but not at the expense of coordination. Referring to the general consensus in favour of the Development Bureau, he recalled that development activities had for a long time been included in the Convention but that it was only at the current Plenipotentiary Conference that development was being discussed, and in that respect it was important to take timely action. He favoured the creation of a Study Group to submit a carefully researched case for change to a special Plenipotentiary Conference in two years time. The process could be started straightaway by a Resolution in favour of such a study which could include a restructuring of the General Secretariat and a merger of the CCIs. Referring to Alternative 3 in Corr.1 to Document 210 he said that the permanent organ for development should have an elected Director under the authority of the Secretary-General. His country's contributions had not been based on frustrations but on objective analysis of the current situation and the requirements of the future.

1.39 The delegate of the Netherlands, supporting the existing federal structure, thought that the Secretary-General had sufficient power but that a strengthened Coordination Committee was needed as well as streamlining and improved working methods. She could support the ideas expressed by the delegate of Kenya on a review of working methods and possible changes in the future, which could be reflected in a Resolution and mentioned in the Chairman's summary.

1.40 The delegate of Algeria said that, as the highest authority of the Union, the Secretary-General should be given the practical means and authority to carry out his task and that the relationships between the organs should be improved. The new permanent organ for development should have the same status as the other permanent organs and its own elected Director, although the Secretary-General should be responsible for making the organ an operational body and ensuring that the aspirations of the Members of the Union were met. The functions of the Director should be defined by Committee 7 which should also decide to allot it a sizeable portion of the budget. To that effect a document should be submitted to Committee 4. The Algerian Delegation had no special preference for any of the alternatives in Document 210.

1.41 The delegate of Tanzania recalled that there had been calls for improvements since 1965. Changes in the Convention had been made at the Nairobi Plenipotentiary Conference which had reinforced the issue of development. As far as organizational management was concerned, while many participants had experience in such matters, they were not applying the same criteria as they did to their own national institutions. However, it was difficult to see in what ways the Union differed from other national or international organizations. There had been much talk of changes in technology, in environment, of the need for a dynamic organization and for a practical and efficient organization to meet basic needs and the needs of both developed and developing countries. It had also been said that the Union should use modern management systems, and be a balanced but innovative organization. The decision to create a separate organ was a move in the right direction and a decision was now required to treat it like the other organs as far as financing was concerned. Committee 7 therefore had a duty, as did the Conference itself, to provide clear terms of reference for that organ and to draw up a timetable for working out the details of its establishment.

1.42 The delegate of the Islamic Republic of Iran said that his Delegation wished to see an efficient and effective organization which was responsive to its mandate and its main areas of responsibility. The Union needed to adapt to a new environment and in that regard his Delegation endorsed Italy's proposal that the Secretary-General be responsible for general policy, administrative policies and staff matters for all the permanent organs. Administrations should be cautious but at the same time clear and firm in their decisions for change. In that regard an Expert Committee should be set up to study the desired changes in the structure of the Union, the CCIs and the IFRB. However, great care should be taken to avoid the inadequacies of former Groups of Experts set up to carry out special studies, such as the Group of Experts on the long-term future of the IFRB. That body had been established 15 months after the date decided by the Nairobi Plenipotentiary Conference in Resolution No. 68, and its Report, submitted two years later than intended by the same Conference, had been sent out to administrations only in September 1988 and without the comments of the Administrative Council. The essential issues had been addressed by Committee 7 and a global solution was now required, including the provision of adequate financial resources for the newly created organ for development, as stated by the delegates of Algeria, Suriname and Tanzania.

1.43 The delegate of Paraguay said that although generally speaking the present structure of the Union had proved satisfactory, his Delegation recognized the need for changes to bring about a more effective and efficient operation. However, there should be no sudden, radical changes, rather a Group of Experts should be set up to consider

the issues in detail. With regard to the creation of a new permanent organ, the proposal by the delegate of Cameroon concerning the relationship between that organ and the Secretary-General should be studied closely.

1.44 The delegate of Pakistan recalled that his Delegation had already spoken of the need for change or improvement in the Union to remove certain weaknesses and increase its efficiency, and to that end it had supported the Greek proposal. The problems had been amply identified in the discussions and a consensus was emerging as to how the Conference should proceed to achieve its goal. His Delegation endorsed the suggestions made by Italy and Yugoslavia to strengthen the Coordination Committee and also the suggestion that machinery should be set in motion to study the structure of the Union and make recommendations based on consultations at all levels of the Union, including the elected officials, the Professional staff and General Service staff. His Delegation welcomed the creation of a permanent organ for development because the ITU symbolized not only international cooperation but also technical help and guidance to hundreds and thousands of workers throughout the world.

1.45 The delegate of Zimbabwe said that while there was majority support for the proposal to improve the existing structure of the Union there appeared to be differing views as to whether the Secretary-General should be given more power, some speakers having suggested that any additional responsibilities should be vested on the Coordination Committee. His Delegation was in favour of strengthening the position of the Secretary-General to give him overall control of the various organs of the Union, and of the idea that a Group of Experts should be set up to look into the various options, including the need to streamline the working methods. That Group should report to a World Telecommunications Development Conference in three years time, and its recommendations should then be adopted.

1.46 The delegate of Burundi said that although the so-called federal structure of the Union had been satisfactory for some years, the Union could not just mark time. It had become somewhat cumbersome in its operations, and there was now a need to give the various organs of the Union, including the new permanent organ for development some autonomy. Autonomy was essential for rapid decision-making and would ensure a more flexible operational approach. However the administrative authority of the Secretary-General should be enhanced through a stronger Coordination Committee. The new permanent organ should be set up as soon as possible and given adequate financial means to discharge its duties.

1.47 The delegate of Hungary said that there was a consensus in Committee 7 that what was needed was an effective, useful, active, well-organized and well-managed Telecommunication Union. Under the present Convention, the Union had four permanent organs and the Secretary-General was responsible for coordinating their activities. While he could request and act on the advice of the Coordination Committee, experience had shown that there was room for improvement in the work of that Committee. Cooperation between the permanent organs should be a routine matter at every level. Another of the Secretary-General's tasks was to organize the General Secretariat and there, too, there was room for improvement. The basic decisions for the work of the two CCIs were taken at their Plenary Assemblies and in their Study Groups by the administrations, and those decisions gave sufficient professional guidance for the work of the two elected Directors. The CCITT, at WATTC-88, had been able to renew its methods and the task of the present Conference was to encourage that procedure. The IFRB had originally been created as a collegiate body with a very special field of activity in managing the frequency spectrum. The high quality of service which it had provided since its founding had been recognized by the Nairobi Plenipotentiary Conference, and its results had only been possible because of its collegiate nature. A

Panel of Experts had already studied the work of the Board and had produced numerous recommendations for improvement. Generally speaking, changes should only be made after careful consideration of all the organizational aspects of the Union and their consequences. There should be no major changes in the basic structure of the Union at the present Conference but the possibilities of reorganization should be studied in detail by a high level group as originally proposed by the Federal Republic of Germany.

1.48 The delegate of Uruguay said that although the ITU had operated satisfactorily so far, the Coordination Committee should be strengthened to make the organization more efficient. The creation of a new organ for technical cooperation was appropriate, as was a "federal" structure for the Union.

1.49 The delegate of the Byelorussian Soviet Socialist Republic endorsed proposals to improve the efficiency of the Union and to ensure a more rational use of available resources. With its existing structure, the Union had proved itself capable of carrying out the tasks set for it but new methods of work should be defined for the permanent organs to ensure their interaction and an enhanced role for the Coordination Committee. Technical cooperation also needed to be developed and to that end his Delegation endorsed the establishment of a special organ headed by an elected official. It had no objection to the establishment of a special Group of Experts to consider in detail the working methods of the permanent organs and existing structure. That Group should prepare proposals for submission to the next Plenipotentiary Conference. Revolutionary changes would not assist development or enhance the working methods of the Union, and could not be supported.

1.50 The delegate of Bulgaria said that his Delegation wished the ITU to be a dynamic and energetic organization capable of adjusting to new conditions. As many speakers had already pointed out, that could be achieved by improving the structure of the Union and its methods of work. Immediate improvements could be made in methods of work, as had been seen at the latest Plenary Assembly of the CCITT but the situation was less clear as regards structure. For the time being, therefore, the existing federal structure should be retained pending an in-depth study on all structural aspects.

1.51 The delegate of Morocco said that his Delegation favoured a cautious and pragmatic approach with proper preparation for the future, bearing in mind that there would be imperfections whatever the structure, and that the present structure had proved its worth. The recent historic step to create a new permanent organ for development would complete the existing structure of the Union, but it would have to be given the means to enable it to discharge its duties on an equal footing with the other organs. The powers and functions of the new organ should therefore be defined before the end of the Conference. Special measures should be taken to enhance the role of the Coordination Committee and a representative Working Group should be set up to study in detail the structure of the Union. If that were agreed in principle, its terms of reference could be discussed by the Committee.

The meeting rose at 2215 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 253-E
27 June 1989
Original: English

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 8

Replace section 4.15 by the following text:

"The delegate of the Federal Republic of Germany, supported by the delegate of Colombia, said that his Delegation would prefer to see no change to Article 33, as proposed by the Brazilian Administration since the current text had served its purpose well for many years. He could agree to add to the term "military" the term "national defence" but was opposed to any further amendment.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 253-E

16 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Friday, 9 June 1989, at 0940 hrs

Acting Chairman: Mr. V.G. CASSAPOGLOU (Greece)

Subjects discussed:

Documents

- | | | |
|----|---|---|
| 1. | Approval of the summary record of the second meeting of Committee 8 | 183 |
| 2. | Notes by the Chairman of Committee 6 | 221, 222, 223 |
| 3. | Report of Drafting Group C8/1 on Article 26 and No. 2018 of Annex 2 | DL/12 |
| 4. | Presentation and discussion of national proposals related to the text of the draft Constitution - Articles 30 (156A), 31, 32 and 33 | Document A, DT/8
DT/9 and Add.1(Rev.1) |

1. Approval of the summary record of the second meeting of Committee 8
(Document 183)

The summary record was approved.

2. Notes by the Chairman of Committee 6 (Documents 221, 222 and 223)

2.1 The Chairman said that the four national proposals originally allocated to Committee 6 which were the subject of the first note by the Chairman of that Committee (Document 221) had been transferred to Committee 8 and would be considered at a later meeting, as would the national proposal mentioned in his third note (Document 223). The documents listed in his second note (Document 222) were already included in the Committee's agenda.

The Committee took note of the notes by the Chairman of Committee 6.

3. Report of Drafting Group C8/1 on Article 26 and No. 2018 of Annex 2
(Document DL/12)

3.1 The Chairman of Drafting Group C8/1 said that after considering the written proposals to amend Article 26 made by Côte d'Ivoire, China, Turkey and Senegal and the oral amendment suggested by the delegate of the United States, the Drafting Group had agreed on the text in Document DL/12, subject to the reservation recorded by the delegate of the USSR and a need for editorial alignment of the English and French texts to which the delegate of France had drawn attention.

The Drafting Group had also agreed on the text proposed in Document DL/12 for the related definition in No. 2018 of Annex 2 (Government telecommunication), after considering the proposals made by India, Turkey, and Saudi Arabia and the corresponding definition in the Final Acts of WATTC-88 (Article 2, paragraph 2.3). All members of the Drafting Group except the delegate of China preferred the first of the two alternative final lines included in square brackets, considering that the definition should cover all types of government telecommunication and not only telegrams. Drafting Group C8/1 submitted both texts for consideration and approval.

3.2 The delegate of Côte d'Ivoire expressed surprise and concern that the Drafting Group had agreed on the texts without the participation of his Delegation, despite its membership of the Group and its substantial contribution to the discussions in Committee.

3.3 The delegate of Venezuela pointed out that his Delegation too had participated in the work of the Drafting Group but was not listed as so doing in Document DL/12.

3.4 The Chairman of Drafting Group C8/1 expressed regret that the delegate of Côte d'Ivoire had not attended its meeting, which had been announced well in advance, and said that the Côte d'Ivoire's proposals had been considered by the Group in arriving at its decisions.

3.5 The delegate of the USSR said that the Committee should proceed to consider whether to approve the texts in Document DL/12, on the first of which his Administration no longer wished to reserve its position.

3.6 The delegate of Mexico proposed that the Committee should decide first whether to approve the definition of "government telecommunication" in No. 2018, so as to facilitate consideration of Article 26.

3.7 The delegate of Brazil supported that proposal.

It was so decided.

3.8 The delegate of the USSR said that at a time when government telecommunications took many forms, the first alternative ending to No. 2018 was preferable to the second, which specified replies to only one type of such communications.

3.9 The delegate of China said that the second alternative specifying replies to government telegrams was to be preferred, in order to ensure that the replies in question were in response to government communications.

3.10 The delegate of Algeria proposed that the word "telecommunication" should be put in the plural wherever it appeared in No. 2018, as it was in the draft for Article 26.

3.11 The delegate of the United States endorsed the views expressed by the delegates of the USSR and Algeria.

3.12 Following a discussion in which the delegates of Argentina, Senegal, Mexico, Zimbabwe, the United Kingdom, Niger, Colombia, Spain, Indonesia, Czechoslovakia, Norway, Brazil, Canada and Mali took part, the Chairman concluded that the great majority were in favour of approving both of the texts in Document DL/12, adopting the first alternative ending to No. 2018 of Annex 2. There was, however, a division of opinion over the Algerian proposal to make No. 2018 refer to "government telecommunications" in the plural. He therefore asked the delegate of China if he could accept the first alternative ending to No. 2018, and suggested that the Committee might revert to the second question after asking the Editorial Committee to align the text with definitions already in existence.

3.13 The delegate of China said that he could accept the adoption of No. 2018 with the first alternative ending, even though there had been no answer to the objection which he had mentioned.

3.14 The delegate of Spain said that the definition "government telecommunication" in Article 2, paragraph 2.3 of the Final Acts of WATTC-88, to which the delegate of Canada had referred, was only in the singular because the same procedure had been adopted in Melbourne as that suggested by the Chairman. He proposed that the Committee should break the vicious circle and decide to put "government telecommunication" in the plural.

3.15 The delegate of the United States supported that proposal.

3.16 The delegate of Argentina questioned whether the definition of a government telecommunication in the ITU Constitution should list the International Court of Justice separately from the heads of the principal organs of the United Nations.

3.17 The delegates of Turkey and the United Kingdom pointed out that whereas the ICJ was a body including several members, the heads of the principal organs of the United Nations were individuals, and the list in No. 2018 was the same as the one which had figured in the Convention for many years.

3.18 The delegate of Argentina accepted those explanations.

3.19 The Chairman said that the Committee had thus concluded its review of Article 26 (149) and No. 2018 of Annex 2 by approving the texts in Document DL/12 with the adoption of the first alternative ending to No. 2018 and putting the word "telecommunication" in the plural wherever it appeared.

4. Presentation and discussion of national proposals related to the text of the draft Constitution (continued) (Documents A, DT/8, DT/9 + Add.1(Rev.1))

Article 30 - Harmful Interference

4.1 The delegate of Kuwait introduced his Delegation's proposal to add a paragraph 156A; the purpose was to ease the work of the IFRB.

4.2 The delegate of Qatar supported the proposal made by the delegate of Kuwait.

4.3 The representative of the IFRB (Mr. Bellchambers) said that the addition would not relieve the Board of any of its major responsibilities, since the Board could always be called upon to assist in cases of bilateral or multilateral arrangements, and its services would presumably be available in the same way to regional forums. In any case, there was already provision, in the Convention and the Radio Regulations, for administrations to make special regional arrangements on any telecommunications matter.

4.4 The delegate of Switzerland agreed that provisions already existed to cover regional arrangements. The latter, in any case, were surely not the right way to deal with harmful interference problems, which differed from case to case and were normally dealt with on a bilateral or restricted multilateral basis. His Delegation preferred not to add the proposed text.

4.5 The delegates of the United States, Japan and the United Kingdom said that the point was covered elsewhere under existing provisions and need not be covered under Article 30.

4.6 The delegate of Australia said he agreed with the previous speakers. Indeed, the existence of the facilities proposed by Kuwait might possibly induce some party to a harmful interference problem to delay matters pending a regional conference.

4.7 The delegate of Kuwait withdrew his Delegation's proposal.

Article 30 was approved without change.

Article 31 - Distress Calls and Messages

Article 32 - False or Deceptive Distress, Urgency, Safety or Identification Signals

Approved without change.

Article 33 - Installations for National Defence Services

4.8 The delegate of Saudi Arabia introduced his Delegation's proposal to delete from No. 159 the words "of their army, naval and air forces" because all branches were covered by the word "military".

4.9 The Chairman drew attention to two further proposals by delegations absent from the current meeting: a proposal, by Paraguay to add the word "Radio" to the beginning of the title; and a proposal, by the Solomon Islands, to make the same deletion from No. 159 as proposed by Saudi Arabia but to replace those words by "for national defence services", and to delete also the word "military".

4.10 The delegate of Saudi Arabia said he preferred to retain the word "military", in order to show that the text covered all sectors of national defence.

- 4.11 The delegates of Qatar, Algeria, Kuwait, the United Arab Emirates and Argentina supported the Saudi Arabian proposal as orally amended by the delegate of Spain to read: "Members retain their entire freedom with regard to military and defence radio installation".
- 4.12 The delegate of Switzerland said that he could support the addition of the word "Radio" to the title. He also thought that, Nos. 159, 160 and 161, the word "military" could be replaced by "national defence service".
- 4.13 The delegate of Indonesia proposed that the title should remain as it stood but that the word "radio" should be replaced by "telecommunications" in the text of No. 159.
- 4.14 The delegate of Turkey supported that proposal.
- 4.15 The delegate of the Federal Republic of Germany, supported by the delegate of Colombia, said that his Delegation would prefer to see no change to Article 33, as proposed by the Brazilian Administration since the current text had served its purpose well for many years. He could agree to amending the term "military" to "national defence" but was opposed to any further amendment.
- 4.16 The delegate of the United Kingdom pointed out that Article 33 formed part of Chapter III - Special Provisions for Radio. It would be inappropriate, therefore, to change the word "radio" to "telecommunications". His Delegation would prefer to retain the word "military".
- 4.17 The delegate of the Netherlands, supported by the delegate of Italy, said that if the proposal made by the delegate of Switzerland were adopted, the text of No. 159 would be aligned with the title, whilst maintaining the gist of the proposals submitted by the Administrations of Saudi Arabia and the Solomon Islands.
- 4.18 The delegate of Australia said that the proposal to replace the word "radio" by "telecommunications" was not only inappropriate in the current context but raised an issue too important to be introduced at Committee level. While appreciating the reason behind the desire to delete the term "military", difficulties could arise if the freedom required by military forces with regard to their installations was extended to other areas. His Delegation preferred to retain Article 33 unchanged.
- 4.19 The delegate of Indonesia withdrew his oral proposal.
- 4.20 The delegate of Spain thought that the word "radio" should remain in the text, and agreed that the word "military" should likewise be retained. In the light of the Committee's deliberations, his Delegation proposed that the title should read "Radio Installations for National Defence Services", and that the text of No. 159 should read "Members shall retain their entire freedom with regard to military and national defence radio installations". In response to further observations by the delegates of Morocco and Algeria and the Chairman, he agreed to withdraw the proposal to insert "Radio" in the title.
- 4.21 The delegate of Argentina said that his Delegation could support the Saudi Arabian proposal, as amplified by that of Spain.
- 4.22 The Chairman invited the Committee's views on the remaining part of the Spanish Delegation's proposal relating to No. 159.

Following a brief discussion, it was agreed, on a proposal by the delegate of Niger, to hold informal consultations with a view to reaching a compromise text relating to 159.

The meeting rose at 1300 hours.

The Secretary:

D. SCHUSTER

The Chairman:

V. G. CASSAPOGLOU

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 254-E
28 June 1989
Original: French

COMMITTEE 9

SUMMARY RECORD

OF THE

FIFTH MEETING OF COMMITTEE 9

1. Paragraph 2.10

Amend to read:

"2.10 The delegate of Romania suggested that the words "and the Convention" at the end of No. 3 be deleted, in order to simplify situations where national legislation called for approval or ratification of the Constitution and the Convention by different government entities."

2. Paragraph 3.19

Does not affect the English text.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 254-E

14 June 1989

Original: English

COMMITTEE 9

SUMMARY RECORD

OF THE

FIFTH MEETING OF COMMITTEE 9

(BASIC INSTRUMENT OF THE UNION)

Friday, 9 June 1989 at 1435 hrs

Chairman: Mr. H.H. SIBLESZ (Netherlands)

Subjects discussed:

Documents

1. Approval of the summary record
of the first meeting of Committee 9
2. Consideration of a consolidated text
for Article 1 of the Draft Constitution
3. Consideration of proposals (continued)

171

DT/35

DT/12 + Corr.1 + Add.1,
Documents A + B
GE-BIU 50(Rev.)

1. Approval of the summary record of the first meeting of Committee 9
(Document 171)

The summary record was approved as amended (see Corrigendum 1 to Document 171).

2. Consideration of a consolidated text for Article 1 of the Draft Constitution
(Document DT/35)

2.1 The Chairman introduced the document, which incorporated the suggestions made during the debate, and drew special attention to the fact that Nos. 5 and 6 had been amalgamated.

2.2 The delegate of the United States said that he could support the paper with some minor drafting amendments. In the first line of No. 4, the words "which becomes" and "and" should be deleted, with a comma placed after "United Nations", and a comma should be placed after the word "State" in the first line of No. 5.

2.3 The delegate of the United Kingdom supported the text with those amendments and pointed out that the figure "1." at the beginning of No. 2 was no longer necessary, in view of the amalgamation of Nos. 5 and 6. The delegate of Australia also supported the text as amended by the United States.

2.4 The Vice-Chairman said that the order of phrases in the French version of No. 2 diminished the value attached to the Union and the English version was preferable. The Chairman said that the three language versions would be aligned.

2.5 The delegate of Mexico agreed that the phrase order in the French and Spanish versions was preferable, since it emphasized the importance of the principle of universality. He endorsed the United States drafting amendments to No. 4, and considered that the new No. 5, although somewhat long, reflected the comments made during the debate. He had some doubts, however, on whether the two-thirds majority requirement in the first sentence of that provision also applied to the second sentence.

2.6 The Legal Adviser confirmed that the requirement indeed related to both applications received during the Plenipotentiary Conference and those made during the interval between two Conferences; with regard to the latter, Administrative Council Resolution No. 216 expressly specified so. Under the Malaga-Torremolinos and Nairobi Conventions, certain applications for membership which had not been approved by the required majority had thus been rejected.

2.7 The delegate of Paraguay suggested that No. 5 might be simplified by splitting it into paragraphs c) and d), thus distinguishing between the times when applications for membership were received. The Chairman observed that such a division would defeat the purpose of No. 5, which was to deal in one provision with States falling into the same category. The Paraguayan suggestion would indicate that there were four categories instead of three. The delegate of Paraguay said that he would not press his suggestion.

2.8 The delegate of Romania proposed that the word "an" at the beginning of the second sentence of No. 5 be replaced by "the", to strengthen the link between the two sentences. The Chairman suggested that the appropriate word was "such". The delegate of Romania accepted that suggestion.

2.9 In response to a request for clarification by the delegate of Romania concerning the exact timing of the deadline referred to at the end of the second sentence of No. 5, the Legal Adviser read out the detailed procedure set out in resolves 4 of Administrative Council Resolution No. 216, from which it would be seen that the

Secretary-General was to determine whether the requisite two-thirds majority had been obtained upon expiry of the period of four months from the date of dispatch of the telegram he had sent to all Members as soon as possible after receipt of the application.

2.10 The delegate of Romania suggested that the words "and the Convention" at the end of No. 3 be deleted, in order to simplify situations where the national legislation called for ratification of or accession to the Constitution and Convention by different Government entities.

2.11 The Chairman observed that, since the Constitution and the Convention were associated in all respects throughout the articles assigned to the Committee, it would be inadvisable to delete the reference to the Convention from Article 1. The delegate of France agreed that the unitary structure of the Basic Instrument should be maintained, and the delegate of Romania said that he would not press his suggestion.

2.12 The delegate of France, observing that failure on the part of a Member to respond to the consultation referred to in No. 5, might have serious consequences, suggested that the words "and after a reminder has been sent to it, one month after the expiry of the time-limit" should be added at the end of that provision.

2.13 The Legal Adviser said that, although he understood the concern of the delegate of France, it might be advisable, from the point of view of textual elegance, to deal with that more or less technical issue in an express request by this Committee that this be done so in the practice of the General Secretariat, rather than in the first article of the Constitution. The delegate of France could rest assured that the Secretariat would duly issue any necessary reminders. The delegate of Morocco endorsed that statement, and the Committee agreed to that course of action. In the light thereof, the delegate of France withdrew his suggestion.

In response to a comment by the delegate of Indonesia, the Legal Adviser said that, although the word "party" did not appear in any previous International Telecommunication Convention, its use in No. 3 was warranted by the fact that the term was generally recognized in international law and was defined in Article 2, paragraph 1 (g), of the Vienna Convention on the Law of Treaties as "a State which has consented to be bound by the treaty and for which the treaty is in force".

2.14 The Chairman suggested that the text of Article 1 set out in Document DT/35, as amended, should be forwarded to the Editorial Committee and that Committee 8 should be informed of the decision to delete the reference to Annex 1 to the Constitution from No. 3 in order to avoid confusion between that legal device and the list of Member countries regularly updated by the Secretariat.

It was so decided.

3. Consideration of proposals (Documents DT/12 + Corr.1 + Add.1, GE-BIU(Rev.) Documents A and B) (continued).

3.1 The Chairman noted that proposals B/58/8 to B/58/12, to place the provisions of Article 36 between Articles 4 and 5, would be considered in connection with Article 36 and that proposal B/58/4, to add a new No. 6A would be examined with Article 38 on ratification. In accordance with Document DT/32, proposals ARS/60/11 to ARS/60/13 to add a new Article 17A, would be more appropriately considered by Committee 8. Thereafter, it might have to be considered by Committee 9 in respect of questions falling within its terms of reference.

Article 3 - Seat of the Union

3.2 The Chairman observed that the only proposals in connection with the Article were SLM/17/5 proposing its deletion and PRG/95/8 and PRG/95/9 proposing that it remain unchanged. He asked whether there was any support for the proposal of the Solomon Islands.

In the absence of support for that proposal, Article 3 was approved without change.

Article 17 - Legal capacity of the Union

3.3 The Legal Adviser remarked that Article 17 might well be better placed elsewhere in the Constitution and that it would be helpful for the Editorial Committee to know, in general, whether the Committee was considering the placement as well as the text of the various provisions.

3.4 The delegate of the United States, supported by the delegate of Australia, pointed out that other committees were working on the draft text and that it would be better to defer consideration of the placement of provisions until the text itself had been finalized.

3.5 The Chairman suggested that the Committee deal with provisions in the order presented in Document A, leaving proposals regarding the ordering of provisions to a later stage.

It was so agreed.

Article 17 was approved.

Article 36 - Instruments of the Union

3.6 The Chairman proposed to first deal with the question of the most appropriate structure of that Article, and to choose by way of a show of hands between the one proposed by the Group of Experts and the one proposed by both the Delegation of Chile and the Delegation of Paraguay.

3.7 The delegate of Chile, introducing proposal CHL/43/9 for No. 165, said that it sought to clarify the text by dealing comprehensively with all the instruments of the Union together. Thus, the Constitution was defined as the Basic Instrument of the Union, and the related roles of the Convention and the Administrative Regulations were specified. Such a restructuring of the text would allow for the deletion of No. 166 (as in proposal CHL/43/10) and would simplify No. 167 which then would have only to establish the link between the Administrative Regulations and the Members of the Union (as in proposal CHL/43/11). The proposals did not seek to change the substance of the text but to consolidate the provisions describing the main characteristics of the instruments of the Union.

3.8 The delegate of Paraguay pointed out that proposals PRG/95/61, PRG/95/62 and PRG/95/63 were similar to the proposals of Chile and had been presented with the object of simplifying the structure of the text.

3.9 The delegate of Kenya said that discussion of the text of Nos. 165, 166 and 167 based either on the draft of the Group of Experts or on the proposals of Chile and Paraguay would be equally acceptable.

The majority view in the Committee, however, was that discussion should be based on the draft of the Group of Experts and it was therefore agreed to proceed on that basis.

3.10 The Chairman invited the Committee to consider a problem of terminology posed by Nos. 166 and 167. The Group of Experts had attempted to establish a hierarchy between the Constitution, the Convention and the Administrative Regulations. In the English text, the Constitution was said to be "complemented" by the Convention, whereas the Constitution and the Convention were said to be "supplemented" by the Administrative Regulations. The same relationship was established in the Spanish text by use of the verbs "se complementan" and "se completan", respectively. The problem arose with respect to the French text, which was the text that prevailed in case of dispute, where there appeared to be only one term, "complétées", available for both cases. He suggested that the hierarchy be preserved by using terminology such as "complemented" in No. 166 and "furthermore complemented" in No. 167.

3.11 The delegate of Venezuela said that the present wording in Spanish was satisfactory as it stood but stressed the importance of legally establishing the relationship between the instruments.

3.12 The delegate of the United Kingdom said that the existing English text was satisfactory but, given that, unlike the practice in other organizations, the French text prevailed in ITU, he would be prepared to go along with the Chairman's suggestion. It would be more correct, in No. 167, however, to say "further complemented".

3.13 The delegate of France said that, apart from introducing an neologism, "supplémentées", he could only offer the suggestion of saying that the Administrative Regulations were "annexed" to the Constitution and the Convention. Use of "complemented" and "further complemented" would, however, be acceptable.

3.14 The delegate of Kenya agreed with the delegate of the United Kingdom from the point of view of language. He pointed out, however, that although the Constitution, "complemented" by the Convention, could be "further complemented" by the Administrative Regulations, the Convention itself could not be "further complemented" by them. In any event, there was no need to establish a hierarchy between the instruments in Nos. 165, 166 and 167, as that hierarchy was clearly established in No. 168.

3.15 The Legal Adviser considered that use of the term "further complemented" would not lead to any confusion as the provisions of the Administrative Regulations were so evidently related to those of the Convention, as could be seen from Chapter VI in Document B.

3.16 The delegate of Australia said that, while "complemented" and "further complemented" might well be an appropriate solution, No. 168 also dealt with the relative standing of the instruments, as the delegate of Kenya had pointed out. Furthermore, the first sentence of Article 40 stated that the Administrative Regulations were to be regarded as "annexed" to the Constitution and the Convention.

3.17 The delegate of Romania said that it was only correct to speak of a single instrument with a single preamble and a single testimonium. The Administrative Regulations could not be annexed to two instruments at the same time. The only solution was to have a single Basic Instrument, the Constitution, to which were annexed the General Regulations (dealing with the functioning of the Union and with conference procedures) and the Administrative Regulations. The Constitution should reflect the fundamental structure of the Union. Merely dividing up the Nairobi Convention into two parts and attempting to retain both as the Basic Instrument was not in accordance with the spirit of Nairobi or of Malaga-Torremolinos.

3.18 The delegate of Gabon proposed a text for Nos. 165, 166 and 167 to avoid the problem posed by "complétées", but without taking a categorical stand on the use of the term "General Regulations". The text of his proposal was subsequently issued in Document DT/38.

3.19 The delegate of Romania said that, on the understanding that the "Convention", as referred to in the proposal of Gabon, meant the Administrative Regulations, he could support the proposal.

The meeting rose at 1740 hours.

The Secretary:

A. NOLL

The Chairman:

H.H. SIBLESZ

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 255-E

9 June 1989

Original : English

PLENARY MEETING

Note by the Secretary-General

TRANSFER OF POWERS

Republic of Kiribati - United Kingdom

The Government of the Republic of Kiribati has informed me that it cannot send a delegation to the Conference.

In pursuance of 391 of the Convention, it has given the delegation of United Kingdom powers to represent it.

The instrument for the transfer of powers has been deposited with the Secretariat of the Credentials Committee. The Chairman has examined this instrument as authorized by the Eleventh Plenary Meeting and has found it to be in order.

R.E. BUTLER
Secretary-General

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 256-E

9 June 1989

Original : English

FOR INFORMATION

Note by the Secretary-General

I have the honour to transmit to the Conference, for information,
the attached message received from the Secretary-General of the United Nations.

R.E. BUTLER
Secretary-General

Annex : 1

A N N E X

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MR. RICHARD E. BUTLER
SECRETARY-GENERAL, ITU
PLENIPOTENTIARY CONFERENCE
NICE, FRANCE.

24684-06 THE UNITED NATIONS SECRETARY-GENERAL HAS TAKEN NOTE
OF ADDITIONAL PROTOCOL III OF THE INTERNATIONAL
TELECOMMUNICATIONS CONVENTION (1982 - NAIROBI) AND URGES THAT
THE PRESET PLENIPOTENTIARY CONFERENCE GIVE FAVOURABLE
CONSIDERATION TO CONTINUATION OF THE PROVISIONS CONTAINED
THEREIN.

J. RICHARD FORAN
ASSISTANT SECRETARY-GENERAL

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PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 257-E

9 June 1989

Original: English

COMMITTEE 9

United States of America

PROPOSALS FOR THE WORK OF THE CONFERENCE

DRAFT CONSTITUTION

ARTICLE 40 [43 + 42]

Delete the text of Article 40 [43 + 42] contained in Document A prepared by the GE-BIU and substitute the following:

ARTICLE 40 [43 + 42]

Administrative Regulations

USA/257/1

MOD [174] 179

1. Ratification of this Constitution in accordance with Article 38 or accession to this Constitution in accordance with Article 39 shall also constitute acceptance of:
 - the Radio Regulations (Geneva, 1979) including the revisions drawn up by the World Administrative Radio Conference for Mobile Services (Geneva, 1983), the World Administrative Radio Conference for the Planning of HF Bands Allocated to the Broadcasting Service (Geneva, 1987), the World Administrative Radio Conference for Mobile Services (Geneva, 1987), the World Administrative Radio Conference on the Use of the Geostationary-Satellite Orbit and the Planning of the Space Services Utilizing It (Geneva, 1985 and 1988); and
 - the International Telecommunications Regulations (Melbourne, 1988) unless the Member's instrument of ratification or accession shall state otherwise. A Member ratifying or acceding to this Constitution but not accepting the above-listed Regulations shall state in its instrument of ratification or accession to this Constitution the Regulations in force for and accepted by that Member.

USA/257/2
MOD [171] 180

2. A Member shall indicate its consent to be bound by subsequent partially revised or new Regulations accepted by that Member as drawn up by competent world administrative conferences by formally notifying the Secretary-General of such consent to be bound. The Secretary-General shall inform Members promptly regarding receipt of such notification of a Member's consent to be bound.

USA/257/3
SUP [172] 181

Reasons: 1. Paragraph 1 would define unambiguously those Regulations to which States consent to be bound when consent is expressed by ratification of the Constitution.

2. Paragraph 2 ensures that States can comply fully with their domestic requirements before indicating their consent to be bound by new Regulations.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 258-E

9 June 1989

Original: Spanish

PLENARY MEETING

Cuba

DRAFT CONSTITUTION

ARTICLE 29 [33]

CUB/258/1
ADD

153A 3. Moreover, Members shall take into account that the radio frequency spectrum and geostationary-satellite orbit constitute vital supports for telecommunications and should therefore be used to safeguard peace, to further the social and economic development of all countries and to facilitate peaceful relations.

Reasons: It is considered worth adding this special paragraph on the use of the radio frequency spectrum and the geostationary-satellite orbit, despite the fact that similar terms have been used for telecommunications in general.

The importance of these two limited resources used in common by all countries warrants this special mention, which highlights their importance.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 259-E

6 June 1989

Original: EnglishWORKING GROUP
OF THE PLENARYSweden

PROPOSALS FOR THE WORK OF THE CONFERENCE

ITU promotion of telecommunications development

Promotion of world-wide development of telecommunications was an issue at the ITU Plenipotentiary Conference in Nairobi in 1982 and is on the agenda for the Conference in Nice in 1989. In the intervening time the ITU has commissioned two special studies on the subject: "The Missing Link", published in January 1985 and "The Changing Telecommunications Environment", published in March 1989. This paper tries to formulate some general suggestions concerning the future role of the ITU in support of telecommunications policy development for the discussions of the matter in Nice.

The Missing Link

The Plenipotentiary Conference in Nairobi decided to set up an Independent Commission for World-Wide Telecommunications Development to recommend ways of stimulating the expansion of telecommunications across the world. The Commission was established in May 1983 and comprised 17 Members from different regions and with a variety of disciplines and experience under the chairmanship of Sir Donald Maitland (United Kingdom). It delivered the Report "The Missing Link", often called the Maitland Report in January 1985.

The principal message of the Report was that telecommunications should play a larger role in the global development process. It contained a number of recommendations regarding measures to expand telecommunications in developing countries. One of the recommendations was the setting up of a Centre for Telecommunications Development as a semi-autonomous body, associated with the ITU. The envisaged budget was of the order of 10 MUSD/year.

The Report was largely endorsed by the Arusha Declaration on World Telecommunications Development in May 1985.

The Centre for Telecommunications Development

The Maitland Report was debated by the ITU Administrative Council in June 1985, which adopted Resolution No. 929 establishing the Centre within the framework of the ITU, on the basis of voluntary funding, with a separate and identifiable budget. It was put under the supervision of an Advisory Board comprising resource providers and beneficiaries from governmental as well as non-governmental entities in order to provide an opportunity for new partners to join the development process. The first Advisory Board met in November 1985 under the chairmanship of Mr. J.C. Delorme (Canada) and was succeeded by the second Advisory Board which met for the first time in October 1987 under the chairmanship of Mr. A.D. Ntagazwa (Tanzania).

The Centre was organized to carry out three main functions:

- 1) development policy;
- 2) telecommunications development;
- 3) operations support.

Based on the strategic objectives of the Centre:

- 1) promotion of telecommunications development;
- 2) technical assistance;
- 3) fund-raising, cooperation and support service,

an action plan for the period 1987-1989 was formulated by the Advisory Board and the Centre became operational in April 1987. A report on its activities has been delivered to the Administrative Council and forwarded to the Plenipotentiary Conference (Document 34). The budget foreseen has been of the order of 11-12 MCHF per year, but the fund-raising efforts have so far only provided 2-3 MCHF. As a consequence of this, the Centre has not set up any Policy Development Unit, but concentrated its resources on the other two tasks, in close cooperation with the Technical Cooperation Department of the ITU (TCD).

The Changing Telecommunications Environment

In 1988 the ITU Secretary-General set up an ad hoc informal Advisory Group on telecommunications policy comprising nine experts working in a personal capacity, under the chairmanship of Mr. Poul Hansen (Denmark). The report of the Group was released by the ITU in mid-March 1989, only two months before the Plenipotentiary Conference.

The Report describes the general trends of development in telecommunications and related areas, the issues and options for national policy (with specific reference to developing countries), the issues for international organizations and concludes with recommendations to be handled at country, regional and international level.

Comments

The Hansen Report reiterates some of the fundamental development problems addressed in the Maitland Report, but puts particular emphasis on the growing need to address telecommunications policy issues. Policy issues were mentioned already in the Maitland Report, but not so prominently. This is quite natural in view of the fact that policy discussions have particularly emerged in the last four or five years. Policy issues in this context mean the relations between the telecommunications sector and other sectors of society, as well as between governments and national telecommunications administrations. Such discussions have notably been conducted internationally in the OECD for about ten years, more recently within the European Communities and lately in GATT, where trade in services is being addressed. In addition, telecommunications policy has been a topic nationally within several countries. The ITU on the other hand has been largely preoccupied with issues inside the telecommunications sector, largely at administration level. The ITU machinery is traditionally preoccupied with technical, operational and administrative matters, but it seems somewhat ironical if the ITU would not take up also policy issues at government level, now that these are coming into focus, as pointed out by the Hansen Report.

The discussions at WATTC-88 also showed that different perceptions of policy approaches in the Member countries are a potential obstacle to consensus building in the ITU. The large international conferences have a negotiating task and are hardly appropriate fora for exploratory discussions regarding national policy making, which is a matter for each sovereign State. The seminars in connection with the Telecom exhibitions in Geneva have been helpful, but they lack sufficient continuity to serve as a basis for more concerted policy development.

It is felt that ITU Member countries would benefit from opportunities to exchange views and experience on a more regular basis at government level regarding fundamental national telecommunications policy making issues.

Conclusion

It is suggested that the Plenipotentiary Conference should decide:

- 1) that ITU activities relating to fundamental policy issues should be increased;
 - 2) that this purpose should be implemented by arranging regular forum meetings for policy makers, where policy issues could be analysed and experiences be exchanged;
 - 3) that the Secretary-General and the Administrative Council should be instructed to implement the above.
-

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 260-E

9 June 1989

Original: English

PLENARY MEETING

FIRST REPORT OF COMMITTEE 7 TO THE PLENARY MEETING

The Committee on Structure of the Union has held ten meetings so far and considered proposals and associated principles relating to the basic structure of the Union. It started with a general debate on the general structure of the Union and concluded by giving indication on the possible options to be retained (Annex 1 - Document 210).

1. In the general discussions of the structure of the Union, there was a full agreement that any structural change that may be proposed should be well considered and should be implemented with a minimum disturbance of on-going activities.

2. The Committee identified the following structural options for the various organs:

- two options for general structure;
- three for the CCIs;
- three for the IFRB, and
- two for the General Secretariat.

3. In its ninth meeting, the Committee has decided on the principle of creating a permanent organ for all network development, technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union. The conclusion of the Chairman regarding the Structure for Development as adopted by Committee 7 is given in Document 238 (Annex 2).

4. It was also agreed that the specific description and scope of the development organ would be a subject for further discussion.

5. In its tenth meeting, the Committee considered other articles that concerned the General Secretariat and decided to revert to the discussion of the general structural set up of the Union prior to the continuation of the discussion on the specific structure of the different organs.

A. VARGAS ARAYA
Chairman of Committee 7

Annexes: 2

INTERNATIONAL TELECOMMUNICATION UNION
**PLENIPOTENTIARY
CONFERENCE**
NICE, 1989

Document 210-E
5 June 1989
Original: English

COMMITTEE 7

Note from the Chairman of Committee 7

Please find the summary of the debate of Committee 7 on the general discussions on proposals and associated principles relating to the basic structures of the Union.

A. VARGAS ARAYA
Chairman

CHAIRMAN'S SUMMARY

Your Committee 7 on Structures so far had six sittings to organize its work and conducted general discussion on proposals and associated principles relating to basic structures of the Union. It entertained over 90 interventions and listened to the views of the four elected heads of organs, that lead me to propose to you the following general conclusions:

1. Many expressed their general satisfaction on the structure and performance of the ITU, but all agreed that there is room for improvement in one form or another.
2. Many others expressed that the Union does not respond equally well on all its functions, underlining that its development function has not received equitable treatment; all agreed that the technical cooperation function has to be strengthened.
3. All agreed that any structural change that may be proposed should be well considered and should be implemented with minimum disturbance of on-going activities. Accordingly it was suggested that evolutionary methods should be used and no one proposed a revolution.
4. There was a consensus that all came with an open mind and were willing to listen to the views of others, which I personally found a comforting attitude in the very difficult task you have assigned to me.
5. Let me now bring out some points on which I expected to hear more discussion and commentary but unfortunately not enough was said. These are:
 - 5.1 Reference to modern science of management.
 - 5.2 Comparative analysis of structures and management.
 - 5.3 The notion that the structure or management that one recommends to another organization would on the whole be more or less acceptable if it were practiced in one's own set up.

With the above observations and understanding, I have derived or distilled from the debate the following options:

First: The general structure

A. Existing structure

Consisting of four autonomous permanent organs (characterized by some as having a "federal" relationship) headed by nine elected officials, with a Secretary-General having limited overall responsibility and hence accountability, supported by an Advisory Coordination Committee which is composed of the heads of the various organs.

B. A consolidated functional structure

Consisting of four (CCIT, IFRB, Development, General Secretariat) or five (CCIT, CCIR, IFRB, Development, General Secretariat) permanent organs each headed by one elected director, all reporting to one chief executive designated as Secretary-General or Director-General.

In either option A or B there would be an independent, elected full-time or part-time Board of IFRB that will be responsible for all collegiate matters.

Second: The specific structures

A. The CCI's

Option I: Existing structure

Consisting of:

- Two separate Plenary Assemblies (CCIR & CCITT)
- Generating two separate sets of Study Groups
- Supported by two elected Directors each heading a separate Secretariat.

Option II: Revised structure

Consisting of:

- Two separate Plenary Assemblies (CCIR & CCITT)
- Generating two separate sets of Study Groups
- Supported by one elected Director heading a single Secretariat.

Option III: Revised structure

Consisting of:

- One common Plenary Assembly (CCIT)
- Generating one set of Study Groups
- Supported by one Director heading a single Secretariat.

B. The IFRB

Option I: Existing structure

Consisting of:

- A full-time elected Board of five members responsible for all collegiate functions and the direction of the Specialized Secretariat on annual rotation basis.

Option II: Revised structure

Consisting of:

- A part-time elected Board of five or more members responsible for all collegiate functions. The Specialized Secretariat would be headed by an elected Director reporting to the Secretary-General for administrative purposes, and to the Board for substantive matters.

Option III: Revised structure

Consisting of:

- A full-time elected Board of five members responsible for all collegiate functions. It would be assisted by a Director heading the Specialized Secretariat and reporting to the Secretary-General for administrative matters, and to the Board for substantive matters.

C. The General Secretariat

Option I: Existing structure

A General Secretariat and consisting of various departments such as external relations including legal matters, information exchange, computer, common services, personnel, etc., and two units consisting of a Technical Cooperation Department and a Centre for Telecommunications Development. The General Secretariat is headed by a Secretary-General assisted by a Deputy.

Option II: Revised structure

Creation of a separate permanent development organ which will be headed by an elected Director who will report to the Secretary-General and be responsible for all network development and technical cooperation assistance matters.

There will then remain the balance of the General Secretariat headed by a truly chief executive who is empowered to direct the affairs of the Union as a whole retaining its current responsibilities and providing consolidated service to all the permanent organs.

Those are the options I have so far derived from the general discussion on principles. To come back to the analogy I used at the beginning of our session of this committee those are the contours of the different forests that I have identified.

I should like you to tell me whether I have left out other possible options that we could have described.

Our next step would then be to go to each specific structure and select one option that will obtain the consensus of all parties. Once you agree on one option, I shall go back to the detailed proposals submitted and provide you with a menu of alternatives or trees to choose from in order to create the forest of your choice.

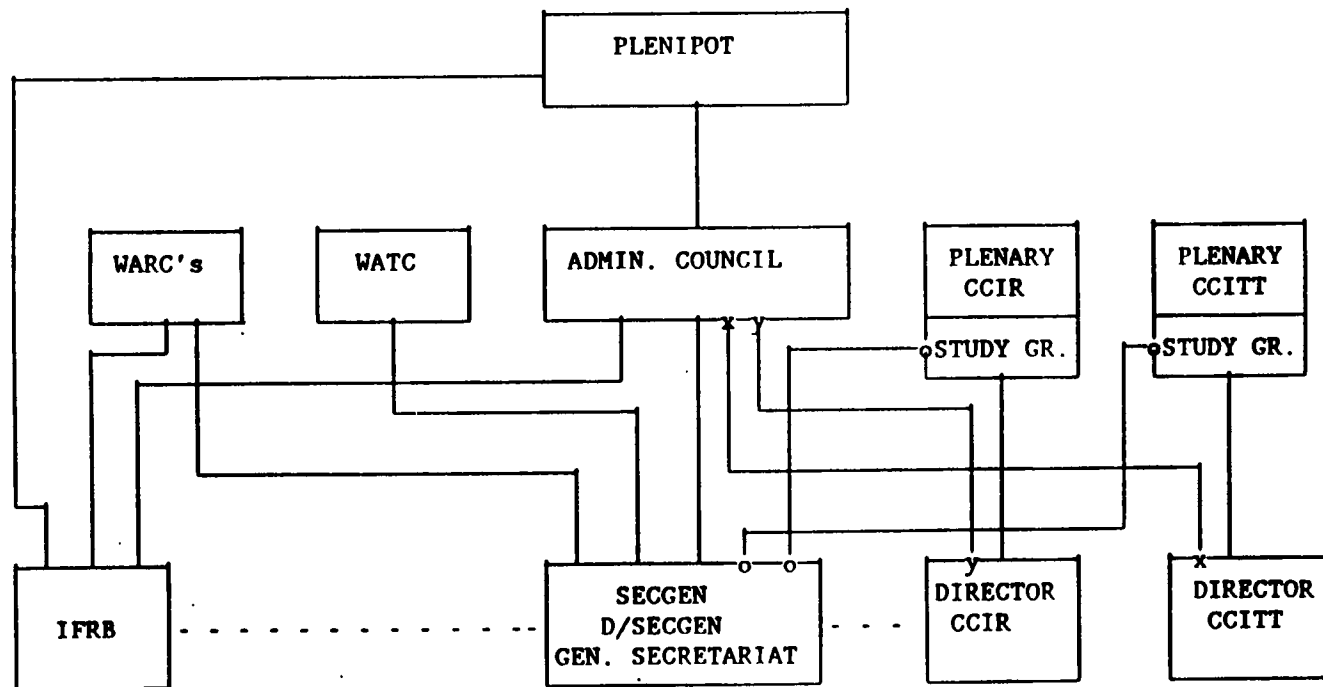
As required by certain delegations, I shall provide you this summary along with a block diagram presentation of various options.

As regards to the method on how to go about any agreed restructuring, there were different ways indicated that range from decisions to be made now and implemented, to the proposal of setting up a panel of experts, committee, management study, etc., and present it to a further conference. I suggest that we note these proposals for the time being and consider them after we have gone through all the articles assigned to us.

I hope the above will meet with your approval and I invite you now for any comments that you may have.

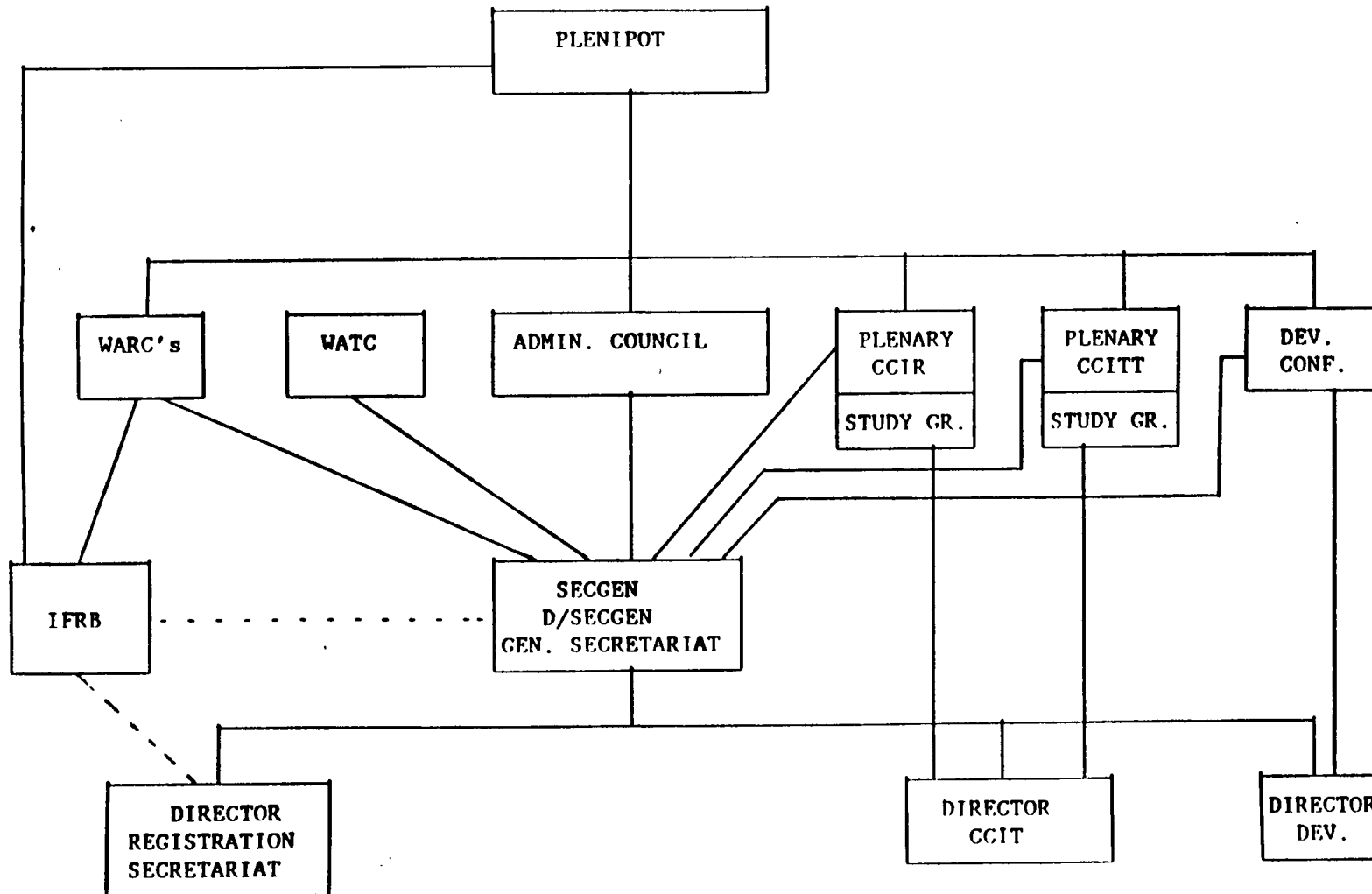
ANNEX 1

EXISTING RELATIONSHIP OF LEGISLATIVE ORGANS WITH SECRETARIATS

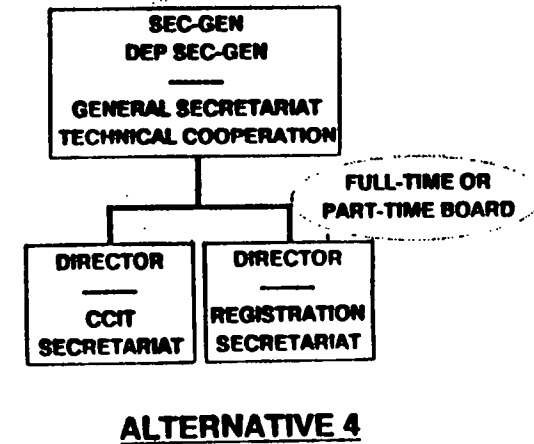
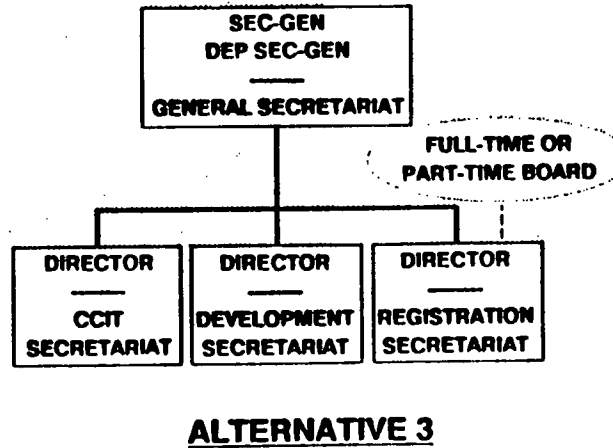
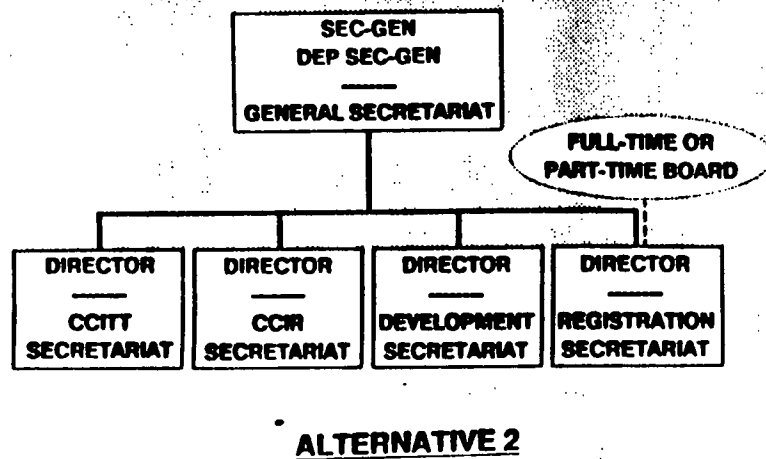
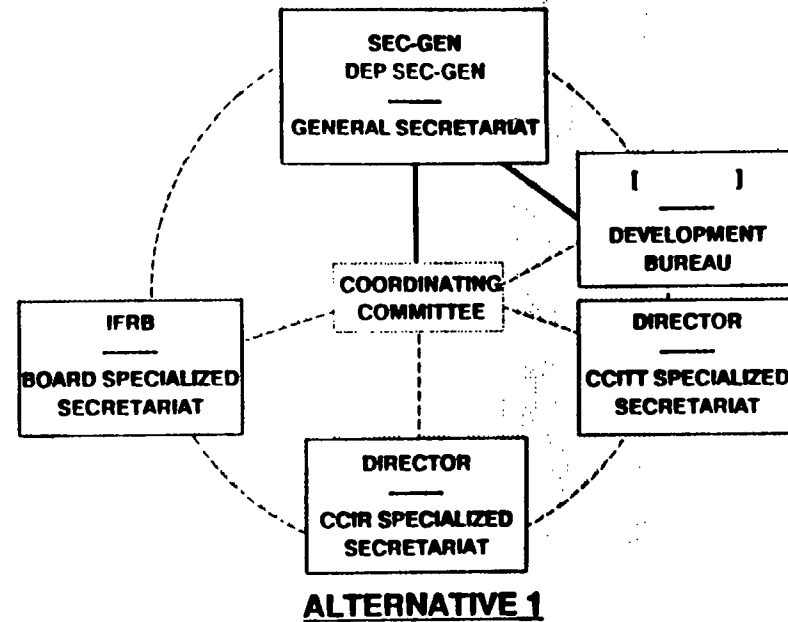
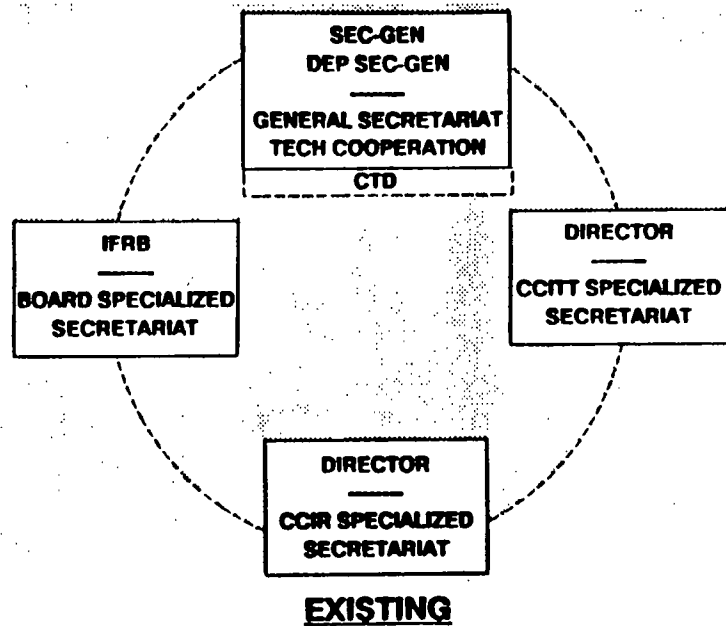


ANNEX 2

ONE POSSIBLE REVISED RELATIONSHIP OF LEGISLATIVE ORGANS WITH SECRETARIAT



ALTERNATIVE STRUCTURAL MODELS FOR ITU SECRETARIATS



ANNEX 2

INTERNATIONAL TELECOMMUNICATION UNION

**PLENIPOTENTIARY
CONFERENCE**

NICE, 1989

Document 238-E
7 June 1989
Original: English

COMMITTEE 7

CONCLUSION OF THE CHAIRMAN REGARDING
THE STRUCTURE FOR DEVELOPMENT AS
ADOPTED BY COMMITTEE 7

1. There is a consensus on the principle of creating a permanent organ for all network development, technical cooperation and assistance matters on the same level and status as the other permanent organs of the Union.
 2. Proposal of follow-up action
 - a) On the basis of the proposals received so far and the discussions heard during the general debate in the last two weeks the Chairman will provide the Committee with a document on the scope, type of activities, and status of the development organ.
 - b) The relationship of this new organ with the other organs will be discussed and decided upon once the Committee has gone through with the structure of the other organs, i.e., the general structural set up of the Union.
-

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 261-E

9 June 1989

Original : English

PLENARY MEETING

Note by the Secretary-General

The Delegation of El Salvador announced that it had to leave the Conference on 2 June 1989.

Pursuant to No. 392 of the Convention, the Delegation of El Salvador has given to the Delegation of the Argentine Republic a mandate to exercise its vote at the following elections :

- Secretary General
- Members of the IFRB
- Administrative Council

R.E. BUTLER
Secretary-General

**PLENIPOTENTIARY
CONFERENCE**

NICE, 1989

Document 262-E
12 June 1989
Original: English

COMMITTEE 9

NOTE BY THE CHAIRMAN OF COMMITTEE 8
TO THE CHAIRMAN OF COMMITTEE 9

Committee 8, in approving the modified text of Article 27 (150), decided to submit it to Committee 9 to consider the appropriateness of the text appearing in square brackets in view of Provision 179 of Article 40.

By approving the substance of the modified text of Article 29 (153) it was decided that Committee 9 should consider the possible replacement of the word "countries" by "Members" which appears in square brackets.

Article 27**Special Arrangements**

[151] 150 Members reserve for themselves, for the private operating
MOD agencies recognized by them and for other agencies duly authorized to
do so, the right to make special arrangements on telecommunication
matters which do not concern Members in general. Such arrangements,
however, shall not be in conflict with the terms of this Constitution,
of the Convention or of the Administrative Regulations [annexed
thereto], so far as concerns the harmful interference which their
operation might be likely to cause to the radio services of other
Members, and in general so far as concerns the technical harm which
their operation might cause to the operation of other
telecommunication services of other Members.

...

Article 29

**~~Rational~~ Use of the Radio Frequency Spectrum
and of the Geostationary Satellite Orbit**

MOD 153

2. In using frequency bands for ~~space~~ radio services, Members shall bear in mind that radio frequencies and the geostationary-satellite orbit are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provision of the Radio Regulations, so that ~~countries~~ [Members] or groups of ~~countries~~ [Members] may have equitable access to both, taking into account the special needs of the developing ~~countries~~ [Members] and the geographical situation of particular ~~countries~~ [Members].

M.F. DANDATO
Chairman of Committee 8

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 263-E
13 June 1989
Original: French

COMMITTEE 3

Report by the Secretary-General

POSITION OF THE CONFERENCE ACCOUNTS AS AT 12 JUNE 1989

In accordance with 477 of the International Telecommunication Convention, Nairobi, 1982, I hereby submit a statement of the Conference accounts established at 12 June 1989 for consideration by the Budget Control Committee.

This statement shows that the Conference expenditure is within the limits of the budget approved by the Administrative Council and adjusted to take account of changes in the Common system of salaries and allowances.

R.E. BUTLER
Secretary-General

Annex: 1

Items	Titles	Budget approved by CA	Budget adjusted on 31 May 89	Expenditure as at 12 June 1989				Expenses charged to inviting Administration	Expenses charged to PP
				actual	committed	estimated	total		
1		3	4	5	6	7	8	9	10
	<u>Sub.I-Staff expenditure</u>								
11-10100	Salaries and related expenses	1.669.000	1.908.200	6.815	1.378.000	15.185	1.400.000	- 300.000	1.700.000
11-10200	Travel (recruitment)	173.000	173.000	-	-	-	-	- 173.000	173.000
11-10300	Insurance - Supernumerary staff	56.000	56.000	1.739	25.000	8.261	35.000	- 10.000	45.000
		1.898.000	2.137.200	8.554	1.403.000	23.446	1.435.000	- 483.000	1.918.000
	<u>Sub.II-Premises and equipment</u>								
11-10500	Premises, furniture, machines	130.000	130.000	15.066	-	14.934	30.000	- 100.000	130.000
11-10600	Document production	230.000	230.000	140.074	94.164	331.762	566.000	+ 146.000	420.000
11-10700	Office supplies and overheads	180.000	180.000	122.888	37.755	19.357	180.000	-	180.000
11-10800	P.T.T.	70.000	70.000	48.908	-	51.092	100.000	-	100.000
11-10900	Technical installations	10.000	10.000	-	-	-	-	-	-
11-11000	Sundry and unforeseen	10.000	10.000	2.030	-	7.970	10.000	-	10.000
		630.000	630.000	328.966	131.919	425.115	886.000	+ 46.000	840.000
	<u>Sub.III-Other expenditure</u>								
11-11100	Final Acts	72.000	72.000	-	-	-	-	-	72.000
11-11200	Travel costs for preparation of conference	-	-	17.649	1.765	586	20.000	+ 20.000	-
11-11300	Staff put to the disposal of the conference	-	-	-	-	-	-	- 116 000	-
		72.000	72.000	17.649	1.765	586	20.000	- 96.000	72.000
	<u>Sub.IV - Travel outside Geneva</u>								
11-11400	Subsistence allowances	-	-	1.574	1.893.031	45.395	1.940.000	1.940.000	-
11-11500	Travel costs	-	-	83.258	229.793	26.949	340.000	340.000	-
11-11600	Transport and dispatch costs	-	-	1.808	32.500	15.692	50.000	50.000	-
11-11700	Various expenses	-	-	14.386	-	10.614	25.000	25.000	-
		-	-	101.026	2.155.324	98.650	2.355.000	2.355.000	-
		2.600.000	2.839.200	456.195	3.692.008	547.797	4.696.000	1.822.000	2.830.000

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 264-E

12 June 1989

Original ; English

COMMITTEE 10

FIRST SERIES OF TEXTS FROM COMMITTEE 9 TO THE EDITORIAL COMMITTEE

On behalf of Committee 9, I take pleasure in transmitting to the Editorial Committee the first series of texts unanimously adopted by Committee 9, i.e.:

- the Preamble to, and
- the Articles 1, 3 and 17 of,

the draft Constitution (Document A) for consideration by Committee 10 and forwarding them to the Plenary Meeting. These texts are contained in the Annex to the present document.

H.H. SIBLESZ
Chairman of Committee 9

Annex: 1

A N N E X

Draft

CONSTITUTION
OF THE
INTERNATIONAL TELECOMMUNICATION UNION

Preamble

While fully recognizing the sovereign right of each State to regulate its telecommunication and having regard to the growing importance of telecommunication for the preservation of peace and the social and economic development of all States, the States Parties to this Constitution, as the basic instrument of the International Telecommunication Union, and to the Convention of the International Telecommunication Union (hereinafter referred to as "the Convention")*) which complements it, with the object of facilitating peaceful relations, international cooperation and economic and social development among peoples by means of efficient telecommunication services, have agreed as follows:

*) Provisional title remaining subject to later reconsideration, if necessary, after study of the contents of that second instrument.

ARTICLE 1

Composition of the Union

- 2 The International Telecommunication Union shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:
- 3 a) any State having become a Member of the Union as a Party to any International Telecommunication Convention prior to the entry into force of this Constitution and the Convention;
- 4 b) any other State, a Member of the United Nations, which accedes to this Constitution and the Convention in accordance with Article 39 of this Constitution;
- 5 c) any other State, not a Member of the United Nations, which applies for membership of the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Constitution and the Convention in accordance with Article 39 of this Constitution. If such application for membership is made during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

ARTICLE 3

Seat of the Union

- 12 The seat of the Union shall be at Geneva.

ARTICLE 17

Legal Capacity of the Union

- 135 The Union shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 265-E

12 June 1989

Original: English

COMMITTEE 8

COMMITTEE 10 (for
information)

NOTE BY THE CHAIRMAN OF COMMITTEE 9 TO THE CHAIRMAN OF COMMITTEE 8

1. Committee 9 adopted, at its fifth Meeting on 9 June 1989, unanimously a revised text for Article 1 of the draft Constitution (Document A), which, together with the texts adopted for the Preamble and Articles 3 and 17, is currently forwarded to the Editorial Committee (see Document No. 264).
2. With regard to No. 3 of this revised text for Article 1, Committee 9 found and adopted a descriptive formula to preserve the Union's membership existing prior to the entry into force of the Constitution and the Convention, which, therefore, makes the future retention of Annex 1 to the Constitution superfluous. Consequently, Committee 9 informs Committee 8 that there is no need anymore for Committee 8 to consider in any way Annex 1 to Document A.
3. In agreement with the author of proposal ARG/153/4, the latter - aiming at a constantly updated list of the Union's membership to be published by the General Secretariat - is transferred by Committee 9 to Committee 8 for consideration in the context of Article 4 of the draft Convention (Document B).

H.H. SIBLESZ

Chairman of Committee 9

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 266-E

12 June 1989

Original: English

COMMITTEE 9

NOTE BY THE CHAIRMAN OF COMMITTEE 8
TO THE CHAIRMAN OF COMMITTEE 9

The following proposals related to **Article 34** of draft Constitution (Document A) should be considered by Committee 9:

ARG/115/16
TZA/56/8
TUR/65/9
CHN/78/10
ARS/60/15
SLM/17/26

Proposals related to **Annex 1** (Doc. A):

B/58
SLM/17/33

and proposal related to **Article 16** (Doc. A):

NIG/74/8

should also be considered by Committee 9.

M.F. DANDATO
Chairman of Committee 8

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 267-E

23 June 1989

Original: English

PLENARY MEETING

MINUTES

OF THE

TWELFTH PLENARY MEETING

Monday, 12 June 1989, at 0940 hours

Chairman: Mr. J. GRENIER (France)

Subjects discussed:

Documents

- | | | |
|----|---|--|
| 1. | Approval of the agenda | PL-12 |
| 2. | Election of the Secretary-General | 3, 48 + Add.1(Rev.1)
+ Add.2
245, 249 + Corr.1 |
| 3. | Deadline for the receipt of candidatures
for the post of Deputy Secretary-General | 273 |
| 4. | First series of texts submitted by the Editorial
Committee for first reading (B.1) | 236 |
| 5. | Allocation of documents and related matters | DT/32 |
| 6. | General statements (continued) | - |
| 7. | Communication from the Chairman of the ITU Staff Council | - |
| 8. | Statement by the delegate of the United States of America | - |

1. Approval of the agenda (Document PL-12)

1.1 The delegate of the Islamic Republic of Iran, supported by the delegates of Ethiopia, Tanzania, India, Indonesia, Algeria, Mali, Burkina Faso, Columbia, Saudi Arabia, Lebanon, Greece, Cameroon and Kuwait, proposed that, since Committee 7 had not yet been able to reach a conclusion on the matter, consideration by the Plenary of a deadline for the receipt of candidatures for the posts of the Directors of the International Consultative Committees should be deferred and that the item on the agenda to deal with this Question should be deleted.

1.2 The Chairman said that the item would be deleted from the agenda and taken up for consideration at a subsequent meeting.

2. Election of the Secretary-General
(Documents 3, 48 + Add.1(Rev.1) + Add.2, 245, 249 and Corr.1)

2.1 At the request of the Chairman, the Secretary-General explained the voting procedure as contained in Annex 1 to Document 245, approved by the Plenary Meeting.

He drew attention to Corrigendum 1 to Document 249, in which the Head of the Lebanese Delegation informed him that the candidacy of Mr. Maurice Habib Ghazal (Lebanon) had been withdrawn. There were therefore two candidates for the post of Secretary-General: Mr. P. Tarjanne (Finland) and Mr. F. Molina Negro (Spain).

The tellers, provided by the Delegations of Bulgaria, Colombia, Mali, Singapore and Switzerland took their places.

2.2 The Chairman requested delegates to deposit their ballot papers as their country's name was called out.

On completion of the voting, the Chairman announced that 134 votes had been cast, of which four were abstentions; the required majority was therefore 66.

The result of the voting was:

Mr. P. Tarjanne	76
Mr. F. Molina Negro	54
Abstentions	4

The Chairman announced that Mr. P. Tarjanne, having obtained the required majority, was elected Secretary-General of the Union. (Applause).

2.3 Mr. Molina Negro (Spain), on behalf of the Spanish Delegation, thanked all who had voted for him. He congratulated the Conference for having elected Mr. Tarjanne, a distinguished personality in the world of telecommunications, well qualified to direct the ITU in the era following the Plenipotentiary Conference and to take over from Mr. Butler, who had fulfilled the mandate conferred upon him by the Nairobi Conference and to whom he expressed his best wishes for his retirement.

He thanked Mr. Ghazal for his devotion to the Union and for having withdrawn his candidacy to simplify the election.

He offered his cordial congratulations to the new Secretary-General. Spain, a founder Member, would continue to offer its assistance to the Union under Mr. Tarjanne's leadership. (Applause).

2.4 The Chairman thanked Mr. Molina Negro for his devotion to the Union and said that Mr. Ghazal too deserved applause.

2.5 Mr. Tarjanne made the following statement:

Mr. Chairman, Distinguished Plenipotentiaries, Dear Friends,

I thank you all very warmly for the confidence you have shown in the Government of Finland and in me personally by electing me to become the next Secretary-General of our Union.

In particular I would like to thank my friends Francisco Molina Negro and Maurice Ghazal for fair and constructive competition. We have all three of us had as our sole aim the best possible future for our Union. Let us continue in the same direction. (Applause).

Mr. Chairman, this is not the proper time to say farewell to our Secretary-General, Mr. Butler - that will come later. I want, however, here today to take this opportunity to thank Dick Butler for his long-standing and invaluable work for our Union and as a matter of fact, for all of us, for the whole of mankind. I wish you, Dick, your charming wife and your family all the best in the years to come.

The work of the ITU is not a one-man show. It can be described much better and to the point as team-work by its 166 Member States, served by the elected officials and the staff as a whole, in Geneva and all over the world. What does this mean? This means hard and efficient work in our changing environment. And this means concrete results, changing that environment for the better.

We are here at this Plenipotentiary Conference in order to create a Constitution that will give our efforts added continuity, and then a new Convention for added efficiency and flexibility. We are here to streamline and modernize the working methods of our global standardization and regulatory tasks.

We have already taken some decisions: we have already decided to strengthen our efforts in the field of technical cooperation, in the development of networks and services. Let us continue. Telecommunications is development.

Finally, Mr. Chairman, my thanks go to the Government of France and the City of Nice for the magnificent setting of our Conference. This Hall, with all of you dear friends, this Hall has today changed my life, the life of my family and especially of my dear wife, who has supported me during many, many challenging and successful years. She has now promised to support me and my new work for ITU in the years ahead.

The work of the ITU is to serve its Members, to serve mankind, to serve development.

Dear friends, let us get to that work, let us work together!"

2.6 The Secretary-General made the following statement:

"Allow me on behalf of my colleagues, the staff of the Union and myself to offer to you, Mr. Tarjanne, our congratulations on your election in this historic Conference of the ITU, as the Union faces up to its responsibility to take it into the 21st century: a century which will be far different from the previous one in that development throughout the world will depend on the accelerated adaptation and use of the technologies and services that we in the ITU see on the horizon. That horizon can

only become a reasonable reality if there is the fullest cooperation between the Member States, both in their work through the focal point requirements of the Union, and in their orderly and practical actions towards harmonious development of telecommunications of all kinds.

In this period I would also want to add my congratulations both to Mr. Francisco Molina-Negro and to Mr. Maurice Ghazal because in their endeavours they gave you, as Plenipotentiaries a choice. I believe that in the future development of our societies much greater orientation will be given to the question of choice and indeed, the two of them had provided excellent possibilities of choice to this Conference.

Finally, I would like publicly to thank the Plenipotentiaries who are with us today, particularly those who were present in Nairobi, for having given me the opportunity of carrying out a unique public trust as leader of the specialized agency of which they are Plenipotentiaries.

When I return to Australia these will be long-lasting memories, not merely for myself but also for my wife and family, and I can only wish you, Mr. Pekka Tarjanne and your wife, the same happiness, enjoyment and reward, that I and my family have had in the past two decades."

2.7 Mr. Ghazal (Lebanon) said that his Delegation had withdrawn his candidacy merely to facilitate the proceedings of the Plenipotentiary Conference and to allow delegations to choose between two European candidates.

Having congratulated Mr. Tarjanne and thanked Mr. Molina Negro for his kind words, he said that he hoped that the developing countries would not come away empty handed from the Conference.

2.8 The delegate of Afghanistan extended to Mr. Tarjanne his Delegation's sincerest congratulations on his election to the post of Secretary-General. His Delegation believed that Mr. Tarjanne would work well for the Union and particularly the developing countries. He thanked Mr. Butler for his service to the Union and wished him and his wife a happy retirement. He also thanked Mr. Molina Negro for the help he had given to ITU.

2.9 The delegate of Saudi Arabia, speaking on behalf of his own Delegation and of the Arab group, extended his sincere congratulations to Mr. Tarjanne, who he had no doubt, would work for the benefit of the world as a whole. He had been happy to hear Mr. Tarjanne say that telecommunications was development. He thanked Mr. Molina Negro for his work in the service of the Union, which he hoped would continue, and the Government of Lebanon for having withdrawn the candidacy of Mr. Ghazal in order to facilitate the work of the Conference. He also thanked Mr. Butler for his laudable efforts in the service of the ITU and wished him a happy life in the years to come.

2.10 The delegate of Finland said that his Government was particularly happy that the first Finn to be elected as a Head of a United Nations agency was to the oldest of the those agencies, the ITU. The role of the ITU in the period following the Plenipotentiary Conference would be of the utmost importance in enabling the Membership to develop into a more harmonious global village. On behalf of his Government, he thanked delegations for having entrusted such an important role to Finland and to Mr. Tarjanne personally. The Finnish Government was proud to be able to offer the services of Mr. Tarjanne whose education, experience and personal abilities were well-suited to the demanding task of catalyzing the development of world communications.

With the guidance of all Members of the ITU and assisted by the other elected officials and the staff, Mr. Tarjanne would take over the helm of the ITU from a very able man. He expressed his Government's gratitude to Mr. Butler for his estimable work over many years and for his exceptional dedication to furthering the aims of the Union.

The Members of the ITU had been able not only to find one candidate for the demanding task of Secretary-General but had continued to offer a choice of distinguished and capable candidates.

The trust shown by the Plenipotentiary Conference in Finland could only strengthen that country's dedication and its efforts to fulfil its role in the development of international telecommunications.

2.11 The delegate of the Arab Republic of Yemen endorsed the remarks of the delegate of Saudi Arabia.

2.12 The delegate of Thailand congratulated the Government of Finland and Mr. Tarjanne on his election, which was a recognition of his personal qualifications and experience and would guarantee ITU efficient leadership in a period of transition. He also expressed his good wishes for a long and happy life to Mr. Butler, a man of high stature who had guided the Union well.

2.13 The delegate of Mali, speaking on behalf of the African group, congratulated Mr. Tarjanne on his election to the post of Secretary-General. The African countries founded their hopes in Mr. Tarjanne in the belief that he would lead the Union towards its goals. He thanked Mr. Butler for his work for the ITU over the last decade and wished him a happy retirement. He also thanked Mr. Molina Negro and Mr. Ghazal for having facilitated the task of the Conference. The African group looked forward to the consolidation and strengthening of the Union for a better future.

2.14 The delegate of the Philippines endorsed the congratulations offered to Mr. Tarjanne, thanked Mr. Butler for his work and wished him a happy retirement. She congratulated Mr. Molina Negro and Mr. Ghazal for having given the Membership a choice of candidate, and looked forward to having the benefit of their experience in the future.

2.15 The delegate of China expressed his sincere congratulations to Mr. Tarjanne, whose wisdom, competence and outstanding qualities of leadership would enable ITU to make an important contribution to the development of world telecommunications and to technical cooperation with the developing countries. He also thanked Mr. Molina Negro and Mr. Ghazal for their contributions. Since the last Plenipotentiary Conference telecommunications technology had developed and telecommunications was now playing a greater part in economic and social development, thus presenting ITU with new challenges. He believed that, under the guidance of the Secretary-General elect, ITU would be able to carry out its tasks. The Chinese administration would give full support to his efforts in developing world communications.

He paid tribute to Mr. Butler for his outstanding contribution to the development of world communications in a rapidly changing telecommunications environment, and wished him a happy retirement.

2.16 The delegate of the Islamic Republic of Iran endorsed the congratulations offered to Mr. Tarjanne upon his election. He hoped that under his competent steersmanship the ITU would weather the turbulent waters of the coming years. By exercising the sagacity, leadership, independence and impartiality that were the

hallmarks of a Secretary-General of ITU, Mr. Tarjanne could be assured of a long, constructive and successful tenure. The Iranian Delegation would cooperate with him in order to facilitate his task.

He thanked Mr. Butler for his efforts during his tenure as Secretary-General and for setting a standard that guaranteed the future success of the Union.

2.17 The delegate of Nepal congratulated Mr. Tarjanne on his election to the post of Secretary-General and hoped that ITU would continue to prosper under his able and dynamic leadership. He trusted that Mr. Tarjanne would make every effort to reconcile the interests of the developed and the developing countries. He thanked Mr. Molina Negro and Mr. Ghazal for their dedication to the interests of ITU and Mr. Butler for his devoted contribution to the Union, which would be remembered by the developing countries. He wished him a happy life in his own country.

2.18 The Chairman said that he had closed the list of speakers on this item and that Mr. Tarjanne had taken note of those other delegations that wished to be associated with their congratulations.

3. Deadline for the receipt of candidatures for the post of Deputy Secretary-General (Document 273)

3.1 The Chairman said that, subject to consideration by the Plenary of the Report of Committee 7, the Steering Committee had decided to propose that the deadline for the receipt of candidatures for the post of Deputy Secretary-General should be Wednesday, 14 June at 2000 hours and that the election should be held at 1430 hours on Thursday, 15 June.

3.2 The Chairman of Committee 7 reported, with respect to the proposal to elect three Deputy Secretaries-General, that the general feeling in Committee 7 was that there should be a single Deputy Secretary-General as provided in No. 65 of Article 9 of the Convention.

He drew attention to Document 238 containing proposals for action with respect to the official to be appointed to head the new permanent organ for development.

The Chairman said that he took it that delegations agreed to the timetable he had outlined for the election.

It was so agreed.

4. First series of texts submitted by the Editorial Committee for first reading (B.1) (Document 236)

4.1 The Chairman of the Editorial Committee said that Document 236 contained the text of Resolutions Nos. COM4/1, COM4/2 and COM4/3 dealing respectively with Approval of the Accounts of the Union for the Years 1982-1988, Assistance given by the Government of the Swiss Confederation in Connection with the Finances of the Union, and Auditing of Union Accounts. Final numbers would be given to the Resolutions when the Final Acts were published by the Secretary-General.

The first series of texts submitted by the Editorial Committee (B.1) was approved on first reading.

5. Allocation of documents and related matters (Document DT/32)

5.1 The Chairman of Committee 9 drew attention to Document DT/32, stating that the allocation of documents by the Plenary at its second meeting was not entirely in line with the terms of reference of Committees 4, 7, 8 and 9. For instance, Committee 8 needed to take a decision on the substance of certain articles which had also to be dealt with by Committee 9 and vice versa. Document DT/32 provided a practical procedure for dealing with the problem, which he hoped would be approved by the Plenary.

5.2 The Chairman invited the Plenary Meeting, in view of the considerable interface between the work of Committees 4, 7, 8 and 9 to approve the procedure set out in paragraph 3 of Document DT/32.

It was so agreed.

6. General policy statements (continued)

6.1 Statement by the Minister of Transport and Communications of Burkina Faso

The Minister of Transport and Communications of Burkina Faso made the following statement:

"I am grateful to have this opportunity to speak at such an advanced stage of the Conference in this most lovely and pleasant city of Nice. I may thus reiterate my Delegation's warm congratulations on your election to the chairmanship of this important Conference.

Mr. Chairman, distinguished Plenipotentiaries, I was prevented for reasons of State from being with you from the beginning of the Conference, as I had wished.

I was keen to come, however, even at this late date, to demonstrate the importance which my country, Burkina Faso, attaches to all the activities of our Union and in particular to the work of this Conference.

Mr. Chairman, distinguished Plenipotentiaries, I would not like to abuse your valuable time by talking about the efforts made by my country, or its concerns in this important field, I might have said key field, of telecommunications.

I would merely like to reaffirm that Burkina Faso will spare no effort to bring its modest contribution at all levels to the achievement of our Union's objectives, for the greater happiness of all mankind.

Burkina Faso, like all the other delegations here, hopes that the Conference will result in an even stronger Union, capable of facing future challenges in technology and telecommunications development.

I would not like to close without warmly congratulating Mr. Tarjanne, who has just been elected Secretary-General of our Union, and expressing the hope that he may help us solve our problems. Lastly, I would ask you, Mr. Chairman, to convey all our gratitude to the Government of the French Republic for their extremely warm welcome.

I wish every success to the Conference."

6.2 Statement by the delegate of Cape Verde

The delegate of Cape Verde made the following statement:

"As he was prevented for reasons of State from attending this Conference of the International Telecommunication Union, his Excellency the Minister of Transport, Trade and Tourism of Cape Verde has asked me to convey to all the delegates present his very best wishes for the success of their work in the hope that the outcome may contribute to greater harmonization of telecommunications development in the world.

On behalf of my country, I would first of all like to congratulate Mr. Tarjanne on his election to the post of Secretary-General of the ITU.

I would like to wish him good health and every success and to say how pleased we are that our Union will be under the leadership of someone with so much experience in telecommunications and who we know will ensure the continuing prosperity of the Union. Once again, Mr. Tarjanne, my warmest congratulations.

At the time when Mr. Butler is ending his term of office, we, the Delegation of Cape Verde, would like to take this opportunity to thank him for all his support for our Administration and for the development of our country, and we would like to congratulate him for his courage and all the work he has done to facilitate one of the most arduous tasks of the ITU, namely coordinating the process of development and cooperation in the world.

Mr. Chairman,

After its independence, thirteen years ago, Cape Verde, recognizing the prestige of the ITU as the oldest intergovernmental organization and agreeing with the objectives set out in its Convention, immediately became a full Member, in the strong belief that only through world-wide coordination could the process of development be improved and the unity of the great telecommunications family be achieved.

In its First Development Plan, which has just been completed, the Government of Cape Verde had given the highest priority rating to projects in the telecommunications sector, while the First Telecommunications Development Master Plan was introduced with the support and cooperation of our organization, the ITU.

In preparing its Second Development Plan, the Government of Cape Verde issued a challenge to telecommunications by deciding to strengthen its external economic policy. Once again with the support of the ITU, we reached the conclusion that this challenge could be met, so that we have now completed our Second Telecommunications Master Plan, which includes the gradual digitization of the country.

Mr. Chairman,

The Maitland Report, "The Missing Link", called for better cooperation between countries for the harmonious development of telecommunications in the world. In Tunis, a year later, the Africa Region reached the conclusion that, apart from telecommunications, one of the greatest problems of our countries, apart from the lack of financial resources, is often the deficient management of our resources, of our human resources, our financial resources and even of our equipment.

The ITU can help our countries manage our resources rationally, which is why the approval of the creation of a permanent organ for development and cooperation is an enormous step forward. We would like one of the main functions of this organ to be to direct the process of development and cooperation towards the gradual improvement of telecommunications management in our countries.

We feel sure, however, that the creation of this permanent organ will bring about structural changes in the Union, which should be carefully studied and analysed. We are convinced that these changes will be useful not only for the underdeveloped countries but also for the developed countries. They are a consequence of the technological revolution and a consequence of history repeating itself, as in 1865, as in 1932 with the merger of the different organizations dealing with cable and wireless telecommunications, as in 1947, when all the organizations and consultative committees were brought together within the ITU, as in 1956, with the creation of the present CCIs.

History repeats itself and history will judge us by the decisions we shall take during this Conference.

The telecommunications environment, which was so well described in a recent publication by the General Secretariat of our organization, is forcing us to change and to adapt, since the technical progress achieved in the last five years is greater than over the preceding fifty years. There are over a hundred countries, Mr. Chairman, which are still not enjoying the benefits of this progress, but which look to the ITU with confidence and hope.

In conclusion, Mr. Chairman, I would like to convey my Government's warmest thanks to the French Government for its invitation to take part in this Plenipotentiary Conference of the ITU, here in the city of Nice, which is lovelier and more splendid than words can describe. I should also like to thank France Telecom for the excellent welcome my Delegation has enjoyed since its arrival in France."

7. Communication from the Chairman of the ITU Staff Council

7.1 The Chairman accepted a letter from the Chairman of the ITU Staff Council which he said he would circulate to delegations in order to bring to their attention information which the staff wished to make known. It was undeniable that the operation of the Union was conditional on the work of its staff. There had been a demonstration that morning by the staff, some of whom had travelled from Geneva at their own expense to make known their concern on a number of matters.

8. Statement by the delegate of the United States

8.1 The delegate of the United States said that in making its opening statement to the Conference his Delegation had sought not to politicize the Conference by raising specific bilateral issues. While it hoped to be able to avoid such unproductive exchanges, the charges levelled against the United States by the representative of Cuba in the second week of the Conference could not remain unanswered. He would not enter into discussion of the Cuban allegations, but merely state that they were completely without substance. The United States was aware of its international obligations and intended to abide by them: it expected no less of other countries, including Cuba. His Delegation would submit a written statement addressing the specific issue, which it requested should be incorporated into the records of the Conference¹.

The meeting rose at 1230 hours.

The Secretary-General:

R.E. BUTLER

The Chairman:

J. GRENIER

¹ See Document 335.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 268-E
28 June 1989
Original: English

SUMMARY RECORD
OF THE
SIXTH MEETING OF COMMITTEE 6
(TECHNICAL COOPERATION)

Replace paragraph 5.1 by the following:

"5.1 At the request of the Chairman and the Deputy Secretary-General, the Senior Counsellor (Independent Commission) said that section 5.1 of the Report of the Administrative Council to the Plenipotentiary Conference (Document 47) gave a detailed account of measures taken under Nairobi Resolution No. 20 ("Establishment of the Independent International Commission for World-Wide Telecommunications Development") and the follow-up to the Report "The Missing Link" produced by the Independent International Commission for World-Wide Telecommunications Development. He said that, although the report had had a considerable impact internationally and although clearly telecommunications technology had been progressing rapidly in most industrialized countries, a considerable gap still separated the latter and the developing countries, where the growth of telecommunications remained inadequate. He reminded the delegates that one of the objectives of the report had been and was for everyone to be within easy reach of a telephone by the beginning of the next century. The low growth of telecommunications in the developing countries was due, amongst other reasons, to a shortage of skilled labour and financial resources.

As matters stood, the general situation was rather disappointing, since in real quantitative terms, technical assistance and the resources invested had actually diminished. The Report "The Missing Link" had therefore not had the desired impact in practical terms, even though it had contributed towards a sharpened awareness of the role of communications. That was why the Secretary-General had submitted Document 84 to the Conference, suggesting an order of priorities. The ITU's role in the general development of telecommunications was fundamental and technical assistance policy should be backed up by the adequate provision of human and financial resources. Moreover, a policy of regionally coordinated industrial growth R&D, collective procurement, etc. should be pursued in the developing countries, and the United Nations Economic Commissions, which were the appropriate bodies to study such matters, had adopted at ministerial levels, Resolutions endorsing the need for this. However, in practical terms there was not much progress.

With regard to the funding of telecommunication investments in the developing world, which was of key importance for technical cooperation efforts to yield real results, the Independent Commission had estimated at the time that the level of annual investments in the developing world would be of the order of 8 billion US dollars, and would need to be raised to 12 billion dollars over the next 20 years. Since then, more detailed studies had shown that, in order to achieve growth rates of 12 and 13% compared with current growth rates of 8 and 9%, investments more in the region of 20 to 30 billion US dollars would be required. In conclusion, if the Union was to play a central role as expected to stimulate balanced growth of world telecommunications, it had to be given the necessary means of doing so and its mandate should be reconsidered with a view to ensuring that other aspects related to telecommunications development were given suitable priority.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 268-E

19 June 1989

Original: French

COMMITTEE 6

SUMMARY RECORD

OF THE

SIXTH MEETING OF COMMITTEE 6

(TECHNICAL COOPERATION)

Monday, 12 June 1989, at 1430 hrs

Chairman: Mr. H. VIGNON (Benin)

Subjects discussed:

Documents

- | | | |
|----|--|---|
| 1. | Approval of the agenda | C6/6 |
| 2. | Approval of the summary record of the first meeting of Committee 6 | 168 |
| 3. | The changing nature of ITU technical cooperation and related field activities (continuation) | 33 |
| | Proposals (Technical cooperation funding) | DT/30(Rev.1) |
| 4. | Proposals | QAT/13/2, SYR/15/2, ARS/64/1, MRC/128/2 |
| 5. | Implementation of Nairobi Resolution No. 20 - "The Missing Link" Report and follow-up action | 47 (section 5.1), 84, 21, 106 + Corr.1, IND/124/6, 77, 99 |

1. Approval of the agenda (Document C6/6)

1.1 The Secretary of the Committee said that in Document 84, under item 5 of the agenda, in the last sentence of section 12, the words "As seen from Document ..." should be replaced by "As seen from Document 34". In the penultimate sentence of section 16 of the document, the words "a separate Document ..." should read "Document 99".

In Document 106, to which Corrigendum 1 should be added, on the sixth line of section 2.2, the figure "31" should read "33".

Document 99 should be transferred from item 5 to item 6 of the agenda. In the English version of the text, at the end of section 2.4, "1989" should read "1990".

1.2 The delegate of the United Kingdom noted that the Committee had received a great number of proposals concerning the Constitution, which had often been transmitted to other Committees. The proposals of the Solomon Islands (LSM/17/9 and 16) could also be considered to concern the Constitution.

The agenda, thus amended, was adopted.

2. Approval of the summary record of the first meeting of Committee 6
(Document 168)

2.1 The Chairman asked delegates who had comments to make to submit them in writing to the Secretariat, who would issue a corrigendum if necessary.

2.2 The delegate of the United States agreed with the Chairman, although he had a query concerning section 5.3 of Document 168. Although it had been decided at the first meeting that priorities had to be established by Committee 6, the statement had not been reported in the summary record, and he would welcome an explanation. The statements of the delegates of the United Kingdom and the United States in that respect did in fact appear in section 5.2. He did not want to insist, but thought that the Committee's deliberations should be reflected more accurately in the summary record.

2.3 The delegate of the United Kingdom said that it might have been a misunderstanding. She agreed entirely with the delegate of the United States and thought it was important to have an accurate historic record of proceedings. Section 5.3 appeared particularly inaccurate.

2.4 The Chairman asked the delegates of the United Kingdom and the United States to make a proposal.

2.5 The delegate of the United States proposed the following wording for the last part of section 5.3: "priorities should then be considered and the results transmitted to Committee 4".

2.6 The Chairman concluded that, subject to the above-mentioned amendments and any others which might be proposed, the summary record of the first meeting of Committee 6 was approved.

3. The changing nature of ITU technical cooperation and related field activities
(continuation) - Proposals (Technical cooperation funding)
(Document DT/30(Rev.1))

3.1 The Chairman introduced Document DT/30(Rev.1), in which further information had been added to DT/30 as agreed at the fifth meeting. He drew delegates' attention to

Notes 1 and 2 on page 4 and said that there was no need to reconsider the whole of the document. If they so wished, delegates could give their views regarding the proposals, after which the document would be transmitted to Committee 4.

3.2 The delegate of Ethiopia wanted some explanations concerning the total of section 7. He wondered, for instance, what the amounts of 12,170,000 francs and 14,970,000 francs represented and to whom the document would be transmitted.

3.3 The Chairman said that the total indicated in the first column, of 6,040,000 francs, was related to the provisional budget for 1990. The second column showed funding for proposals from Document 33, totalling 6,130,000 francs. The sum of those two totals came to 12,170,000 francs. The third column concerned activities for which there were no specific proposals and the figures listed corresponded to the proposals put forward in Committee 6. The total of the three columns came to 14,970,000 francs.

3.4 The delegate of Ethiopia said that if the document was transmitted to Committee 4 with all the columns, there would be no problem.

4. Proposals (Documents QAT/13/2, SYR/15/2, ARS/64/1, MRC/128/2)

4.1 The delegate of Saudi Arabia, referring to Documents QAT/13/2 and ARF/64/1, said that the Arab region, which included 22 countries, represented a large part of the developing world needing technical and financial assistance to develop its telecommunications network. The Arab countries were currently split between different Divisions, Africa and Europe and the Middle East. He said that a Division devoted exclusively to the Arab region should be set up in the ITU's Technical Cooperation Department.

4.2 The delegate of the Federal Republic of Germany asked the originators of the proposals whether they wanted to set up a new Region, in view of those which existed already, for radio or for the Administrative Council.

4.3 The delegate of Syria agreed with the delegate of Saudi Arabia. It was not so much a matter of setting up a new Region, as of restructuring the divisions of the Technical Cooperation Department. The new Arab Division would include the 21 Arab countries at present spread between the Africa and the Middle East Divisions.

4.4 Replying to the delegate of the Federal Republic of Germany, the Deputy Secretary-General explained that technical cooperation activities were split between four regional divisions [Asia/Pacific, Europe/Middle East, Africa and Americas], which were not related to the Regions of the Radio Regulations.

4.5 The delegate of France thought that the request as formulated was justified. For the sake of consistency, however, Document DT/30(Rev.1) should indicate the financial costs of the reorganization for transmission to Committee 4.

4.6 The Secretary of the Committee said that the matter was not simple. While sympathizing with the aspirations of the Arab States, he wished to point out that, if the proposal was accepted, the activities which concerned the African Continent would be split into two, and that one of the reasons for appointing senior ITU representatives to Manama and Addis Ababa was precisely to draw a clear distinction between those geographical areas. In any event, if the plan went ahead, the name of the Europe and Middle East Division would need to be changed.

4.7 The delegate of Lebanon said that it was not a matter of setting up a new Arab Division in the ITU, but of restructuring and internally redistributing responsibilities in the Technical Cooperation Department by allocating clearly defined

tasks to each division. He agreed with the delegate of France regarding the need to mention the costs involved.

4.8 The delegate of Switzerland thought that the Committee has started discussing the structure of a new body, although neither the Plenipotentiary Conference nor the Administrative Council should take decisions regarding internal structures, which were the responsibility of the Secretary-General. He agreed with the delegate of France that the costs should be worked out before any decision was taken.

4.9 The delegates of Pakistan, Mali, and Libya supported the proposal by the delegate of Saudi Arabia.

4.10 The delegate of Sweden was prepared to support the proposal only insofar as it involved no more than restructuring the Technical Cooperation Department, but she was opposed to the creation of a new Arab Region.

4.11 The delegate of Spain said that Saudi Arabia's proposal was essential if it led to a general redistribution of tasks within the Technical Cooperation Department to improve its efficiency. On the other hand, he could not support a mere addition to the existing structure. He recalled that his country had more than doubled its contributions to technical cooperation in recent years. More solidarity and generosity were needed among Members. The request of the Arab countries appeared justified in that respect.

4.12 The delegate of the United States expressed doubts regarding the gains in efficiency which would result from the new proposal. The new Secretary-General should try to find a solution, also for the new organ.

4.13 The delegate of Iraq agreed that internal procedures should be left to the Secretary-General to decide. The Conference could, however, provide some guidance. He felt sure that setting up an Arab Division would lead to no extra expense, but would on the contrary facilitate coordination between the Union and the Arab countries and further cooperation in the field of telecommunications.

4.14 The delegate of the Federal Republic of Germany agreed with the delegate of Switzerland that it was up to the Secretary-General, rather than the Plenipotentiary Conference, to take a decision on the matter.

4.15 The delegate of Syria, following up the comments of the delegate of Lebanon, was in favour of strengthening the efforts of the Arab countries. It was not a question of setting up a new Division, but of restructuring existing Divisions in such a way that the Arab countries of the Middle East Division and the Africa Division were grouped in a single Division, as in the UNDP. He thought that any decision taken by the Plenipotentiary Conference would help the Secretary-General and the Administrative Council reach their own decision.

4.16 The Deputy Secretary-General said that it was the first time a matter of that kind had been raised at the Plenipotentiary Conference, and that in his view the matter should be left in the hands of those responsible.

4.17 The Chairman suggested closing the discussion on that item, while recognizing that it was up to the Administrative Council and the Secretary-General to deal with the matter, in the light of the ceilings established by the Plenipotentiary Conference.

It was so decided.

5. Implementation of Nairobi Resolution No. 20 - the Missing Link Report and follow-up action (Documents 47 (section 5.1), 84, 21, 106 + Corr.1, IND/124/6, 77, 99)

5.1 At the request of the Chairman and the Deputy Secretary-General, the Senior Counsellor (Special Tasks) said that section 5.1 of the Report of the Administrative Council to the Plenipotentiary Conference (Document 47) gave a detailed account of measures taken under Nairobi Resolution No. 20 ("Establishment of the Independent International Commission for World-Wide Telecommunications Development") and the follow-up to the Report "The Missing Link" produced by the International Independent Commission for World-Wide Telecommunications Development. He said that, although the report had had a considerable impact internationally and although clearly telecommunications technology had been progressing rapidly in most industrialized countries, a considerable gap still separated the latter and the developing countries, where the growth of telecommunications remained inadequate. He reminded the delegates that one of the objectives of the report had been and was for everyone to be within easy reach of a telephone by the beginning of the next century. The low growth of telecommunications in the developing countries was due, amongst other reasons, to a shortage of skilled labour and resources.

As matters stood, the general situation was rather disappointing, since in real quantitative terms, technical assistance and the resources invested had actually diminished. The Report "The Missing Link" had therefore not had the desired impact in practical terms, even though it had contributed towards a sharpened awareness of the role of communications. That was why the Secretary-General had submitted Document 84 to the Conference, suggesting an order of priorities. The ITU's role in the general development of telecommunications was fundamental and technical assistance policy should be backed up by the adequate provision of human and financial resources. Moreover, a policy of coordinated industrial growth should be pursued in the developing countries, and the United Nations Economic Commissions, which were the appropriate body to study such matters, had approved appropriate action at ministerial level.

With regard to the funding of telecommunication investments in the developing world, which was of key importance for Technical Cooperation, the Independent Commission had estimated at the time that the level of annual investments in the developing world would be of the order of 8 billion US dollars, and would need to be raised to 12 billion dollars over the next 20 years. Since then, more detailed studies had shown that, in order to achieve growth rates of 12 and 13% compared with current growth rates of 8 and 9%, investments more in the region of 20 to 30 billion US dollars would be required. In conclusion, if the Union was to play a central role as expected to stimulate balanced growth of world telecommunications, it had to be given the necessary means of doing so and its mandate should be reconsidered with a view to ensuring that aspects related to telecommunications development were given suitable priority.

5.2 The delegate of Iraq agreed that concrete measures should be adopted, through the Plenipotentiary Conference, which was the supreme authority. The decision to set up a permanent technical cooperation organ was a significant step forward. He deplored the fact, however, that Committee 7 had taken no decision regarding the mandate, objectives and functions of the organ. The Conference should decide the organ's budget, without referring the matter to other bodies.

5.3 The delegates of Morocco, Lebanon and Brazil said that it was time to convert the Recommendations of the Report "The Missing Link" into concrete measures and to ensure that the newly established technical cooperation organ should be provided with the budget and the time it required like the other organs of the Union.

5.4 The delegate of Iraq, returning to the question of setting up a division for the Arab countries, said there could have been a wrong interpretation. To make his position clearer, he said the intention was not to set up a new division but to group all the Arab countries together in a single division, without giving rise to any extra expenditure. He wished that to appear in the record of the meeting as guidance for the Secretary-General. A second point he wanted to make concerned "The Missing Link" Report, which he found excellent. What was needed was some practical action. The new organ should be given a clear mandate in the Constitution and appropriate funds in the ordinary budget of the Union.

5.5 The Chairman said that the first point mentioned by the delegate of Iraq did not alter his conclusion, which was to leave the matter in the hands of the Administrative Council and the Secretary-General.

5.6 The delegate of Ethiopia also regretted that the Report of the Independent Commission, which had made countries so aware of the enormous gap between industrialized and developing countries, had not given rise to sufficiently practical measures. It was up to the Conference to act in that respect. All activities related to technical development should be grouped together and a new method should be found of obtaining funds, for instance by setting up an institution to finance telecommunication projects.

5.7 The delegate of Cameroon, supported by the delegate of Nigeria, again stressed the importance of technical cooperation and referred to the need to set up a new organ with a status similar to that of the CCIs and the IFRB, with a specific mandate and appropriate budgetary resources. He endorsed the proposal by the delegate of Ethiopia to set up a specific financing structure for telecommunications projects.

5.8 The delegate of Colombia also stressed the need to use all possible means, financial and other, to ensure that the new technical cooperation organ was operational as soon as possible. In the light of the Report "The Missing Link", the Colombian Delegation had submitted Document 149, asking the Union to take steps to obtain lines of credit with the various public and private international credit institutions, on preferential and favourable terms, for projects aimed at providing a telephone service to many isolated human settlements. The Committee's attention was drawn to the document, which was under consideration by Committee 8.

5.9 The delegate of Pakistan expressed concern at the current state of telecommunications in the developing countries and welcomed the establishment of a development organ.

5.10 The delegate of Mexico said that, after expressing requirements and calling for the establishment of a permanent cooperation organ, the Committee should hear those who held the resources. He referred to the report by the Secretary-General (Document 84), which recommended taking account "of the mutuality of interests that ought to motivate the balanced, world-wide development of telecommunication" and called for the achievement of "progressive and self-reliant growth in the developing world". It was worth noting that the organizers of the Tokyo meeting in May 1986 had not considered any practical measures to help developing countries in the field of telecommunications.

5.11 The delegate of the Islamic Republic of Iran said that all the various cooperation activities, including those of the CTD, should be grouped together under one body. He supported the request for specific funding by the delegates of Ethiopia, Cameroon and Nigeria.

5.12 The delegate of Lesotho advocated the merger of the Technical Cooperation Department and the CTD and said that the permanent organ should be financed from the ordinary budget.

5.13 The delegate of the United Kingdom, referring to the comment by the delegate of Mexico, said that some delegations indeed deserved a hearing, as it appeared that items 5 and 6 were being merged. A change could be noted in the approach to technical cooperation, with increasing emphasis on downstream technical and commercial development. The ITU, however, was not a commercial organization, even though it participated in practical applications.

5.14 The Chairman, after summing up the discussions on "The Mission Link", referred to Document 99.

5.15 The Deputy Secretary-General recalled that Document 99 contained the Secretary-General's conclusions and recommendations regarding the establishment of a commercially oriented world telecommunication development organization (WORLDTEL).

5.16 The Senior Counsellor (Special Tasks), referring to the statement by the delegate of the United Kingdom, said that there were two questions involved, pre-investment and investment. Document 99 dealt with problems of investment, which in fact lay outside the mandate of the Union. The scope of the study had been determined by the Independent Commission. Both pre-investment and investment had been found inadequate. Page 2 of Document 99 referred to three types of financing system. The Secretary-General had not had the necessary resources to cover the three points in the study. Thanks to the Government of Kuwait, some preliminary studies had been undertaken. The document drew attention to the profitability of investments in the sector, where rates of return often exceeded 20%. The main source of finance at the moment was the World Bank, whose resources, however, were diminishing. The funds provided by the Arab countries represented a substantial source of finance, although there were very few others.

The purpose of the study was defined in the document and the Secretary-General's conclusion, in fact, was that the basic idea was interesting and valid enough to undertake a viability study with a view to completing a further analysis of the preliminary findings. The Secretary-General should be authorized to carry out a detailed viability study, financed from extra-budgetary resources. The organization, if it was set up, would be completely independent of the ITU.

5.17 The delegate of Côte d'Ivoire said that, while the report "The Missing Link" had led in practice to the establishment of a permanent development organ, the means should now be found of financing it. If the objectives laid down by the Independent Commission were to be achieved, investments in the developing countries should be of the order of 20 to 30 billion US dollars. How could such immense resources be found? He agreed with the delegate of Ethiopia that specific funding was required. A complementary study by a qualified Commission might provide some practical answers.

5.18 The delegate of Lebanon agreed with other delegates that the report of the Independent Commission should not remain a dead letter. The Conference should endeavour fully to implement Article 4 of the Convention, which defined the purposes of the Union. He supported Document 99 on a detailed viability study of the WORLDTEL organization.

5.19 The delegate of Senegal congratulated the Secretary-General on his study of the options proposed by the Independent Commission, and in particular for his Note on the establishment of the WORLDTEL organization.

He wondered whether the lack of investments in the developing countries was due to a lack of available funds or to the fact that governments gave priority to other sectors. It seemed fairly clear that administrations should be more aware of the importance of the telecommunications sector.

He wondered also whether setting up an organization such as WORLDTEL was not over ambitious. Different factors were involved in the development of telecommunication networks and difficulties did not always arise as expected. In Senegal, for instance, whereas investments amounted one billion CFA francs only a few years ago, they had risen to 11 billion CFA francs after a review of structures and the introduction of private management. He pointed out that some of the features of a WORLDTEL project could raise problems of sovereignty.

5.20 The Chairman summed up the afternoon's discussions and closed the debate, noting that three speakers remained on the list (Ethiopia, Czechoslovakia and Lebanon).

The meeting rose at 1745 hours.

The Secretary:

A. EMBEDOKLIS

The Chairman:

H. VIGNON

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 269(Rev.1)-E
28 June 1989
Original: Spanish

COMMITTEE 7

SUMMARY RECORD

OF THE

TWELFTH MEETING OF COMMITTEE 7

1. Amend paragraph 4.1 to read:

"1.4 The delegate of Mexico said that if the text that had been read out was intended to be a good summary, the task seemed too much for the Chairman, since fifty statements had been heard. He did not think that the summary reflected all the views and in any case his Delegation could not possibly decide until a text was available in writing."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 269(Rev.1)-E

25 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

TWELFTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Saturday, 10 June 1989, at 0940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

- | | | |
|----|---|-----------------------------|
| 1. | Chairman's summary of the debate on general principles | DL/15 |
| 2. | Consideration of proposals relating to the
General Secretariat (continued) | DT/15,
DL/9 + Corr.1 + 2 |

1. Chairman's summary of the debate on general principles
(Document DL/15)

1.1 The Chairman, reminding the Committee that after the previous meeting he had suggested that he prepare a summary of the debate on the principles relating to the general structure of the Union, read out in English the following statement:

"After an extensive debate on the general principles to follow with regard to the general structure of the Union, the Committee reached the following conclusions.

1. The type of structure that the Union adopts should be geared to deliver the basic functions in an efficient and effective manner to the satisfaction of the totality of the membership.
2. While many Members expressed a sentiment of satisfaction with the existing structure, many also regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.
3. There was support for the enhancement of the role of the Secretary-General as the chief executive officer, who as the leader of the Union has a responsibility for overall policy matters and the management of the resources.
4. It was recognized that the various organs are units having their own specific identities which justify a special status and a measure of autonomy for their operation in their respective fields of competence.
5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it. Some suggested a strong Coordination Committee with authority for making decisions, while others proposed that this be done by reinforcing the authority of the Secretary-General, with appropriate advice from the Coordination Committee.
6. It was reaffirmed that the newly created permanent organ for development should have adequate budgetary resources and should be established on a footing of equality with the other organs.
7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution, with a time frame to enable decisions and implementation at an Extraordinary Conference to be convened at the earliest practicable time. In this context Alternative Model 3 was foreseen by some as the final structure to be aimed at. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.
8. The conclusion of the above debate refers to the general structure of the Union as a whole without prejudice to the follow up discussions that have been agreed to be held with respect to the individual organs."

1.2 The delegate of the United States said that his Delegation appreciated the Chairman's effort in producing the text just read out but, as far as he could judge from what he had heard, it did not reflect the discussions of the past few days, nor did it provide a balance of the debate held in the Committee. Therefore he needed to see the text very soon. Nowhere had he heard in the summary that there was a clear majority for the status quo and for a study to be carried out on structural aspects. He feared that such a summary could divide the Committee rather than pull it together and his Delegation reserved its position on it.

1.3 The Chairman said the text would be circulated in the various languages as soon as possible.

1.4 The delegate of Mexico said that if the text was intended as a summary, the task seemed too much for the Chairman and the Bureau, since fifty statements had been heard. He did not think the summary quite reflected all the views and in any case his Delegation could not possibly decide until a text was available in writing, since he had extreme difficulty in following the interpretation.

1.5 The delegate of the USSR said that since the various viewpoints had seemed to be converging, something satisfactory to the Committee as a whole could have been produced. But the summary which in any case should be distributed in written form struck his Delegation as negative, since it seemed to reflect rather the initial attitudes than the later convergence. To him, it had appeared that about 35 of the 50 speakers were in favour of the status quo, subject to improvements, and that a new organ was currently inopportune. His Delegation could not agree with the statements about alternative model 3. In any case, it was inappropriate to stress specific modes. His Delegation therefore renewed its position pending receipt of a written text.

1.6 The delegate of France endorsed the call for provision of a written text as soon as possible.

1.7 The delegate of Papua New Guinea agreed and endorsed the remarks by the delegate of the USSR. As the latter and the delegate of the United States had said, the position reflected in the text seemed no further forward than at the outset.

1.8 The delegate of Senegal, speaking on a point of order, said that the Chairman's summary referred to the discussions on the general structure of the Union, not to proposals concerning the General Secretariat, and therefore related to an item not on the current meeting's agenda. The Committee could consider it only when it had been circulated as a text as requested and formally added to the agenda.

The Chairman announced that the text was being circulated immediately, as Document DL/15. Due to lack of time, it was agreed therefore to include it on the agenda for purposes of the record but to defer its consideration, as proposed by the delegates of the Islamic Republic of Iran and the USSR, supported by the delegate of Paraguay, until the next meeting of Committee 7.

2. Consideration of proposals relating to the General Secretariat (continued) (Documents DT/15, DL/9 and Corr.1 + 2)

2.1 The Chairman reminded the Committee of the overall Conference timetable. The Chairman of the Conference had drawn his attention to the timetable for elections, and the need for Committee 7 to take a speedy decision on Article 9, relating to the office of the Deputy Secretary-General.

2.2 The delegate of Australia said that the Chairman's summary in that regard indicated that the existing text was well supported. He reiterated that his Administration could not support a proposal to establish three Deputy Secretaries-General. There were no outline of mandates, financial implications or details of any sort which had been put forward in that regard. In view of the Chairman's call for rapid action, the Committee should adopt the text as it stood without further delay.

2.3 The delegate of Saudi Arabia said that the proposal by the Administration of Kuwait regarding Deputy Secretaries-General in Document 11 could perhaps be amended to two posts instead of three.

2.4 The delegates of Lebanon and Algeria supported the amendment put forward by the delegate of Saudi Arabia to the proposal submitted by the Administration of Kuwait.

2.5 The Chairman drew attention to the text of the decision adopted in respect of the development organ, according to which the person heading the new organ would have the same status as the Heads of the other permanent organs.

2.6 The delegate of Kuwait said that his Delegation accepted the oral amendment put forward by the Saudi Arabian Delegation for two Deputy Secretaries-General instead of three, appointed according to priority, not necessarily to size of region. A universally elected Secretary-General should assume responsibility for the new organ relating to technical cooperation for development.

2.7 The delegate of Papua New Guinea reiterated his Delegation's disquiet about the taking of a decision of principle without due analysis of the costs involved. He fully supported the proposal made by the delegate of Australia.

2.8 The delegates of Czechoslovakia, Bulgaria, Guinea, the United Kingdom, the Netherlands, Rwanda, Zambia, Lesotho, Tanzania, Canada, France, Indonesia, Austria and Nigeria expressed the view that it would be more prudent to continue with the present arrangement of a single post of Deputy Secretary-General and defer any decision on increasing the numbers of Deputy Secretaries-General until the next Plenipotentiary. Such a decision would call for careful review of all the financial implications and should be made in the light of the results of the proposed study of the structure of the Union by a Group of Experts.

2.9 The delegate of Senegal, supported by the delegates of Rwanda, Switzerland, Zambia, Indonesia and Nigeria said that since there was a general consensus in favour of creating a permanent organ for technical cooperation and development at the present Plenipotentiary Conference, there was no reason for that organ to operate on an interim basis under the authority of a Deputy Secretary-General until the next Plenipotentiary. It should be established by the Constitution to operate under the authority of a Director to be elected by the present Conference.

2.10 The delegate of the United Kingdom, supported by the delegates of the Netherlands and Canada, recalled that the purpose of the proposed new organ for technical cooperation and development was to promote development activities in the field rather than add to the number of posts at Headquarters. They suggested that it might be best to move forward by giving the new Secretary-General authority following the present Conference to establish the new organ with an appropriate structure. The organ could report to the Deputy Secretary-General or Secretary-General. The next Plenipotentiary Conference could decide on the most suitable status for the head of the new organ in the light of the recommendations of the review of the structure of the Union.

2.11 The delegate of Saudi Arabia, supported by the delegate of Kuwait, said that his proposal had been made in the interests of improving the structure of the Union, enhancing its efficiency and making the most effective use of its resources. However, irrespective of the decision on that proposal, it was essential that the Plenipotentiary should make a clear decision in favour of establishing a new organ for technical cooperation and development, headed by a Director to be elected by the present Conference, and with its status clearly set out in the new Constitution.

In view of the large consensus in its favour, it was decided to retain a single post of Deputy Secretary-General.

2.12 The Chairman suggested that any decision on the final structure of the new organ for technical cooperation and development should be deferred until after completion of the examination of the structure of all the organs of the Union.

It was so agreed.

The meeting rose at 1230 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

CONFÉRENCE DE PLÉNIPOTENTIAIRES

NICE, 1989

Corrigendum 1 au
Document 269-F/E/S
21 juin 1989

COMMISSION 7

Première page, lire DOUZIEME SEANCE DE LA COMMISSION 7 au lieu de "Deuxième"

This Corrigendum does not concern the English text

Este Corrigendum no concierne al texto español

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 269-E

20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

TWELFTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Saturday, 10 June 1989, at 0940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

- | | | |
|----|---|-----------------------------|
| 1. | Chairman's summary of the debate on general principles | DL/15 |
| 2. | Consideration of proposals relating to the
General Secretariat (continued) | DT/15,
DL/9 + Corr.1 + 2 |

1. Chairman's summary of the debate on general principles
(Document DL/15)

1.1 The Chairman, reminding the Committee that after the previous meeting he had suggested that he prepare a summary of the debate on the principles relating to the general structure of the Union, read out in English the following statement:

"After an extensive debate on the general principles to follow with regard to the general structure of the Union, the Committee reached the following conclusions.

1. The type of structure that the Union adopts should be geared to deliver the basic functions in an efficient and effective manner to the satisfaction of the totality of the membership.

2. While many Members expressed a sentiment of satisfaction with the existing structure, many also regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.

3. There was support for the enhancement of the role of the Secretary-General as the chief executive officer, who as the leader of the Union has a responsibility for overall policy matters and the management of the resources.

4. It was recognized that the various organs are units having their own specific identities which justify a special status and a measure of autonomy for their operation in their respective fields of competence.

5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it. Some suggested a strong Coordination Committee with authority for making decisions, while others proposed that this be done by reinforcing the authority of the Secretary-General, with appropriate advice from the Coordination Committee.

6. It was reaffirmed that the newly created permanent organ for development should have adequate budgetary resources and should be established on a footing of equality with the other organs.

7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution, with a time frame to enable decisions and implementation at an Extraordinary Conference to be convened at the earliest practicable time. In this context Alternative Model 3 was foreseen by some as the final structure to be aimed at. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.

8. The conclusion of the above debate refers to the general structure of the Union as a whole without prejudice to the follow up discussions that have been agreed to be held with respect to the individual organs."

1.2 The delegates of the United States, Mexico, the USSR, France and Papua New Guinea thought that the summary, which on first hearing did not seem to reflect the various views to their satisfaction, should be circulated as a document in all the official languages for the Committee's consideration.

1.3 The delegate of Senegal, speaking on a point of order, said that the Chairman's summary referred to the discussions on the general structure of the Union, not to proposals concerning the General Secretariat, and therefore related to an item not on the current meeting's agenda. The Committee could consider it only when it had been circulated as a text as requested and formally added to the agenda.

The Chairman announced that the text was being circulated immediately, as Document DL/15. Due to lack of time, it was agreed therefore to include it on the agenda for purposes of the record but to defer its consideration, as proposed by the delegates of the Islamic Republic of Iran and the USSR, supported by the delegate of Paraguay, until the next meeting of Committee 7.

2. Consideration of proposals relating to the General Secretariat (continued)
(Documents DT/15, DL/9 and Corr.1 + 2)

2.1 The Chairman reminded the Committee of the overall Conference timetable. The Chairman of the Conference had drawn his attention to the timetable for elections, and the need for Committee 7 to take a speedy decision on Article 9, relating to the office of the Deputy Secretary-General.

2.2 The delegate of Australia said that the Chairman's summary in that regard indicated that the existing text was well supported. He reiterated that his Administration could not support a proposal to establish three Deputy Secretaries-General. There were no outline of mandates, financial implications or details of any sort which had been put forward in that regard. In view of the Chairman's call for rapid action, the Committee should adopt the text as it stood without further delay.

2.3 The delegate of Saudi Arabia said that the proposal by the Administration of Kuwait regarding Deputy Secretaries-General in Document 11 could perhaps be amended to two posts instead of three.

2.4 The delegates of Lebanon and Algeria supported the amendment put forward by the delegate of Saudi Arabia to the proposal submitted by the Administration of Kuwait.

2.5 The Chairman drew attention to the text of the decision adopted in respect of the development organ, according to which the person heading the new organ would have the same status as the Heads of the other permanent organs.

2.6 The delegate of Kuwait said that his Delegation accepted the oral amendment put forward by the Saudi Arabian Delegation for two Deputy Secretaries-General instead of three, appointed according to priority, not necessarily to size of region. A universally elected Secretary-General should assume responsibility for the new organ relating to technical cooperation for development.

2.7 The delegate of Papua New Guinea reiterated his Delegation's disquiet about the taking of a decision of principle without due analysis of the costs involved. He fully supported the proposal made by the delegate of Australia.

2.8 The delegates of Czechoslovakia, Bulgaria, Guinea, the United Kingdom, the Netherlands, Rwanda, Zambia, Lesotho, Tanzania, Canada, France, Indonesia, Austria and Nigeria expressed the view that it would be more prudent to continue with the present arrangement of a single post of Deputy Secretary-General and defer any decision on increasing the numbers of Deputy Secretaries-General until the next Plenipotentiary. Such a decision would call for careful review of all the financial implications and should be made in the light of the results of the proposed study of the structure of the Union by a Group of Experts.

2.9 The delegate of Senegal, supported by the delegates of Rwanda, Switzerland, Zambia, Indonesia and Nigeria said that since there was a general consensus in favour of creating a permanent organ for technical cooperation and development at the present Plenipotentiary Conference, there was no reason for that organ to operate on an interim basis under the authority of a Deputy Secretary-General until the next Plenipotentiary. It should be established by the Constitution to operate under the authority of a Director to be elected by the present Conference.

2.10 The delegate of the United Kingdom, supported by the delegates of the Netherlands and Canada, recalled that the purpose of the proposed new organ for technical cooperation and development was to promote development activities in the field rather than add to the number of posts at Headquarters. They suggested that it might be best to move forward by giving the new Secretary-General authority following the present Conference to establish the new organ with an appropriate structure. The organ could report to the Deputy Secretary-General or Secretary-General. The next Plenipotentiary Conference could decide on the most suitable status for the head of the new organ in the light of the recommendations of the review of the structure of the Union.

2.11 The delegate of Saudi Arabia, supported by the delegate of Kuwait, said that his proposal had been made in the interests of improving the structure of the Union, enhancing its efficiency and making the most effective use of its resources. However, irrespective of the decision on that proposal, it was essential that the Plenipotentiary should make a clear decision in favour of establishing a new organ for technical cooperation and development, headed by a Director to be elected by the present Conference, and with its status clearly set out in the new Constitution.

In view of the large consensus in its favour, it was decided to retain a single post of Deputy Secretary-General.

2.12 The Chairman suggested that any decision on the final structure of the new organ for technical cooperation and development should be deferred until after completion of the examination of the structure of all the organs of the Union.

It was so agreed.

The meeting rose at 1230 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 270(Rev.1)-E

24 June 1989

Original: English/
French

COMMITTEE 7

SUMMARY RECORD
OF THE
THIRTEENTH MEETING OF COMMITTEE 7
(STRUCTURE OF THE UNION)

Monday, 12 June 1989, at 2040 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. Chairman's summary of the debate on general principles (continued)
2. Discussion of the choice of options concerning the CCIs

DL/15

210

1. Chairman's summary of the debate on the general principles (continued)
(Document DL/15)

1.1 The Chairman invited the Committee to note a number of oral amendments to the text of Document DL/15 stemming from informal consultations with a number of delegations. In paragraph 2, the words "While many Members" at the beginning of the text should be replaced by "While a majority of the Members", and the words "many also" after the comma should be replaced by "some of them, and others also". In the second sentence of paragraph 5, the initial word "Some" should be replaced by "Many". In the penultimate sentence of paragraph 7, the words "the final structure" should be replaced by "a possible final structure".

1.2 The delegate of Paraguay said that since it had been agreed that the new permanent organ for development would have the same status as the other permanent organs, it should appropriately be headed by a Director. The question whether such an official should be elected at the outset was perhaps not urgent but there was a pressing need to ensure that the new body was properly structured and adequately funded. Steps should be taken accordingly in collaboration with Committees 4 and 5, and it was worrying that nothing had yet been done in that regard.

1.3 The Chairman said that a note was being transmitted to Committees 4 and 6 about the adoption of principles for creating the organ concerned, and he hoped that a text of relevant proposals by delegations could be circulated shortly.

1.4 The delegate of Mali said that his Delegation had difficulty in accepting, in paragraph 2, the mention of a majority. The fact that most of the Members had spoken in favour of establishing a new permanent organ surely meant that they were dissatisfied with the existing structure.

1.5 The delegate of Côte d'Ivoire said that the text of paragraph 2 as it stood did not reflect the concern many delegations felt about the functional imbalance in relation to the development function. It seemed to him that if this concern was taken into account in paragraph 2, it would make it easier to understand paragraph 6, which contained the precise response to that concern.

1.6 The delegate of Indonesia said that the text of paragraph 2 should be left as it stood. It could not be said that a majority of Members were satisfied with the existing structure. His Delegation also reserved the right to comment later on paragraph 7.

1.7 The delegate of Tanzania agreed with the delegates of Mali and Indonesia about paragraph 2. His Delegation also had difficulty with the proposed oral amendment to paragraph 5. If the word "Some" at the beginning of the second sentence was to be replaced by "Many", the words "while others" should be amended to read "while many others".

1.8 The delegate of Czechoslovakia said that his Delegation could, after some initial difficulty, accept the text of Document DL/15 in general as a fair summary of the debate. But it could not accept paragraph 6 as it stood, since the text did not make it clear how the new organ would be created - for example, whether TCD and CTD would be abolished or merged for that purpose.

1.9 The delegate of the United Kingdom said that his Delegation, while appreciating the Chairman's efforts in preparing the summary contained in Document DL/15, could not support the text since the latter might give the impression of a more clear-cut situation than was actually the case. The same could be said for the summary annexed to Document 210 and the Committee's first report to the Plenary Meeting (Document 260). For example, it might be inferred from paragraph 7 of Document DL/15, that a consensus

existed about the holding of an Extraordinary Conference. But the prevailing view seemed to be that the type of forum would not be determined until an independent, in-depth study had been carried out. Paragraph 3, on the role of the Secretary-General, and paragraph 5, on the powers of a Coordination Committee, might likewise be misconstrued. And despite the concerns voiced about paragraph 2, his Delegation believed that the text related to the existing structure, with which a clear majority had expressed satisfaction.

1.10 The delegate of Suriname agreed with the statement by the delegates of Mali and Tanzania about paragraph 2 of Document DL/15.

1.11 The delegate of France, speaking on a point of order, proposed postponement of the debate on Document DL/15. The delegate of Lebanon supported the proposal. The delegates of Algeria and Saudi Arabia opposed it.

The Committee decided, by 40 votes to 38, with 10 abstentions, to postpone the debate on Document DL/15.

1.12 The Secretary-General suggested, in response to a question by the delegate of Colombia on a point of order, that although the delegation proposing the postponement had not mentioned a time for taking up the subject again pursuant to No. 518 of the Convention, it could be taken that, since the purpose of the postponement was to enable Committee 7 to discuss the choice of options concerning the CCIs, an urgent matter in view of the impending relevant elections, the debate just postponed would be resumed as soon as that discussion had been completed.

On that understanding, it was agreed to leave it to the Chairman to announce the resumption of the debate on Document DL/15.

2. Discussion of the choice of options concerning the CCIs (Document 210)

2.1 In response to a point of order raised by the delegate of Lebanon, the Chairman invited the meeting to consider the structural aspects of the CCIs with particular reference to the three options outlined in Document 210, page 3, section A, so as to decide whether it would be necessary to elect one or two Directors.

2.2 The delegate of Lebanon said he believed that the majority of Members were in favour of Option 1: Existing structure. He proposed the maintenance of the status quo and the election of two Directors. It was unnecessary to discuss the CCI Secretariats at that stage since they were not affected by the elections.

2.3 The delegate of India said that all delegations were anxious to ensure that the work of the CCIs was carried out with the necessary economy and efficiency without in any way affecting the standardization process. However, since the work of the CCIs was carried out essentially by administrations, it would not suffer if the two Secretariats were merged under one Director, while maintaining the Study Group structure as it was at present. He therefore favoured the election of a single Director.

2.4 The delegates of Indonesia, Mali, Zambia and Tanzania supported the Indian delegate's proposal in the interests of efficiency and economy.

2.5 The delegate of Kenya, referring to his Administration's proposals in Document 86, said that there should be a proper study to evaluate the management of the ITU and it would be premature to introduce new structures before such a study was completed. He therefore favoured retention of the existing structure pending further evaluation.

2.6 The delegate of Italy favoured retention of the existing structure with two CCIs, two Secretariats and two Directors: the merging of the two CCIs would create a top-heavy organization, which would have a negative effect on the efficiency of its work, and he doubted whether it would lead to any economies.

2.7 The delegate of Ethiopia, referring to the points made in his Administration's Document 81, said that the work of the two CCIs must be coordinated and cost-efficient and move in line with developing technology. So far as standardization was concerned, he quoted figures showing that the volume of work in the CCITT was five times that in the CCIR, and went on to show how many of the standards adopted were interrelated, particularly since the advent of digital technology. His Administration was therefore in favour of the eventual total integration of the working methods of the two CCIs, and it believed that the gradual consolidation of the Secretariats and improvement in the work of the Study Groups would be delayed if there were two Directors. As had emerged from the discussions the previous day on the validity of having two Secretaries-General, an additional elected office would lead to substantially increased costs. He therefore strongly supported the election of only one Director for one standard-making organization.

2.8 The delegate of the Federal Republic of Germany, supported by the delegates of Switzerland, the United States and the Philippines, and referring to his Administration's Document 97, said it would not be appropriate to have an immediate structural modification without giving particular consideration to the volume of work, the limited resources and the different methods of work of the two CCIs. Historically, two CCIs had been set up because they dealt with different types of work and there must be serious in-depth consideration and analysis before any decision was taken to merge them.

2.9 The delegates of the German Democratic Republic, Benin, Canada, Sweden and the United Kingdom endorsed that view, stressing particularly the need for further study before any structural changes were made.

2.10 The delegate of Nigeria was in favour of maintaining the status quo, pending in-depth studies of the revised structure, but suggested that the two Secretariats should be merged, if feasible, in the interests of economy.

2.11 The delegate of Saudi Arabia supported the eventual merger of the two CCIs which would improve the efficiency of their work and lead to financial savings but only after proper study of the way in which the merger could be effected smoothly.

2.12 The delegates of Japan, Austria, Australia, Luxembourg, Byelorussia, the Netherlands, France, Hungary, Argentina and New Zealand endorsed the view that it would be premature to make any decision on merger of the CCIs at the present Conference since it was not certain that such a merger would have the effect desired, namely to make the standard-setting functions of the CCIs more rapid, flexible and efficient. Such a decision could only be taken after an in-depth study of all aspects of a possible merger. In the meantime the existing structure of the CCIs should be retained (CCI structure option I, Document 210). The delegate of Japan further noted that a great deal of the routine work of the CCIs was already coordinated in that it was being done by the General Secretariat. Different types of expertise were called for in setting standards in telecommunications, frequency management and broadcasting; it was therefore important to have two separate Directors, each with the appropriate expertise, to coordinate that work. The delegate of Hungary noted that merger of the CCIs would not alter the fact that in most countries telecommunications and radiocommunications were dealt with by two separate administrations. The delegates of Australia, the Netherlands, Argentina and New Zealand said that despite the retention

of existing structures, the more flexible methods of operation of the CCITT decided at its 1988 Plenary Assembly should be implemented without delay. The delegate of Argentina further drew attention to proposal ARG/116/3 for making savings in Members' contributions to the CCI budget by seeking contributions from recognized private operating agencies and other participants in the work of the CCIs. The delegate of New Zealand said that since he believes the CCI specialized Secretariats accounted for only 6% of the Union budget, structural rearrangements would not have much impact on the latter.

2.13 The delegates of Côte d'Ivoire and Morocco said they were not opposed to a merger on principle. The door should be kept open for any changes that would ensure flexibility of operation of the CCIs and a more unified approach to standard setting. However such a decision should not be taken without prior in-depth study. The existing structure should be kept for the present. The delegate of Côte d'Ivoire further said that a good compromise would be to keep the existing structures of the CCIs for the present and to establish the proposed new Development organ as a permanent organ of the Union with equal status to the CCIs and independent of the General Secretariat.

2.14 The delegates of Colombia, the Islamic Republic of Iran, Iraq, Angola, Guinea and Cape Verde considered that a merger along the lines proposed by India would be the best way to achieve global, efficient and rapid standard setting in view of the fact that the differences between the various forms of telecommunication were tending to disappear as a result of technological advances. However, they would prefer an in-depth study to be made before any change was made to CCI structures.

2.15 The delegate of Greece, noting that Greece had been in favour of considering a merger of the CCIs at the present Conference (proposal GRC/98/5), said that had the subject been discussed earlier a decision on the lines of the Indian proposal could well have been arrived at. At the present late stage of the Plenipotentiary, however, such a decision was no longer possible. The existing structure of the CCIs would have to continue as it was for the present. The question of a possible merger of the CCIs would thus have to be decided after the in-depth study of the whole structure of the Union.

2.16 The delegates of Peru, Bhutan, Malaysia, Burkina Faso and Malawi said that they endorsed the Indian proposal for an immediate merger of the CCI Directorships and Secretariats, with retention of two separate sets of Study Groups (revised CCI structure option II, Document 210). The delegate of Bhutan further said he would support an in-depth study of the matter if so warranted.

2.17 The Chairman said that there appeared to be a clear majority for retaining the existing structure of the CCIs for the present, so that the present Plenipotentiary would be called upon to elect two separate Directors. In addition, however, there was general agreement on the need for a detailed review of the structure of the CCIs with a view to making them more responsive to the needs of Member States.

2.18 The delegate of Indonesia pointed out that although most, but not an overwhelming proportion, of speakers had supported retaining the existing structure of the CCIs for the present, a majority had spoken in favour of eventual merger of the two organs after a detailed review. He, with the support of the delegate of Senegal, complained that the Committee proceedings were not taking place in a very orderly manner; there were frequent changes from one agenda item to another and the debate was switched back and forth from consideration of general principles to details of structure of given organs. Under such conditions it was difficult to arrive at consensus.

2.19 The Chairman pointed out that the changes to the agenda had been made at the request of delegates and had been agreed to by the Committee. He reminded the Committee that the question of the overall structure of the Union would be reopened when Article 5 was examined.

The meeting rose at 2345 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 270-E
20 June 1989
Original: English

COMMITTEE 7

SUMMARY RECORD
OF THE
THIRTEENTH MEETING OF COMMITTEE 7
(STRUCTURE OF THE UNION)

Monday, 12 June 1989, at 2040 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. Chairman's summary of the debate on general principles (continued)
2. Discussion of the choice of options concerning the CCIs

DL/15

210

1. Chairman's summary of the debate on the general principles (continued)
(Document DL/15)

1.1 The Chairman invited the Committee to note a number of oral amendments to the text of Document DL/15 stemming from informal consultations with a number of delegations. In paragraph 2, the words "While many Members" at the beginning of the text should be replaced by "While a majority of the Members", and the words "many also" after the comma should be replaced by "some of them, and others also". In the second sentence of paragraph 5, the initial word "Some" should be replaced by "Many". In the penultimate sentence of paragraph 7, the words "the final structure" should be replaced by "a possible final structure".

1.2 The delegate of Paraguay said that since it had been agreed that the new permanent organ for development would have the same status as the other permanent organs, it should appropriately be headed by a Director. The question whether such an official should be elected at the outset was perhaps not urgent but there was a pressing need to ensure that the new body was properly structured and adequately funded. Steps should be taken accordingly in collaboration with Committees 4 and 5, and it was worrying that nothing had yet been done in that regard.

1.3 The Chairman said that a note was being transmitted to Committees 4 and 6 about the adoption of principles for creating the organ concerned, and he hoped that a text of relevant proposals by delegations could be circulated shortly.

1.4 The delegate of Mali said that his Delegation had difficulty in accepting, in paragraph 2, the mention of a majority. The fact that most of the Members had spoken in favour of establishing a new permanent organ surely meant that they were dissatisfied with the existing structure.

1.5 The delegate of Côte d'Ivoire said that the text of paragraph 2 as it stood reflected the concern many delegations felt about the functional imbalance in activities for development, and helped to clarify paragraph 6, relating to measures aimed at allaying that concern.

1.6 The delegate of Indonesia said that the text of paragraph 2 should be left as it stood. It could not be said that a majority of Members were satisfied with the existing structure. His Delegation also reserved the right to comment later on paragraph 7.

1.7 The delegate of Tanzania agreed with the delegates of Mali and Indonesia about paragraph 2. His Delegation also had difficulty with the proposed oral amendment to paragraph 5. If the word "Some" at the beginning of the second sentence was to be replaced by "Many", the words "while others" should be amended to read "while many others".

1.8 The delegate of Czechoslovakia said that his Delegation could, after some initial difficulty, accept the text of Document DL/15 in general as a fair summary of the debate. But it could not accept paragraph 6 as it stood, since the text did not make it clear how the new organ would be created - for example, whether TCD and CTD would be abolished or merged for that purpose.

1.9 The delegate of the United Kingdom said that his Delegation, while appreciating the Chairman's efforts in preparing the summary contained in Document DL/15, could not support the text since the latter might give the impression of a more clear-cut situation than was actually the case. The same could be said for the summary annexed to Document 210 and the Committee's first report to the Plenary Meeting (Document 260). For example, it might be inferred from paragraph 7 of Document DL/15, that a consensus

existed about the holding of an Extraordinary Conference. But the prevailing view seemed to be that the type of forum would not be determined until an independent, in-depth study had been carried out. Paragraph 3, on the role of the Secretary-General, and paragraph 5, on the powers of a Coordination Committee, might likewise be misconstrued. And despite the inferences voiced about paragraph 2, his Delegation believed that the text related to the existing structure, with which a clear majority had expressed satisfaction.

1.10 The delegate of Suriname agreed with the statement by the delegates of Mali and Tanzania about paragraph 2 of Document DL/15.

1.11 The delegate of France, speaking on a point of order, proposed postponement of the debate on Document DL/15. The delegate of Lebanon supported the proposal. The delegates of Algeria and Saudi Arabia opposed it.

The Committee decided, by 40 votes to 38, with 10 abstentions, to postpone the debate on Document DL/15.

1.12 The Secretary-General suggested, in response to a question by the delegate of Colombia on a point of order, that although the delegation proposing the postponement had not mentioned a time for taking up the subject again pursuant to No. 518 of the Convention, it could be taken that, since the purpose of the postponement was to enable Committee 7 to discuss the choice of options concerning the CCIs, an urgent matter in view of the impending relevant elections, the debate just postponed would be resumed as soon as that discussion had been completed.

On that understanding, it was agreed to leave it to the Chairman to announce the resumption of the debate on Document DL/15.

2. Discussion of the choice of options concerning the CCIs (Document 210)

2.1 In response to a point of order raised by the delegate of Lebanon, the Chairman invited the meeting to consider the structural aspects of the CCIs with particular reference to the three options outlined in Document 210, page 3, section A, so as to decide whether it would be necessary to elect one or two Directors.

2.2 The delegate of Lebanon said he believed that the majority of Members were in favour of Option 1: Existing structure. He proposed the maintenance of the status quo and the election of two Directors. It was unnecessary to discuss the CCI Secretariats at that stage since they were not affected by the elections.

2.3 The delegate of India said that all delegations were anxious to ensure that the work of the CCIs was carried out with the necessary economy and efficiency without in any way affecting the standardization process. However, since the work of the CCIs was carried out essentially by administrations, it would not suffer if the two Secretariats were merged under one Director, while maintaining the Study Group structure as it was at present. He therefore favoured the election of a single Director.

2.4 The delegates of Indonesia, Mali, Zambia and Tanzania supported the Indian delegate's proposal in the interests of efficiency and economy.

2.5 The delegate of Kenya, referring to his Administration's proposals in Document 86, said that there should be a proper study to evaluate the management of the ITU and it would be premature to introduce new structures before such a study was completed. He therefore favoured retention of the existing structure pending further evaluation.

2.6 The delegate of Italy favoured retention of the existing structure with two CCIs, two Secretariats and two Directors: the merging of the two CCIs would create a top-heavy organization, which would have a negative effect on the efficiency of its work, and he doubted whether it would lead to any economies.

2.7 The delegate of Ethiopia, referring to the points made in his Administration's Document 81, said that the work of the two CCIs must be coordinated and cost-efficient and move in line with developing technology. So far as standardization was concerned, he quoted figures showing that the volume of work in the CCITT was five times that in the CCIR, and went on to show how many of the standards adopted were interrelated, particularly since the advent of digital technology. His Administration was therefore in favour of the eventual total integration of the working methods of the two CCIs, and it believed that the gradual consolidation of the Secretariats and improvement in the work of the Study Groups would be delayed if there were two Directors. As had emerged from the discussions the previous day on the validity of having two Secretaries-General, an additional elected office would lead to substantially increased costs. He therefore strongly supported the election of only one Director for one standard-making organization.

2.8 The delegate of the Federal Republic of Germany, supported by the delegates of Switzerland, the United States and the Philippines, and referring to his Administration's Document 97, said it would not be appropriate to have an immediate structural modification because of the volume of work and the fact that the resources available would not make it possible to carry out a merger without changing the working procedures. Historically, two CCIs had been set up because they dealt with different types of work and there must be serious in-depth consideration and analysis before any decision was taken to merge them.

2.9 The delegates of the German Democratic Republic, Benin, Canada, Sweden and the United Kingdom endorsed that view, stressing particularly the need for further study before any structural changes were made.

2.10 The delegate of Nigeria was in favour of maintaining the status quo, pending in-depth studies of the revised structure, but suggested that the two Secretariats should be merged, if feasible, in the interests of economy.

2.11 The delegate of Saudi Arabia supported the eventual merger of the two CCIs which would improve the efficiency of their work and lead to financial savings but only after proper study of the way in which the merger could be effected smoothly.

2.12 The delegates of Japan, Austria, Australia, Luxembourg, Byelorussia, the Netherlands, France, Hungary, Argentina and New Zealand endorsed the view that it would be premature to make any decision on merger of the CCIs at the present Conference since it was not certain that such a merger would have the effect desired, namely to make the standard-setting functions of the CCIs more rapid, flexible and efficient. Such a decision could only be taken after an in-depth study of all aspects of a possible merger. In the meantime the existing structure of the CCIs should be retained (CCI structure option I, Document 210). The delegate of Japan further noted that a great deal of the routine work of the CCIs was already coordinated in that it was being done by the General Secretariat. Different types of expertise were called for in setting standards in telecommunications, frequency management and broadcasting; it was therefore important to have two separate Directors, each with the appropriate expertise, to coordinate that work. The delegate of Hungary noted that merger of the CCIs would not alter the fact that in most countries telecommunications and radiocommunications were dealt with by two separate administrations. The delegates of Australia, the Netherlands, Argentina and New Zealand said that despite the retention

of existing structures, the more flexible methods of operation of the CCITT decided by its 1988 Plenary Assembly should be implemented without delay. The delegate of Argentina further drew attention to proposal ARG/116/3 for making savings in Members' contributions to the CCI budget by seeking contributions from recognized private operating agencies and other participants in the work of the CCIs. The delegate of New Zealand said that since he believes the CCI specialized Secretariats accounted for only 6% of the Union budget, structural rearrangements would not have much impact on the latter.

2.13 The delegates of Côte d'Ivoire and Morocco said they were not opposed to a merger on principle. The door should be kept open for any changes that would ensure flexibility of operation of the CCIs and a more unified approach to standard setting. However such a decision should not be taken without prior in-depth study. The existing structure should be kept for the present. The delegate of Côte d'Ivoire further said that a good compromise would be to keep the existing structures of the CCIs for the present and to establish the proposed new Development organ as a permanent organ of the Union with equal status to the CCIs and independent of the General Secretariat.

2.14 The delegates of Colombia, the Islamic Republic of Iran, Iraq, Angola, Guinea and Cape Verde considered that a merger along the lines proposed by India would be the best way to achieve global, efficient and rapid standard setting in view of the fact that the differences between the various forms of telecommunication were tending to disappear as a result of technological advances. However, they would prefer an in-depth study to be made before any change was made to CCI structures.

2.15 The delegate of Greece, noting that Greece had been in favour of considering a merger of the CCIs at the present Conference (proposal GRC/98/5), said that had the subject been discussed earlier a decision on the lines of the Indian proposal could well have been arrived at. At the present late stage of the Plenipotentiary, however, such a decision was no longer possible. The existing structure of the CCIs would have to continue as it was for the present. The question of a possible merger of the CCIs would thus have to be decided after the in-depth study of the whole structure of the Union.

2.16 The delegates of Peru, Bhutan, Malaysia, Burkina Faso and Malawi said that they endorsed the Indian proposal for an immediate merger of the CCI Directorships and Secretariats, with retention of two separate sets of Study Groups (revised CCI structure option II, Document 210). The delegate of Bhutan further said he would support an in-depth study of the matter if so warranted.

2.17 The Chairman said that there appeared to be a clear majority for retaining the existing structure of the CCIs for the present, so that the present Plenipotentiary would be called upon to elect two separate Directors. In addition, however, there was general agreement on the need for a detailed review of the structure of the CCIs with a view to making them more responsive to the needs of Member States.

2.18 The delegate of Indonesia pointed out that although most, but not an overwhelming proportion, of speakers had supported retaining the existing structure of the CCIs for the present, a majority had spoken in favour of eventual merger of the two organs after a detailed review. He, with the support of the delegate of Senegal, complained that the Committee proceedings were not taking place in a very orderly manner; there were frequent changes from one agenda item to another and the debate was switched back and forth from consideration of general principles to details of structure of given organs. Under such conditions it was difficult to arrive at consensus.

2.19 The Chairman pointed out that the changes to the agenda had been made at the request of delegates and had been agreed to by the Committee. He reminded the Committee that the question of the overall structure of the Union would be reopened when Article 5 was examined.

The meeting rose at 2345 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS-ARAYA

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 271-E

16 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

EIGHTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Saturday, 10 June 1989, at 0945 hrs

Acting Chairman: Mr. V. CASSAPOGLOU (Greece)

Subjects discussed:

Documents

- | | | |
|----|--|--|
| 1. | Approval of the summary records of the
3rd, 4th and 5th meetings of Committee 8 | 192, 205
216 |
| 2. | Presentation and discussion of proposals
related to the text of the draft Constitution
(continued) - Articles 33, 35, 45 and Annex 2 | Document A,
DT/9,
DT/9(Add.1(Rev.1)), 38 |
| 3. | Presentation and discussion of proposals
related to the text of the draft Convention
- Articles 11, 12, 13, 14 | Document B,
DT/10 + Add.1 + Add.2 |

1. Approval of the summary records of the 3rd, 4th and 5th meetings of Committee 8
(Documents 192, 205, 216)

The summary record of the 3rd meeting was approved as amended (see Document 192(Corr.1)).

The summary record of the 4th meeting was approved as amended (see Document 205(Corr.1)).

The summary record of the 5th meeting was approved as amended (see Document 216(Corr.1)).

2. Presentation and discussion of proposals related to the text of the draft Constitution (continued) (Document A, DT/9, DT/9(Add.1(Rev.1)), 38)

Article 33

No. 159

2.1 The Chairman recalled that at the previous meeting the delegates of Spain and Saudi Arabia had been asked to review their proposals. They had agreed on the following proposed text:

"1. Members retain their entire freedom with regard to military radio installations and of national defence."

2.2 The delegate of the Federal Republic of Germany said that, in a spirit of compromise, he could agree to the proposed text and the delegate of Spain also endorsed it.

2.3 The delegate of Norway said that he had difficulties with the amendment since the addition of the words "national defence" widened the provision unduly and changed the purpose of the Article.

2.4 The delegates of the United Kingdom, the Islamic Republic of Iran, Australia and the United States agreed with the Norwegian delegate's view and said that the provision should remain unchanged.

2.5 The delegate of Kenya said that the Article was intended to cover national defence and wondered whether the proposed amendment would imply that military installations would be used for purposes other than national defence.

2.6 The delegate of Algeria, supported by the delegates of Indonesia and Guinea, saw no difficulty in accepting the Spanish/Saudi Arabian proposal and suggested a minor drafting amendment to it.

2.7 In a spirit of compromise, the delegate of Spain withdrew the proposed amendment.

The following text of No. 159 was approved:

"1. Members retain their entire freedom with regard to military radio installations."

Nos. 160 and 161

Nos. 160 and 161 (Document A) were approved without change.

Chapter IV

Article 34

2.8 The Chairman said that Nos. 162 and 163 (in accordance with Document DT/32) will be transferred to Committee 9 for consideration (see Document 266).

Article 35, No. 164

Article 35, No. 164 (Document A) was approved without change.

Article 45, No. 197

Article 45, No. 197 (Document A) was approved without change.

Annexes 1 and 2

2.9 The Chairman said that since Committee 9 had already decided in view of the amendment to Article 1 of the Constitution not to have a list of Member States annexed to the future Constitution, there was no need for the Committee to consider Annex 1.

Nos. 2001 - 2006

Nos. 2001 - 2006 (Document A) were approved without change.

Nos. 2008, 2009

2.10 The delegate of Spain presented his delegation's proposal for the amendment of No. 2009 and the consequent deletion of No. 2008 for the reasons outlined in Document 101, and to bring the provision into line with the text approved by WATTC-88.

2.11 The delegates of Senegal and Niger said that since the text adopted in Melbourne represented a delicately balanced compromise, they would prefer to make no changes in No. 2009 at that stage.

2.12 The delegate of Indonesia suggested that it might be desirable to set up a small Working Group to consider the text rather than discussing it in the full Committee.

2.13 The delegate of the United Kingdom said he had great difficulties with the Spanish proposal, and pointed out that, in any case, it had not yet been seconded.

2.14 The Chairman asked whether any delegation wished to support the Spanish proposal.

In the absence of a supporter, he ruled that under No. 496 of the Convention (Nairobi 1982), the Spanish proposal to amend No. 2009 could not be considered by the Committee. The delegate of Spain withdrew his proposal for the deletion of No. 2008.

Nos. 2008 and 2009 (Document A) were approved without change.

Nos. 2011. 2012

Nos. 2011 and 2012 (Document A) were approved without change.

No. 2013

2.15 The delegate of India, introducing his delegation's proposed amendment to No. 2013, said that since the concept of an international telecommunication service was of fundamental relevance to the Union's work, a definition of it must be incorporated in the Constitution, and he believed the best course would be to use the definition adopted at WATTC-88.

2.16 The delegates of the United Kingdom, Canada, France, Mali, USSR, United States, Islamic Republic of Iran, Turkey, Federal Republic of Germany and Algeria endorsed the Indian proposal, which coincided with the text of Article 2 of the WATTC-88 Final Acts.

2.17 The delegates of Spain and Mexico also endorsed the Indian proposal, while pointing out that the Spanish text of Document DT/9 did not coincide with the English and the text they were actually supporting was that adopted in Melbourne.

No. 2013, as amended by the Indian proposal IND/124/7 was approved.

Annex 2. Nos. 2015 (Telecommunication) and 2016 (Telegram)

Approved.

No. 2017 (Service telegrams)

2.18 The delegate of the United States, in the absence of the delegate of Brazil, said that he understood the intention of Brazil's proposal B/58/39 was to reintroduce definition No. 2017, which the Group of Experts proposed to remove from the Constitution and place in the Convention.

2.19 The delegate of India pointed out that his Administration's proposal IND/124/9, relating to the same definition in the Convention, called for it to be modified to conform with the definition of "service telecommunication" in the Final Acts of WATTC-88.

2.20 The Chairman suggested that approval of the text might be deferred until the Committee's consideration of the Convention, and that Committee 9 be asked to decide in which document it should appear.

2.21 The delegate of the United States pointed out that Brazil's proposal to reintroduce the definition in the Constitution was due to the fact that No. 2019 (Private telegrams) referred to service telegrams. That should be borne in mind when the question of the definition's placing was considered.

2.22 The delegate of Australia said that the interconnections between different definitions meant that they could not be dealt with one by one. It might be necessary for the Committee to look at the articles and definitions as a whole at a later stage. Meanwhile, perhaps the Chairman and the Secretariat could consider the problem and bring it back to the Committee in due course.

2.23 The Chairman suggested that a drafting group be set up at one of the Committee's next meetings to align related texts and eliminate any possible confusion before documents were approved for submission to the Editorial Committee.

It was so agreed.

2.24 The Chairman asked if the Committee could approve the addition of No. 2017 to Annex 2, subject to the understanding that the texts adopted would be reviewed and aligned with [2019] in the light of the decisions already taken [2018].

It was so agreed.

No. 2018

The text of modified provisions had been approved at the seventh meeting of Committee 8.

No. 2020 and 2021 were approved without change.

No. 2022 (Scientific or Industrial Organization)

2.25 The delegate of the United States said that it would be premature to consider his Administration's proposal USA/96/11 to add the suggested definition of a scientific or industrial organization pending the outcome of discussions in Committee 7 on other parts of the Constitution and the Convention. He would therefore reserve the right to revert to it later.

2.26 The Chairman said that, with the approval of the delegate of the United States, the text would be placed in square brackets.

It was so agreed.

2.27 The delegate of the USSR said that although the Committee had reached the end of Document A, there remained the matter of how the Chairman intended to proceed on his Administration's proposal to give priority to hospital ship telecommunications. As Document 205, paragraph 4.10 recorded, the proposal had been dropped in the context of Article 25 (No. 148) on the understanding that the Committee would revert to it during the consideration of Annex 2. His Administration had submitted a draft text for the definition of medical transport which could be included in Annex 2 of the Constitution as a new No. 2023.

2.28 The Chairman said that he intended the Committee to consider the proposal as soon as the USSR's draft text was available in documentary form.

2.29 The delegate of Mexico said that some of the definitions approved related to articles of the Constitution which the Committee had not considered. He wondered whether the Committee was to examine other articles in the Constitution and, if so, which they were.

2.30 The Chairman replied that, for the time being, Articles 4 and 16 of the Constitution had been left pending the Committee's examination of similar provisions in the Convention and clearly remained to be considered. But articles other than those listed in Document DT/8 did not come within the Committee's mandate and would not be considered unless referred to it by Committee 9 or other relevant Committees.

2.31 The delegate of Mexico said that as the definitions in Annex 2 would affect articles other than those considered by the Committee, it might be appropriate for the Chairman to ask the Chairmen of other Committees to take account of the need to align all articles with the definitions as approved.

2.32 The Chairman said that Committee 9 will be notified officially after discussion in Committee 8 related to Annex 2 be completed.

3. Presentation and discussion of proposals related to the text of the draft Convention (except Article 19)
(Documents B, DT/10 and Adds.1 and 2)

CHAPTER II - General provisions regarding conferences

Articles 11 (No. 167) and 12 (No. 168)

3.1 The Chairman asked, in the absence of the delegate of Brazil, if the Committee could approve Brazil's proposals to approve Articles 11 and 12 without change.

Articles 11 and 12 were approved without change.

Article 13 (No. 170)

3.2 The Chairman asked, in the absence of the delegate of Tanzania, whether the Committee wished to consider proposal TZA/56/27 to modify No. 170 in order to make it more specific, or to approve Article 13 without change.

Article 13 was approved without change.

Article 14

3.3 The Chairman asked if the Committee could adopt Brazil's proposal to approve Nos. 172 and 173 without change.

Nos. 172 and 173 were approved without change.

3.4 The delegate of the United States introduced his administration's proposal USA/96/16 to add No. 173A, requiring the Secretary-General to annotate each proposal received to indicate its origin. Although that was the current practice, it should be codified to ensure that it continued.

3.5 The delegates of the Federal Republic of Germany, Morocco, Côte d'Ivoire, Mali, the United Kingdom, and France endorsed the United States' proposal.

3.6 The delegate of India supported the United States' proposal but pointed out that No. 173 only covered proposals the adoption of which would involve amendment of the Constitution or the Convention, and asked if the current practice of giving reference numbers to proposals for NOC would continue.

3.7 The delegate of the United States said that his administration's proposal was intended to perpetuate current practice. The point raised by the delegate of India concerned the text of No. 173 rather than the proposed No. 173A.

3.8 The delegates of Morocco and Mexico also supported the United States' proposal but thought that it might be preferable to add it as No. 172A, the latter adding that the Spanish language version of the addition needed to be improved.

3.9 The Chairman, summing up the discussion, observed a strong majority in favour the United States' proposal and, in the absence of any objection, took it that the Committee approved the addition in principle. In view of the differences expressed about where the addition should be inserted and about possible improvements to its wording, he would undertake, with the agreement of the delegate of the United States, to prepare a revised text for approval.

It was so agreed.

The meeting rose at 1245 hours.

The Secretary:

D. SCHUSTER

The Acting Chairman:

V. CASSAPOGLOU

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to

Document 272-E

27 June 1989

Original: English

SUMMARY RECORD
OF THE
NINTH MEETING OF COMMITTEE 8

Under section 1.15, 6th line, add "the Kingdom of Saudi Arabia".

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 272-E

16 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Monday, 12 June 1989, at 1435 hrs

Chairman: Mr. M.F. DANDATO (Zimbabwe)

Subjects discussed:

Documents

- | | | |
|----|---|-------|
| 1. | Regional administrative conferences | 44 |
| 2. | Use of the United Nations telecommunication network for the telecommunication traffic of the specialized agencies (Resolution No. 39) | 107 |
| 3. | Outstanding items for discussion by Committee 8 (Article 14 of the draft Convention) | DT/10 |

1. Regional administrative conferences (Document 44)

1.1 The Secretary-General, introducing Document 44, said that it raised a number of fundamental issues which the Plenipotentiary Conference needed to address and that particular action was required on those mentioned in the paragraphs listed in the recommendation of his note on the cover page. The first concerned the definition of a region, for which the existing Convention made no provision. Paragraphs 5 and 6 of the report on regional administrative conferences annexed to Document 44 showed various ways in which regions had been defined for particular purposes. There had been other cases where the Administrative Council, after consultation with the Members of the region concerned, had extended regional administrative conferences to include neighbouring Member countries in other regions. Paragraph 9 invited the Plenipotentiary Conference to provide a framework for such action. Secondly, there was the ancillary question of financial contributions to regional conferences from Members in other regions having an interest in the services covered by those conferences; it was also necessary to regulate the provisional situation created by the Administrative Council's decision to permit the "passive presence" at regional administrative conferences of Members belonging to other regions.

Then there was the very fundamental issue of the applicability of regional agreements adopted by formal regional administrative conferences held under the auspices of the Union. Experience showed that a very significant number of countries did not approve those agreements. For example, as Annex 2 of the report showed, only 25 of the 35 countries covered by the European Broadcasting Agreement, Stockholm, 1961, had approved it by 31 December 1988. Comparable figures for the Regions 1 and 3 LF/MF Broadcasting Agreement, Geneva, 1975, were 54 out of 128, while for the Region 2 MF Broadcasting Agreement, Rio de Janeiro, 1981, they were 6 out of 35.

There were also some interactions in relation to wording put into the Radio Regulations from time to time, such as Resolution No. 19 of the Mobile Radio Conference of 1987; the relevant legal aspects were discussed in the report. The interpretation of those provisions was a major problem for the Secretary-General and the IFRB, as was the question of how the IFRB should act, when the countries of the area came together and agreed on certain technical criteria. Those points for consideration by the Committee were covered in paragraph 31 onwards.

During consideration of Document 44 at Headquarters, before it was sent to the Administrative Council, various notions had been expressed. One question that arose when a reference was made to something being settled by a regional conference or a regional plan within the Radio Regulations was the status of the results of the conference. Another was the situation when a particular plan was drawn up but not observed. He realized that that was putting some of the legislative provisions of the Radio Regulations and conferences to the test of whether or not they were binding. One thing that had become clear was that the existing regulations for regional administrative conferences, or indeed for world administrative conferences implied the approval of administrations, and that was a very important factor. On the other hand, the technical criteria adopted was a matter that might well be directed to an appropriate world administrative radio conference to make the appropriate provisions in the Radio Regulations.

Finally, Document 44 showed the degree to which periodic exhortations or appeals should be made to observe or approve agreements drawn up in a properly constituted ITU regional conference. The Secretary-General often made such appeals without a great deal of success and he left it to the Committee's judgement as to whether the Administrative Council would be more successful.

He thought it would be useful to have some general discussion on the document before directing the Committee's attention to the particular paragraphs on which specific action was required.

1.2 The representative of the IFRB (Mr. Bellchambers) said that, from the Board's point of view, the major problem was how regional agreements were to be applied to countries of the region concerned. Annex 2 showed that the system would be unworkable if the Board acted on the basis of those administrations that had ratified the agreements. It had therefore asked administrations in recent years if they agreed to be treated as parties to the agreements and only excluded them if they refused, which was generally not the case. However, the situation was unsatisfactory, in particular so far as earlier conferences were concerned.

The difference between a regional administrative radio conference agreement and the Radio Regulations was very significant. The Radio Regulations applied to those frequencies that administrations wished to bring into use in the immediate future. They were to be registered and recorded and given findings in respect to harmful interference, including conformity with the Convention and Radio Regulations. A regional agreement, on the other hand, was generally a plan, not only for stations that were already in use or about to be brought into use, but also for stations that might not be brought into use for some years.

A particular problem arose when administrations which were not party to an agreement but were adjacent to the planning area, could take advantage of the planning situation. Another point was that under the Radio Regulations, in certain bands, particularly those above 25 MHz, there was no technical examination between stations which might be submitting assignments for recording in the Master Register. It was up to administrations to come to an agreement bilaterally if harmful interference occurred. Finally, on that particular point, the Board did not examine the interference situation of administrations that were party to a regional agreement. Stations included in the plan were not examined with respect to interference to other parties or to stations of parties to the agreement.

There was a fundamental problem that occurred when the Administrative Council determined the planning area, normally by consultation with the administrations concerned. The planning area was decided according to the majority view expressed by administrations, which meant that there might be an administration within the region of the planning area that did not wish to be a party to any agreement. Basically, that was one of the fundamental problems that had to be addressed.

1.3 The delegate of Côte d'Ivoire, speaking as the Chairman of the Working Group set up to collate the proposals made by Canada and the United States concerning the definition of the term "region" said that it was clear from the Secretary-General's introduction of Document 44 that the concept was a very broad one. The delegate of the United States had already submitted a draft definition of its meaning for consideration by the Group. He did not wish that draft to be left aside. Since there had to be a definition of a region, the Committee's discussion might be focused on the United States' draft but the work of reviewing all of the matters mentioned by the Secretary-General would be enormous. He therefore asked for clarification of the matters which were to be dealt with by Committee 8 and which by other Committees.

1.4 The Secretary-General said that Article 2 was assigned to Committee 8 and Document DT/40 referred to the issue of the voting rights of Members voting in a regional conference. There was clearly a connection between the two issues. He agreed that there were some very fundamental points in Document 44, such as how to define a region and, once a region had been defined in one way or another, what the obligations of Members in that region were. That question had to be looked at in a broader perspective of Members agreeing to cooperate within the content of the use of the radio

frequency spectrum in a region, even though they might not have an interest in a particular service. The Committee could also pose the question of cooperation within the Convention, which was even broader. He had put the accent on the Radio Regulations, however, particularly in those cases where the Radio Regulations envisaged the establishment of a plan within a region, as was often seen in footnotes such as that introduced by WARC-79 for broadcasting or the recent one for extension of the medium wave bands in Region 2 which was a combination of footnote and other reference to mobile services. If a conference for those services was duly convened by the Administrative Council, the possibility of a country wishing to withdraw was a very sensitive issue which needed to be addressed. It was incumbent on the Plenipotentiary Conference to give some guidance as to what should or should not be done.

1.5 The delegate of the Islamic Republic of Iran reiterated his view, expressed at previous meetings of the Committee, that a Working Group should be established to consider what steps needed to be taken in the light of Document 44 and the statements just made by the Secretary-General and the representative of the IFRB.

1.6 The delegate of Canada said that it might be useful to have the opinion of the IFRB and perhaps the Secretary-General on the usefulness and feasibility of including definitions of "region" in the Constitution, of "Region" from the point of view of the Radio Regulations, and of "Region" from the point of view of the five administrative regions of the Union. That might help to clarify, precisely, what was meant when the term "region" was used.

1.7 The Secretary-General said that he was concerned with the idea of definitions of "regions" being included in the Constitution or even in the new Convention. As for the so-called administrative regions, the Plenipotentiary Conference had always kept them within the terms of its own rules of procedure and in determining courses of action for particular purposes and had found it unnecessary to reproduce them in the statutes. He would certainly recommend that the existing practice be continued. At another level and looking at the Radio Regulations, regions differed depending on the particular purpose. There were the broad spectrum Regions 1, 2 and 3, and then, for other services, different regions with special characteristics; for example, the European Broadcasting Area as distinct from the African Broadcasting Area, European Maritime Area and more restricted geographical areas. These examples illustrated the flexibility existing in the areas of ITU legislation where action took place. Elsewhere, for the purpose of practical work, it was possible to find other definitions, say, for Plan Committee purposes. He urged that such flexibility be retained and that definitions should not be provided for in the Constitution or the Convention.

1.8 The representative of the IFRB said that the question of definition could not be considered in isolation. Various Articles of the existing Convention referred to regional administrative conferences and there was a need to understand what was meant by that term. There might be some reason for clarifying what was meant by a regional administrative conference. One of the problems encountered by the IFRB and by the Administrative Council was to determine what was the planning area for a particular regional conference. Paragraph 5 of the report in Document 44, listed the possibilities that could apply to any regional administrative radio conference, to which the Secretary-General had drawn attention. The problem was that it was necessary to ensure that those countries which were going to participate in a regional administrative conference were all agreed that they wished to plan and to participate. That had been part of the difficulty with regard to the ratification of some agreements. A procedure was needed to ensure that those countries to which the regional administrative conference would be applicable were all decided that they wanted that agreement.

1.9 The delegate of Niger said that the Secretary-General had indicated several questions which needed to be discussed, such as now the term "region" was to be defined, the problem of financial contributions, and the applicability of regional agreements and the role of the IFRB in such cases. His Delegation supported the proposal by the delegate of the Islamic Republic of Iran that those questions should be tackled first by a Working Group.

1.10 The delegate of the United Kingdom said that the Committee seemed to be discussing a much wider subject than he had originally thought and asked for clarification of what was envisaged as the role of the Working Group. On some of the issues raised by Document 44, he agreed with those who had pointed to the difficulties of defining a region, which he would describe as simply a group of Member countries formed for a specific purpose. Depending on the circumstances, the groupings would be very different. Difficulties had been experienced in defining the five so-called administrative regions of the ITU and the European area. All that was necessary was to define a region when there was a specific need. The definition and the group of countries would change, depending on the need.

1.11 The delegate of Côte d'Ivoire, speaking as the Chairman of Drafting Group C8-2, said that Document 44 had originally been raised in the Committee to serve as a working paper in its consideration of Articles 2, 7 and 28. If the Committee could reach a consensus on how to define the terms "region" and "regional administrative conference", the Working Group would resume its consideration of those Articles. It was very important for the Committee to produce a definition of regional administrative conferences for that purpose and high priority should be given to the task, which was not an easy one.

1.12 The delegate of Canada said that the biggest problem for the Working Group was the lack of agreement on the meaning of the term "region". The problem was that the definition depended on the context in which the term was to be used. He wondered if the IFRB could give an opinion on how the term would be used in particular contexts.

1.13 The representative of the IFRB said that the use of a capital R for "Region" could really be set aside, because in recent years regional conferences had not just dealt with one of the three regions defined by the Radio Regulations and even when they had the term could still fall within the definition of a region. While, therefore, the definition put forward by the United Kingdom that a region was a group of countries seeking an agreement on the use of certain services in certain bands was a very broad one there would have to be consultation with the Membership to determine which countries were to be in a region. On the point raised by the delegate of Canada, he drew attention to the last sentence of paragraph 4 of the annex to Document 44, and its reference to RR 392.1 of Article 8, and to the various Articles of the Convention recognizing the use of a small "r".

1.14 The Secretary-General said that there had to be a distinction between Articles 7 and 54 of the Convention and other provisions where Members had the right to ask the Secretary-General to convene a conference, and Article 32 dealing with special telecommunications matters treated on a regional basis. For the present purposes, therefore, the Committee should try to recognize that those regionally-based activities under No. 512 of the Convention concerned a group of countries assembling outside the ITU (which happened quite regularly) and it was important that two or three countries should be able to get together and not be in conflict with the Convention. The Committee was therefore dealing with a situation in which there was some activity within the framework of the Union, and that issue could only be dealt with in broad terms. For the purposes of Articles 7 and 54, a region was that defined in the Radio Regulations for a particular purpose or might be as defined by the Administrative Council with the agreement of Members of a particular area or region where there was concern that the matter had not been so defined in the administrative regulations.

There was therefore, a need for some general provision in the Convention to cover that treatment. Such other elements as the technical conditions to be observed, which were covered in the seven points listed at the end of the document, were matters which the Conference might wish to refer to a competent administrative radio conference, since they concerned a situation where countries within a regional conference as defined came forward with certain technical conditions observed in the establishment of a plan. There could also be some legislative authority to see that that was taken into account when services were generally planned in the region or area concerned. It was, however, a secondary issue; all the other matters should be studied in greater depth in a Working Group as suggested by the delegate of the Islamic Republic of Iran.

1.15 The Chairman, summing up the discussion, said that there appeared to be general support for the suggestion by the delegate of the Islamic Republic of Iran to set up a Working Group to deal with the definition of a region. He therefore invited the delegate of Côte d'Ivoire to chair a Group consisting of the delegates of Algeria, Argentina, Canada, the Federal Republic of Germany, France, India, the Islamic Republic of Iran, Japan, Mali, Mexico, the USSR and the United Kingdom. The IFRB would also be represented.

1.16 The Secretary-General said that if the Group was to start by defining a region, its work would be endless. The real issue was to establish a mechanism to enable definition of a region for a particular purpose. For many years there had been definitive definitions of Regions 1, 2 and 3 in the Radio Regulations, plus regions with different geographical boundaries for particular services, such as the different regions for broadcasting or for maritime services. Regional agreements had also been drawn up in 1951 covering a more limited number of contiguous countries. Such a provision would not only benefit the IFRB but would constitute instruction and guidance to the Administrative Council and to some extent to the Secretary-General, depending on what the issue was. The matter should therefore be considered in a broader context and the Committee might on reflection find that some guidance might be given by the Plenipotentiary to administrative radio conferences, and particularly world conferences.

1.17 The delegate of Mexico said that in the light of that explanation, the Working Group should be asked to examine the concept of a region and to see how that might be approached in terms of specific activities of the Union.

1.18 The delegate of the United Kingdom stressed the importance of giving the Working Group a clear mandate. The Committee appeared to be coming around to the view that the Working Group would need to examine the mechanisms of how a decision would be taken with regard to the composition of a region for each particular case that arose, as well as some other consequential issues. It had been suggested that the terms of reference of the Working Group could go much further: Document 44 raised the problem of regional agreements when many Members participated in conferences but few ratified the conference decisions. The pragmatic solution would be to assume ratification after a certain period unless there were indications to the contrary, and that might be a topic for inclusion. Committee 9 might be looking at the question of the ratification of Final Acts in a much wider sense, however, and Committee 8 might wish to see the outcome of its work and limit the mandate of the new Working Group to the question of deciding on the composition of a region, rather than giving it too difficult a task from the outset.

1.19 The delegate of the United States supported the assertion that the task of the Working Group should be kept as simple and as clear as possible. The Secretary-General had suggested a need for a provision on how a decision would be taken to define a region, and the Working Group should concentrate its efforts on that aspect. The suggestion by the United Kingdom that ratification should be assumed after a certain period of time was a good one and should be given serious consideration. For the purposes of the discussions on Articles 2, 7 and 28, the Committee should use the term "region" with a small "r" and discontinue its discussions on the use of a capital or small letter, which would enable Article 2 to be dealt with fairly rapidly and all the remaining questions to be settled in the small initial Working Group.

1.20 The Secretary-General said that there were two elements which could be dealt with easily by the new Working Group: a mechanism for the establishment of a region and study of the financial aspects of regional conferences, as referred to in Document 44.

1.21 The delegate of Cote d'Ivoire said that a third issue had also emerged, namely, the question of voting at regional conferences once the context of the region had been defined.

1.22 The Chairman said that that issue would be included in the mandate. The terms of reference for the Working Group, to be known as Working Group 8-A, would therefore be to define the mechanisms for establishing a region, to consider the financial implications and to consider the right to vote, particularly at regional conferences.

1.23 The delegate of the Islamic Republic of Iran asked whether the Working Group, with that mandate, would satisfy the requirements of Document 44 or whether the Committee would have to consider the document again later.

1.24 The Secretary-General said that there was much more involved than the applicability of regional agreements after a certain period. Agreements were a supplement to the application of administrative regulations and went into greater detail. Further, as in all conferences of the Union, they were subject both to signature at the end of the conference and to the approval of governments. The issue was the difficulty of obtaining that approval, which was pursued in various ways, as described in paragraph 22 onwards. Those matters needed to be addressed. Also, even if, as provided for in that paragraph, a Member State did not become part of that agreement in the legal sense, there had to be instructions to the Board in respect of the technical conditions it would apply in examining assignments to be put into service by a party which was not a party to an agreement in the area concerned. The broader question of automatic ratification after a period of time was a sensitive legal issue which had been discussed at length internally and it had raised some questions of principle, not only in relation to the Vienna Treaty. The decisions of world administrative radio conferences were automatically applied except where reservations were entered at the time of signature of the agreement. That was a well-known practice in the Union but a situation had arisen after the 1987 Mobile Services Conference when three countries which had not submitted reservations on certain decisions had requested that they be accepted as post-conference reservations. In view of the complications of the issue, therefore, he suggested that the applicability of regional agreements be kept in abeyance until Committee 9 had reported, at which time decisions could be taken by Committee 8 for the guidance of future world administrative conferences.

2. Use of the United Nations telecommunication network for the telecommunication traffic of the specialized agencies (Resolution No. 39) (Document 107)

2.1 The Secretary-General said that paragraph 2.2.3 of the Report of the Administrative Council referred to Resolution No. 39 passed by the Nairobi Plenipotentiary Conference on the use of the United Nations telecommunication network for the traffic of the specialized agencies. Following a report by the Joint Inspection Unit and consultation, including discussion in the Administrative Council, the United Nations had been studying the question of establishing, through various facilities, a United Nations network, in the knowledge that there were many common networks. At the expense of the United Nations, an ITU official had been detached to work with the United Nations. As a result a document by the United Nations was now before the Conference. It should be recognized that there were a number of specialized agencies interacting with each other as well as with the United Nations and its various bodies. The facilities would be hired out for joint use, thus ensuring savings in the budgets of the organizations concerned.

2.2 The Observer from the United Nations said that while Resolution No. 39 of the Nairobi Plenipotentiary Conference reaffirmed the view that the use of the UN network should be confined to the UN itself, it also instructed the Secretary-General to continue cooperation with the Joint Inspection Unit and other UN bodies on the study of the UN telecommunication system and submit reports on such studies to the Administrative Council.

Section 2.2.3 of the Administrative Council's report to the Plenipotentiary Conference summarized activities and stated that in a 1985 report the Joint Inspection Unit had noted that use of the UN telecommunication network was restricted to use by the United Nations only. The basic rationale which made it important for the United Nations to benefit from special telecommunication rights also argued in favour of now extending the use of those facilities to the specialized agencies, particularly in view of new computer-based communication technologies and services becoming even more essential to effective operation. The Joint Inspection Unit recommended that the matter be studied and the best possible proposal be presented to the Administrative Council.

In response to the JIU report and the interest expressed by the specialized agencies, the 41st session of the Administrative Council had authorized the study summarized in Document 107.

The existing United Nations network was composed of Alternate Voice Data Circuits from New York to Addis Ababa, Bangkok, Geneva, Nairobi, Santiago and Vienna. The survey of the specialized agencies indicated that they would not only be interested in the use of this system for conventional, teletype text and voice communication but for computer networking as well. The study revealed that computerized exchange of information over the network would markedly improve the effectiveness and efficiency of the UN system's telecommunications. An essential first step would be to extend the network to all cities not presently covered in which specialized agencies were headquartered: that would include Bern, London, Montreal, Paris, Rome and Washington D.C. The conditions for the establishment of the system were to be based on current international regulation and practices, limiting the use of the system to organizations and agencies of the United Nations system and restricting the nature of communications to those used for the conduct of UN business.

A change to the text of Resolution No. 39 was appropriate to permit the UN specialized agencies to use the United Nations telecommunications network. Over the past two decades there had been considerable development and evolution of the UN system and to keep pace with those dynamics the UN and the specialized agencies were moving towards common facilities and common data bases.

Accordingly, the United Nations strongly supported the contents of Document 107 which was viewed as a most reasonable way of streamlining and improving the operation of the United Nations system by providing the whereby all agencies of the system would be using a common telecommunications network. In addition to increased efficiency, that would be viewed as a much needed step towards the rationalization, harmonization and eventual standardization of United Nations telecommunications and electronics operation.

2.3 In response to the Chairman's request for comments, the Secretary-General drew the attention of the meeting to the final sentence of Resolution No. 39 in section 2.2.3 of the Report of the Administrative Council. He explained that the situation was equivalent to a closed user network over facilities leased from regular operators. It was not feasible for the United Nations to establish its own technical facilities and hence a closed user network represented significant economies.

2.4 The delegate of Switzerland said that his Administration would be greatly implicated in such a network and would do its utmost to help. He wondered whether the material on pages 3 and 4 of Document 107 was for information only.

2.5 The Secretary-General confirmed that such was the case and suggested the Secretariat might prepare a revised version of Resolution No. 39. The report of the JIU had been brought to the attention of the Administrative Council and to the United Nations General Assembly. The joint use of leased circuits from Geneva to New York had led to economies in all agencies including the ITU and Resolution No. 39 could be adjusted to reflect the new interest.

2.6 The Observer from the United Nations, in response to a question by the delegate of Indonesia, said the criteria for determining the cities in Table B of Document 107 were the areas with the highest common transmission requirements.

2.7 In response to the delegate of the United States, the Secretary-General indicated the general direction of the redrafting of Resolution No. 39. The United Nations point-to-point network had been appropriate in the past, but the growth of socio-economic development had seen the interaction of programmes.

Nairobi Resolution No. 39 had represented a transition; the revised Resolution could contain a new provision to the effect that the United Nations network would be available to the specialized agencies in respect of their work in the United Nations and that the agencies would share the costs according to the use made of the network.

2.8 In response to the delegate of Saudi Arabia, the Observer from the United Nations confirmed that the Resolution would be worded in general terms and that the details as in Table A would not be included in the text.

2.9 The delegate of the United States enquired under which provisions the United Nations network currently operated and whether or not the specialized agencies would be obliged to participate.

2.10 The Secretary-General said that under the agreement between the United Nations and the ITU, the United Nations was equivalent to an administration and its status under the existing protocol was that of an Associate Member. Participation in network use could only be voluntary. The JIU had noted the increase in data and information banks and that JIU agencies in some centres were leasing parallel circuit arrangements. Resolution No. 39 contained some restrictions which should be toned down. He suggested that a small Drafting Group, chaired by the delegate of Switzerland, be set up to revise Resolution No. 39.

2.11 The Chairman supported that suggestion, adding that the delegates of the United States and France should take part, together with the Observer from the United Nations.

3. Outstanding items for discussion by Committee 8 (Article 14 of the draft Convention) (Document DT/10)

3.1 The delegate of Argentina requested a description of the items still pending to be included in the next meeting's agenda. He added that it was unclear to which committee Argentina's proposals had been allocated, but would check the matter with the Secretariat outside the meeting.

3.2 The Chairman said that a list of outstanding matters was contained in Document DT/40 and that Article 4 would be dealt with at the next meeting and Article 16 at the one thereafter.

He submitted Document DL/16 which had been prepared as an editorial improvement of a proposal by the United States to No. 173A of Article 14.

3.3 The delegate of the Federal Republic of Germany proposed adding at the end the words "to the extent practicable or by an appropriate abbreviation for the group of countries".

3.4 The Secretary-General recalled that the possible replacement of "country" by "state" was being discussed elsewhere: proposals were sought from sponsoring Members or administrations but not countries.

The meeting rose at 1735 hours.

The Secretary:

D. SCHUSTER

The Chairman:

M.F. DANDATO

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 273-E

12 June 1989

Original : English

Note by the Chairman of the Conference

DEADLINE FOR THE DEPOSIT OF CANDIDACIES FOR THE POST
OF DEPUTY SECRETARY-GENERAL, AND DATE OF THE ELECTION

(Approved at the Twelfth Plenary Meeting)

The deadline for the deposit of candidacies for the post of Deputy Secretary-General will be Wednesday, 14 June 1989, at 2000 hours UTC. The election of the Deputy Secretary-General will commence on Thursday, 15 June 1989, at 1430 hours.

J. GRENIER
Chairman

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 274-E

12 June 1989

Original: French

FOR INFORMATION

NOTE BY THE CHAIRMAN OF THE CONFERENCE

I have the honour to transmit herewith to the Conference the text of the statement by the Minister of Posts and Telecommunications of the Democratic Republic of Madagascar.

J. GRENIER
Chairman

Annex: 1

ANNEX

STATEMENT BY MR. RAKOTOVAO ANDRIANTIANA,
MINISTER OF POSTS AND TELECOMMUNICATIONS OF MADAGASCAR

Mr. Chairman, I should like to join the speakers who have preceded me in congratulating you most warmly on your outstanding election to the chairmanship of this honourable assembly and I wish you every success in your task.

Mr. Chairman, many speakers have mentioned the rapid pace of technical change in general and of telecommunications in particular. In the face of these upheavals, we, the developing countries, wonder whether we should try to keep up with progress despite the erosion of our investment capability or accept the existing situation with all the consequences it implies. One thing is certain, however; we must move and we must look for ways and means in harmony with our situation in an effort not to be overtaken by events. The task is not an easy one and we have to be extremely cautious in all fields, and especially in that of deregulation. The profitable part of our network in fact subsidizes other links to a great extent and the competition, if admitted, would inevitably affect profitable services, leaving the Administration to handle the heavy burden of maintaining low-traffic links and networks. In other words, we feel that deregulation will bring us more drawbacks than benefits for the development of our telecommunications in the service of the country. We hasten to point out, however, that we are cooperating actively with STIMAD, a private law company with a majority State holding, in the promotion of new services. At the same time, we are seriously studying an appropriate structure for the management of telecommunications which can help us face the problems arising as a result of current changes.

Mr. Chairman, our present difficulties do not arise only from the structure of the body responsible for telecommunications.

They are also and perhaps above all of a financial and technical nature.

A plan has been drawn up with the assistance of ITU experts for the development of telecommunications, an essential support in Madagascar as everywhere else of economic development. While taking this opportunity to pay tribute to the excellent work of the ITU team, we feel that nationwide coverage by a reliable transmission network, with the introduction of suitable exchanges, should be feasible within five years at the most instead of the 20 years proposed. This would require enormous investments, of the order of 260 billion FMG over five years.

From a technical point of view, the equipment available on the market would need to be adapted to the stringent conditions prevailing in our countries (temperature, humidity, sea air, lighting, cyclones etc.). We are certainly trying to find solutions to these difficult problems, while realizing that greater cooperation with other research centres should guarantee and speed up the achievement of positive results. This means that international coordination is essential.

Mr. Chairman, in the light of the above arguments and of its role as coordinator and guide in the moving landscape of telecommunications, the ITU may be placed in an awkward situation unless it makes an effort to adapt to the new telecommunications environment. We are aware of the interest taken by some international bodies in certain aspects of telecommunications (such as standardization, marketing, tariffs, etc.). In the longer term, this interest can weaken our Union if it fails to react. We should therefore pay the greatest attention to the proposals for restructuring the ITU. For our part, we are particularly willing to look into the problems of technical cooperation. Rightly or wrongly, the problems of technical cooperation are often

considered unilateral, whereas the experiments carried out in our regions and the trials in the field and in our laboratories have been most instructive for the equipment manufacturers, especially from the point of view of protection and toughness and with the present spread of micro-electronics. This is just to say how we all need to cooperate to give this Technical Cooperation Department back the position it deserves, and to broaden its field of action while avoiding any duplication of activity. The Democratic Republic of Madagascar is prepared to make its own contribution, however small, to technical cooperation.

With these few thoughts, we would like to strengthen the ITU's place in the family of nations. We wish every success to this Plenipotentiary Conference. We also would like to congratulate all the elected delegates and we rely on your competence and your sense of abnegation to meet the challenges of today's world.

Thank you for your attention.

INTERNATIONAL TELECOMMUNICATION UNION

**PLENIPOTENTIARY
CONFERENCE**

NICE, 1989

Document 275-E
12 June 1989

B.2

PLENARY MEETING**SECOND SERIES OF TEXTS SUBMITTED BY THE
EDITORIAL COMMITTEE TO THE PLENARY MEETING**

The following texts are submitted to the Plenary Meeting for first reading:

<u>Source</u>	<u>Document</u>	<u>Title</u>
PL	234(Rev.3)	Resolution No. PLEN/1
COM.5	248	Resolution No. COM5/2 Resolution No. COM5/3

M. THUE
Chairman of Committee 10

Annex: 5 pages

RESOLUTION No. PLEN/1

**Exclusion of the Government of the Republic of South Africa
from the Plenipotentiary Conference and from all Other Conferences,
Meetings and Activities of the Union**

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) Resolution No. 45 of the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference;
- c) Resolution 2145 (XXI), 27 October 1966, of the United Nations General Assembly on the question of Namibia;
- d) Resolution 2396 (XXIII), 2 December 1968, of the United Nations General Assembly on the apartheid policy of the Government of the Republic of South Africa;
- e) Resolution 2426 (XXIII), 18 December 1968, of the United Nations General Assembly calling on all specialized agencies and all international institutions to take the necessary steps to cease all financial, economic, technical or other assistance to the Government of the Republic of South Africa until it renounces its policy of racial discrimination;
- f) Resolution No. 6 of the World Administrative Telegraph and Telephone Conference (Geneva, 1973) concerning the participation of the Government of South Africa in ITU conferences and meetings;
- g) Resolution 36/121, 10 December 1981; Resolution 37/69, 9 December 1982; Resolution 38/39, 5 December 1983, Resolution 39/72, 13 December 1984; Resolution 40/64, 10 December 1985; Resolution 41/35, 10 November 1986; Resolution 42/23, 20 November 1987; and Resolution 43/50, 5 December 1988 of the United Nations General Assembly relating to the policies of apartheid of the Government of South Africa;
- h) the provisions of Resolution No. 619 of the Administrative Council of the International Telecommunication Union declaring that the Government of the Republic of South Africa no longer has the right to represent Namibia within the Union;
- i) Resolution No. 31 of the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

recalling further

Resolution No. 14 of the Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

resolves

that the Government of the Republic of South Africa shall continue to be excluded from the Plenipotentiary Conference and from all other conferences, meetings and activities of the International Telecommunication Union, until such time that it completely eliminates its apartheid policies.

RESOLUTION No. COM5/2

In-Service Training

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

Resolution No. 60 of the Plenipotentiary Conference (Nairobi, 1982) on in-service training,

recognizing

the positive role of in-service training in optimizing staff productivity and effectiveness and the importance which should be attached to maintaining and to upgrading the professional skill of the staff,

instructs the Secretary-General

to continue to apply the "Rules for in-service training of the ITU staff" adopted by the Nairobi Plenipotentiary Conference and to prepare medium and long-term plans to respond to the needs of the Union and its staff;

instructs the Administrative Council

to allocate the appropriate credits for in-service training in accordance with an established programme which shall represent at least 0.25% of the portion of the budget allocated to staff costs.

RESOLUTION No. COM5/3

Recruitment of Union Staff

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

noting

a) No. 104 of the International Telecommunication Convention (Nairobi, 1982);

b) the report of the Administrative Council concerning the implementation of Resolution No. 58 of the Plenipotentiary Conference (Nairobi, 1982);

c) the increase in the number of countries from which the staff of the Union is recruited and the improvement in the geographical distribution of appointed staff;

d) the successful implementation of the measures designed to encourage the recruitment of young specialists at the P.1/P.2 level,

further noting

the recommendations of the International Civil Service Commission (ICSC) on recruitment policy and procedures as reported by the Secretary-General in Conference Document 29 entitled "General Staff Policy and Management",

considering

[a) the relevant provisions of the International Telecommunication Convention (Nice, 1989);]

b) the need to follow a recruitment policy appropriate to the requirements of the Union, including the redeployment of posts and the recruitment of young specialists, while observing the relevant recommendations as established by the ICSC;

c) the need to continue to improve the geographical distribution of the appointed staff of the Union;

d) the need to encourage the recruitment of women in the Professional and higher categories;

e) the constant advances made in the technology and operation of telecommunications and the corresponding need to recruit the most competent specialists to work in the secretariats of the permanent organs of the ITU,

resolves

1. that appointed staff in the Professional and higher categories shall continue to be recruited on an international basis and, in general, vacancies for these posts shall be advertised to the administrations of all Members of the Union; however, reasonable promotion possibilities must continue to be offered to existing staff;

2. that, when filling vacant posts by international recruitment, in choosing between candidates who meet the qualification requirements for a post, preference shall be given to the candidates from regions of the world which are insufficiently represented in the staffing of the Union;

3. that, in general, staff in the General Service category (grades G.1 to G.7) shall be recruited from among persons resident in Switzerland, or in French territory within 25 km of Geneva. Exceptionally, when vacancies occur at the G.5, G.6 and G.7 level for posts of a technical nature, recruitment may be on an international basis;

instructs the Secretary-General

1. to continue to pursue a recruitment policy designed to improve the geographical representation of the appointed staff in those posts of the Union subject to geographical distribution;

2. to favour, other qualifications being equal, the appointment of women to posts in the Professional and higher categories with a view to improving the representation of women in the staff of the Union;

3. to continue to recruit young specialists at the P.1/P.2 level where appropriate with a view to improving professionalism within the Union;

4. to continue to observe those recommendations of the ICSC which are applicable to the situation of the Union in matters of recruitment.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 276-E
14 June 1989
Original: English

COMMITTEE 7
COMMITTEE 8

NOTE BY THE CHAIRMAN OF COMMITTEE 6
TO THE CHAIRMEN OF COMMITTEES 7 AND 8

Proposal SLM/17/16 originally allocated to Committee 6 is hereby transmitted to Committee 7 for its consideration, while proposal SLM/17/9 is forwarded to Committee 8.

H. VIGNON
Chairman of Committee 6

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 276-E

13 June 1989

Original: English

COMMITTEE 7

NOTE BY THE CHAIRMAN OF COMMITTEE 6
TO THE CHAIRMAN OF COMMITTEE 7

Proposals SLM/17/9 and SLM/17/16 originally allocated to Committee 6
are hereby transmitted to Committee 7 for its consideration.

H. VIGNON
Chairman of Committee 6

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 277-E

13 June 1989

Original: English

COMMITTEE 4

NOTE BY THE CHAIRMAN OF COMMITTEE 6 TO THE CHAIRMAN OF COMMITTEE 4

Following examination of Document 33 and the subsequent discussions of its financial implications as contained in Document DT/30(Rev.1), the latter is hereby transmitted to Committee 4 for appropriate action.

H. VIGNON
Chairman of Committee 6

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 278-E

13 June 1989

Original: English

COMMITTEE 10

COMMITTEE 8*)

SECOND SERIES OF TEXTS FROM COMMITTEE 9 TO THE EDITORIAL COMMITTEE

On behalf of Committee 9, I take pleasure in transmitting to the Editorial Committee the second series of texts unanimously adopted by Committee 9, i.e.:

- Articles 36 and 37

of the draft Constitution (Document A) for consideration by Committee 10 and forwarding them to the Plenary Meeting. These texts are contained in the Annex to the present document.

H.H. SIBLESZ
Chairman of Committee 9

*) For information of Committee 8 with regard to consequential change in Nos 170 and 171 in Article 37 (see paragraph 2 of Document 265).

A N N E X

CHAPTER V

Final Provisions

ARTICLE 36

Instruments of the Union

- 165 1. The Instruments of the Union are:
- this Constitution of the International Telecommunication Union,
 - the Convention of the International Telecommunication Union and
 - the Administrative Regulations.
- 166 2. This Constitution, the provisions of which are complemented by those of the Convention, is the basic instrument of the Union.
- 167 3. The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Members:
- [- International Telecommunication Regulations]*)
 - [- Telegraph Regulations] *)
 - [- Telephone Regulations]
 - Radio Regulations.

*) Subject to the outcome of Committee 9 considerations of Article 42

168 4. In the case of an inconsistency between a provision of this
Constitution and a provision of the Convention or of the Administrative
Regulations, the former shall prevail. In the case of an inconsistency
between a provision of the Convention and a provision of the Administrative
Regulations, the former shall prevail.

ARTICLE 37

Definitions

169 Unless the context otherwise requires:

- 170 a) the terms used in this Constitution and defined in its Annex 1,
which forms an integral part of this Constitution, shall have the
meanings therein assigned to them;
- 171 b) the terms - other than those defined in Annex 1 to this
Constitution - used in the Convention and defined in Annex 1
thereto, which forms an integral part of the Convention, shall
have the meanings therein assigned to them;
- 172 c) other terms defined in the Administrative Regulations shall have
the meanings therein assigned to them.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 279-E

19 June 1989

Original: English

COMMITTEE 9

SUMMARY RECORD

OF THE

SIXTH MEETING OF COMMITTEE 9

(BASIC INSTRUMENT OF THE UNION)

Monday, 12 June 1989, at 1435 hrs

Chairman: Mr. H.H. SIBLESZ (Netherlands)

Subjects discussed:

1. Approval of the summary records of the
second and third meetings of Committee 9
2. Consideration of proposals (continued)

Documents

217, 218

DT/12,
+ Corr.1 + Add.1,
DT/38, 43 + Corr.1,
GE-BIU 50(Rev.),
Documents A and B

1. Approval of the summary records of the second and third meetings of Committee 9
(Documents 217, 218)

The summary records were approved as amended (see corrigendum to Documents 217 and 218).

2. Consideration of proposals (Documents DT/12 + Corr.1 + Add.1, DT/38, 43
+ Corr.1, GE-BIU 50(Rev), Documents A and B) (continued)

Article 36 - Instruments of the Union (continued)

2.1 The Chairman reminded the Committee that it had agreed at the previous meeting to proceed on the basis of the structure of the Article proposed by the Group of Experts and had begun to consider the way in which to refer to the relationships between the Constitution and the Convention and between those two instruments and the Administrative Regulations. He suggested that the Committee should pursue its discussion of No. 166 and the part of No. 167 preceding the colon, taking account of the Chilean proposal in Corrigendum 1 to Document 43, the Gabonese proposal in Document DT/38 and his own suggestion that the words "supplemented" in the second line of No. 167 be replaced by "further complemented". He noted that the Chilean and Gabonese proposals had been supported.

2.2 The delegate of Chile reiterated his Delegation's view that the enumeration of instruments in No. 165 made it necessary to use different wording for the interrelationship between them, even though the words "complementar" and "completar" were synonymous in Spanish in order to stress the different character of the three sets of provisions. The text in the corrigendum to Document 43 was thus designed to clarify and specify the position of the Administrative Regulations in the whole context of the instruments of the Union.

2.3 The Chairman observed that the Chilean proposal did not solve the problem of the absence of two different terms for "complement" and "supplement" in the French language.

2.4 The delegate of the Ukrainian Soviet Socialist Republic suggested that the essential concepts of Article 36 might be conveyed by dividing the Article into three provisions, the first stating that the Basic Instruments of the Union were the Constitution and the Convention which complemented the Constitution, the second referring to the Administrative Regulations which governed the operation of the organs of the Union, and the third stipulating that those three instruments were binding on all the Members of the Union. That structure would clearly show the interrelationship between the instruments, and their content would be specified in subsequent Articles.

2.5 The Chairman said that the Committee might be interested in a more specific wording of the proposed provision concerning the Administrative Regulations. In any case, the text of the Article prepared by the Group of Experts was confined to an enumeration of the instruments in hierarchical order, and their binding nature was dealt with in subsequent provisions, notably Article 40.

2.6 The delegate of France proposed a compromise text for No. 167, "the Administrative Regulations are annexed to this Constitution and the Convention. These Administrative Regulations, which regulate the use of telecommunications and are binding on all Members, are listed below:". The Chairman noted that that text reflected a French proposal in respect of a particular provision of Article 40.

2.7 The delegate of Romania pointed out that, if the WATTC at which the Telegraph and Telephone Regulations had been amalgamated, had been held after instead of before the current Plenipotentiary Conference, the list of Administrative Regulations in No. 167 would have contained three sets of regulations instead of two. Since Administrative Regulations were amended by administrative conferences, inclusion of a reference to those regulations in the Constitution ran counter to the purpose of Nairobi Resolution No. 62, which was to give the Union a more stable basic instrument, not subject to amendment at each Plenipotentiary Conference. Article 36 should therefore refer only to the Constitution and the Convention, and the Administrative Regulations should be mentioned and enumerated only in the Convention, which could be amended as necessary at every Plenipotentiary Conference. It was also hard to see how the Administrative Regulations could be annexed to both the Constitution and the Convention, as provided in No. 179 in Article 40. He therefore supported the Gabonese proposal, which provided solutions to the problems he had raised.

2.8 The Chairman said that the first problem mentioned by the previous speaker, that of changes in the list of Administrative Regulations in the Constitution was in reality a minor one. If the listing in the Constitution of the Administrative Regulations would no longer be correct, a consequential amendment of the Constitution would obviously pose no major problems. [Care of by No. 168, dealing with hierarchical priorities in respect of inconsistencies between the instruments.]* With regard to the question of one instrument being annexed to two others, it would be seen from the wording of No. 179 that the Administrative Regulations were not to be annexed to the Constitution and the Convention, but regarded as annexed to those instruments. That provision was intended to define the status of the regulations, and reference to them in the Convention only would insufficiently reflect that status.

In defining the contents of the instruments, the Gabonese proposal raised substantive issues, and its adoption would oblige the Committee to review all the provisions in the structure decided upon by the Group of Experts on the basis of the definitions in the proposal.

2.9 The delegate of Gabon said that what the Chairman called substantive issues were raised in his Delegation's proposal in the interests of avoiding confusion and emphasizing the unitary character of the Constitution and the secondary instruments. His Delegation believed that the new instrument as drafted by the Group of Experts leaned too heavily on the provisions of former Conventions, and that it would be useful to explain the interrelationship of the three instruments in Article 36 by specifying the functions they would fulfil in the context of the Basic Instrument as a whole. It would be seen that in the Gabonese proposal what the Group of Experts referred to as the Convention was described as the general regulations, whereas the Administrative Regulations, consisting of the International Telecommunication Regulations and the Radio Regulations, were called the Convention.

2.10 The delegate of Japan pointed out that his country's Delegation to the Nairobi Conference had proposed a three-part instrument similar to that now advocated by Gabon, but that its proposal had been rejected in favour of an instrument consisting of a Constitution and a Convention. After participating in the work of the Group of Experts for some years, Japan had accepted the possibility of having two instruments and could go along with the draft prepared by the Group; the Gabonese proposal should be set aside until the general provisions of the Constitution had been studied.

* This remark answers another comment by Romania, not reflected in the present record. It can be deleted, if the Romanian remarks remain unchanged.

2.11 The delegate of Chile said that his Delegation was in favour of maintaining the structure of Article 36 proposed by the Group of Experts, keeping Nos. 165 and 166 unchanged and only modifying No. 167, so that the Administrative Regulations might be clearly defined in the Constitution and stated to be binding on all Members. The Gabonese proposal merely served to confuse the issue.

2.12 The delegate of the United Kingdom said that his Delegation strongly favoured the text of the Group of Experts, with two minor modifications - settlement of the linguistic problem concerning the words "complement" and "supplement", and updating of the enumeration of Administrative Regulations in No. 167. While it was true that the Plenipotentiaries had the sovereign right to introduce what they liked into the new instrument, it would be unwise to amend the Nairobi Convention too drastically. Under its current practice, the ITU had so far largely avoided potential confusion and conflict, because the amendments introduced from one convention to another were relatively minor; that argument would apply with even more force to the Constitution, for the entry into force of which a fairly high number of ratification had been proposed; given the rather poor ratification record of its Members, the Union might thus have to operate for some time under two, three or even four instruments, and too much divergence between them could result in chaos.

2.13 The delegate of the United States endorsed those views. With regard to the terminological issue, the United States could accept either the use of the word "supplement" or the words "further complement" suggested by the Chairman.

The French proposal to refer to Administrative Regulations annexed to the other two instruments was unacceptable, however: the wording had been used some 40 or 50 years previously, when the Radio Regulations and other Administrative Regulations had been actually annexed to the existing Conventions, which upon their entry into force had been accompanied by fairly long lists of amended and replaced regulations; for practical reasons, the term "annexed" had been replaced by "regarded as annexed" in recent decades, but even that term raised problems to which his Delegation would refer in connection with Article 40; in any case, use of the word "annexed" could lead to great difficulties with respect to publications, given the speed with which administrative conferences modified the Radio Regulations.

With regard to the Romanian statement, the fact that the names and contents of various regulations and groups of regulations that they might change in the future and might even be amalgamated did not mean that they should not be referred to in the Constitution. The provision that the Administrative Regulations should be binding on all Members and the enumeration of those Regulations should be discussed in connection with Article 40; those texts, as well as the statement that the Regulations regulated the use of telecommunications, were traditional provisions that should be retained.

The many issues raised in the Gabonese proposal indeed far exceeded the scope of what the Committee could do in the short time remaining for its deliberations, for they would entail not only a rearrangement of provisions between the Constitution and the Convention, but also an examination of those provisions of the Administrative Regulations which should be inserted in the other two instruments.

For all those reasons, the United States Delegation supported the existing text, with the minor changes mentioned by the Chairman.

2.14 The delegate of Yugoslavia supported the views expressed by the delegates of the United Kingdom and the United States. While other proposals were valid, the Committee should accept the text drafted by the Group of Experts, as modified by the delegate of France.

2.15 The Chairman said that time constraints made it expedient to rely on the work of the Group of Experts. He therefore proposed that the Committee adopt the terms "complemented" in No. 166 and "further complemented" in No. 167, on the understanding that the illogicality, pointed out earlier by the delegate of Kenya, of saying that the Convention was "further complemented" by the Administrative Regulations be ignored in the interests of greater clarity in translation into French.

It was so agreed.

2.16 The delegate of Paraguay, introducing proposal PRG/95/63 to modify No. 167 by deleting "which regulate the use of telecommunications and", said that its object was to simplify the text. The Constitution should clearly state essentials, rather than going into explanations or providing definitions. No explanation was given of the term "Instruments of the Union"; there was no need to explain the term "Administrative Regulations".

2.17 The Legal Adviser pointed out that this qualifying part of the term "Administrative Regulations" had to be taken as specifying clearly the regulations as governing one of the essential aspects of the Union's work; that explanatory part was thus useful.

2.18 The delegate of Mexico noted that Article 40, which dealt with the Administrative Regulations, included no such qualification and said that, in the context of the draft Constitution and Convention, the meaning of the term was abundantly clear. She therefore supported the proposal of Paraguay.

2.19 The delegates of Australia, the USSR, France, Venezuela, Japan and Cameroon agreed with the Legal Adviser. The delegate of Australia further said that the phrase had long formed part of the text and should only be removed if there were good reason for its deletion, while the delegate of Cameroon said that, in documents of a legal nature, it was sometimes wise to sacrifice elegance for legal clarity. The delegate of Japan argued that the phrase provided valuable guidance for administrative conferences on the type of provisions to be included in the Administrative Regulations.

2.20 The delegate of Kenya said that the delegate of Mexico had made a valid point but that linguistic questions should be dealt with by Committee 10. As far as Committee 9 was concerned, the text had existed for a long time and should be kept as it stood.

2.21 In the light of the discussion, the Chairman suggested that the phrase be retained.

It was so agreed.

2.22 Noting the proposals to refer, in No. 167, to "International Telecommunication Regulations" instead of to "Telegraph Regulations" and "Telephone Regulations", as well as the provision of Article 40 which referred to the Administrative Regulations "in force at the time of adoption" of the Constitution and Convention, the Chairman suggested that both the original text and the proposed modification be retained in square brackets, to be dealt with after completing consideration of Article 40.

It was so agreed.

2.23 In reply to the delegate of Romania who thought that the question could be resolved immediately by modifying No. 167 to read "..... the Administrative Regulations in force which regulate the use of telecommunications", the Legal Adviser said that it was important, for the information of Members, to state in the text precisely which regulations were meant by the broad term "Administrative Regulations".

2.24 The delegate of Paraguay requested the Editorial Committee to check that the phrase "shall be binding" in No. 167 was translated consistently.

2.25 The Chairman invited the Committee to consider No. 168. He informed the Committee of a modification to proposal TZA/56/10 of Tanzania which, in its modified form, would read: "In the case of an inconsistency between a provision of this Constitution and the Administrative Regulations, this Constitution shall prevail. In the case of an inconsistency between a provision of the Convention and ... the Administrative Regulations, the former shall prevail".

2.26 The delegate of Paraguay, introducing proposal PRG/95/64, said that it sought to establish a hierarchy among the instruments to which reference was made in the settlement of disputes. The question was not merely one of dealing with inconsistencies.

2.27 The Legal Adviser drew attention to the fact that, in No. 203 of Document 17, the Group of Experts had replaced the term "dispute" by "discrepancy". A similar consideration applied to No. 168. Inconsistencies between the provisions of the various instruments could pose problems in their application, for example by the IFRB, without there being any "dispute". It was thus necessary to establish a hierarchy of norms among the instruments in order to deal with inconsistencies.

2.28 The delegates of Colombia, the United Kingdom, Paraguay, Greece and Australia preferred to retain the term "inconsistency", for the reasons given by the Legal Adviser.

2.29 The delegate of Spain said that the proposal of Paraguay was valid but that it should be considered with respect to Article 42 - Settlement of Disputes. With regard to the proposal of Tanzania, the question was one of drafting and should be left to the Editorial Committee. The Spanish text was perfectly clear as it stood.

2.30 The delegates of the United Kingdom and Zambia supported the proposal of Tanzania as clarifying the text but did not consider the matter as being of major substance.

2.31 The Chairman suggested that the text of No. 168 be forwarded to the Editorial Committee as it stood, noting that its provisions would be applicable, so far as necessary, in the event of a dispute between Members.

It was so agreed.

Article 36 was approved provisionally.

Article 37 - Definitions

2.32 Noting that there was no support for the proposal by the delegate of Romania to delete Nos. 171 and 172, and that there were no other proposals to modify the text, the Chairman suggested that, with the amendment of replacing "Annex 2" by "Annex 1" consequent to the deletion of the original Annex 1, the text be approved as it stood.

It was so agreed.

Article 37 was thus approved.

The meeting rose at 1730 hours.

The Secretary:

A. NOLL

The Chairman:

H.H. SIBLESZ

INTERNATIONAL TELECOMMUNICATION UNION

**PLENIPOTENTIARY
CONFERENCE**

NICE. 1989

Document 280(Rev.1)-E

20 June 1989

B.3(Rev.1)

PLENARY MEETINGTHIRD SERIES OF TEXTS SUBMITTED BY THE
EDITORIAL COMMITTEE TO THE PLENARY MEETINGThe following texts are submitted to the Plenary Meeting for first reading:

<u>Source</u>	<u>Document</u>	<u>Title</u>
COM.9	264	<u>Constitution</u> : Preamble
		Article 1
		Article 3
		Article 17
	299	Article 38
	333	Article 39
	342	Article 41
		Article 44

M. THUE
Chairman of Committee 10Annex: 5 pages

CONSTITUTION
OF THE
INTERNATIONAL TELECOMMUNICATION UNION

Preamble

MOD

1. While fully recognizing the sovereign right of each State to regulate its telecommunication and having regard to the growing importance of telecommunication for the preservation of peace and the social and economic development of all States, the States Parties to this Constitution, as the basic instrument of the International Telecommunication Union, and to the Convention of the International Telecommunication Union (hereinafter referred to as "the Convention")¹ which complements it, with the object of facilitating peaceful relations, international cooperation and economic and social development among peoples by means of efficient telecommunication services, have agreed as follows:

¹ Provisional title remaining subject to later reconsideration, if necessary, after study of the contents of that second instrument.

ARTICLE 1

NOC

Composition of the Union

MOD

2. The International Telecommunication Union shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:

MOD

3. a) any State which became a Member of the Union as a Party to any International Telecommunication Convention prior to the entry into force of this Constitution and the Convention;

MOD

4. b) any other State, a Member of the United Nations, which accedes to this Constitution and the Convention in accordance with Article 39 of this Constitution;

MOD

5. c) any other State, not a Member of the United Nations, which applies for membership of the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Constitution and the Convention in accordance with Article 39 of this Constitution. If such application for membership is made during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

SUP

6.

ARTICLE 3

NOC

Seat of the Union

NOC

12. The seat of the Union shall be at Geneva.

ARTICLE 17

NOC

Legal Capacity of the Union

NOC

135

The Union shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 38

MOD Ratification, acceptance or approval

- MOD 173 1. This Constitution and the Convention shall be simultaneously ratified, accepted or approved by any signatory Member, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible with the Secretary-General. The Secretary-General shall notify the Members of each deposit of any such instrument.
- MOD 174 2. (1) During a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member, even though it may not have deposited an instrument of ratification, acceptance or approval, in accordance with No. 173 of this Constitution, shall enjoy the rights conferred on Members of the Union in Nos. 8 to 11 of this Constitution.
- MOD 175 (2) From the end of a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member which has not deposited an instrument of ratification, acceptance or approval, in accordance with No. 173 of this Constitution, shall no longer be entitled to vote at any conference of the Union, at any session of the Administrative Council, at any meeting of any of the permanent organs of the Union, or during consultation by correspondence conducted in accordance with the provision of this Constitution and of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.
- MOD 176 3. After the entry into force of this Constitution and the Convention in accordance with Article 46 of this Constitution, an instrument of ratification, acceptance or approval, shall become effective on the date of its deposit with the Secretary-General.

ARTICLE 39

NOC

Accession

- | | | |
|-----|------|---|
| MOD | 177 | 1. A Member which is not a signatory to this Constitution and the Convention, or any other State referred to in Article 1 of this Constitution may, subject to the provisions thereof, accede to this Constitution and the Convention at any time. Such accession shall be made simultaneously in the form of one single instrument covering both this Constitution and the Convention. |
| MOD | 178 | 2. The instrument of accession shall be deposited with the Secretary-General, who shall notify the Members of each deposit of any such instrument when it is received and shall forward to each of them a certified copy thereof. |
| ADD | 178A | 3. After the entry into force of this Constitution and the Convention in accordance with Article 46 of this Constitution, an instrument of accession shall become effective on the date of its deposit with the Secretary-General, unless otherwise specified therein. |

ARTICLE 41

MOD Execution of this Constitution, the Convention and the
 Administrative Regulations

- NOC 182 1. The Members are bound to abide by the provisions of this Constitution, the Convention and the Administrative Regulations in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 33 of this Constitution.
- (MOD) 183 2. The Members are also bound to take the necessary steps to impose the observance of the provisions of this Constitution, of the Convention and of the Administrative Regulations upon private operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

ARTICLE 44

NOC Denunciation of the Constitution
 and the Convention

- MOD 195 1. Each Member which has ratified, accepted, approved or acceded to this Constitution and the Convention shall have the right to denounce them. The denunciation of this Constitution and the Convention shall be effected simultaneously in one single instrument, by a notification addressed to the Secretary-General. Upon receipt of such a notification, the Secretary-General shall advise the other Members thereof.
- MOD 196 2. Such denunciation shall take effect at the expiration of a period of one year from the date of receipt of its notification by the Secretary-General.

INTERNATIONAL TELECOMMUNICATION UNION

**PLENIPOTENTIARY
CONFERENCE**

NICE, 1989

Document 280-E
13 June 1989

B.3

PLENARY MEETINGTHIRD SERIES OF TEXTS SUBMITTED BY THE
EDITORIAL COMMITTEE TO THE PLENARY MEETINGThe following texts are submitted to the Plenary Meeting for first reading:

<u>Source</u>	<u>Document</u>	<u>Title</u>
COM.9	264	<u>Constitution</u> : Preamble Article 1 Article 3 Article 17

M. THUE
Chairman of Committee 10Annex: 2 pages

Constitution
B.3/1

CONSTITUTION
OF THE
INTERNATIONAL TELECOMMUNICATION UNION

Preamble

- 1 While fully recognizing the sovereign right of each State to regulate its telecommunication and having regard to the growing importance of telecommunication for the preservation of peace and the social and economic development of all States, the States Parties to this Constitution, as the basic instrument of the International Telecommunication Union, and to the Convention of the International Telecommunication Union (hereinafter referred to as "the Convention")* which complements it, with the object of facilitating peaceful relations, international cooperation and economic and social development among peoples by means of efficient telecommunication services, have agreed as follows:

* Provisional title remaining subject to later reconsideration, if necessary, after study of the contents of that second instrument.

Constitution
B.3/2

ARTICLE 1

Composition of the Union

- 2 The International Telecommunication Union shall, having
regard to the principle of universality and the desirability of
universal participation in the Union, be composed of:
- 3 a) any State which became a Member of the Union as a Party
to any International Telecommunication Convention prior
to the entry into force of this Constitution and the
Convention;
- 4 b) any other State, a Member of the United Nations, which
accedes to this Constitution and the Convention in
accordance with Article 39 of this Constitution;
- 5 c) any other State, not a Member of the United Nations,
which applies for membership of the Union and which,
after having secured approval of such application by
two-thirds of the Members of the Union, accedes to this
Constitution and the Convention in accordance with
Article 39 of this Constitution. If such application
for membership is made during the interval between two
Plenipotentiary Conferences, the Secretary-General
shall consult the Members of the Union; a Member shall
be deemed to have abstained if it has not replied
within four months after its opinion has been
requested.
- 6 (Not used.)

ARTICLE 3

Seat of the Union

- 12 The seat of the Union shall be at Geneva.

ARTICLE 17

Legal Capacity of the Union

- 135 The Union shall enjoy in the territory of each of its
Members such legal capacity as may be necessary for the exercise
of its functions and the fulfillment of its purposes.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 281-E

13 June 1989

Original: Russian

COMMITTEE 8

Mongolian People's Republic, Ukrainian Soviet Socialist Republic

PROPOSALS FOR THE WORK OF THE CONFERENCE

PROPOSED AMENDMENTS TO THE DRAFT CONSTITUTION

ARTICLE 16

Languages

MNG/UKR/281/1
MOD [126] 131

(3) All other documents for general distribution prepared by the Secretary-General in the course of his duties shall be drawn up in the three working languages. However, the weekly circulars of the IFRB, the circular letters of the General Secretariat, the Directors of the CCIR and the CCITT, and also of the IFRB, shall be drawn up in the official languages.

PROPOSED AMENDMENTS TO THE DRAFT CONVENTION

ARTICLE 19

Languages

MNG/UKR/281/2
MOD [418] 215

(2) The preparatory documents of study groups, the documents and minutes of Plenary Assemblies and the documents published after these Assemblies by the International Consultative Committees shall be issued in the three working languages of the Union. Documents published by the International Consultative Committees after the Plenary Assemblies shall be issued in the official languages of the Union.

Reasons: Arabic, Chinese and Russian, which are official languages of the Union and working languages of the United Nations, are used by about one-third of the world's population. Their extended use as working languages would enable more than 30 Members of the ITU, which make a large technical and financial contribution to the Union, to increase their activity and the effectiveness of their participation in various sectors of the work of the Union, including that of technical cooperation.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 282-E

24 June 1989

Original: English

PLENARY MEETING

MINUTES

OF THE

THIRTEENTH PLENARY MEETING

Tuesday, 13 June, at 1045 hrs

Chairman: Mr. J. GRENIER (France)

later: Mr. H. VENHAUS (Federal Republic of Germany)

Subjects discussed:

Documents

- | | | |
|----|--|---|
| 1. | Approval of the agenda | PL-13 |
| 2. | Report of the Chairman of Committee 7 to the Plenary | |
| 3. | Programme of major conferences and meetings
1990-1994 (continued) | 41(Rev.1),
57: proposals 11, 12,
69: proposals 12, 13,
82: proposals 13, 14,
86(Rev.1):
proposals 23, 36, 37,
98: proposal 9,
103: proposals 1, 2,
105(Rev.1)
108: proposal 21
109: proposals 1, 2
124: proposal 5
129, 140, 187,
194: proposal 5
219 + Add.1 |
| 4. | Statement by the delegate of the United
States | |

1. Approval of the agenda (Document PL-13)

1.1 The delegate of Indonesia queried the inclusion on the agenda of an item entitled "Deadline for the receipt of candidatures for the posts of the Directors of the International Consultative Committees". Discussion of that item would be premature in view of the fact that Committee 7 had not yet reached a decision on the overall structure of the Union, following which it would have to examine the various organs of the Union individually.

1.2 The delegate of Côte d'Ivoire questioned whether the Plenary was being asked to accept a structure before a consensus was reached in Committee 7.

1.3 The Chairman said that it had been his intention, under that item, to invite the Chairman of Committee 7 to address the Plenary on the results of work in Committee 7 relating to the election of the Directors of the International Consultative Committees.

1.4 The delegate of Saudi Arabia proposed that item 2 of the agenda be replaced by "Report of the Chairman of Committee 7 to the Plenary". The deadline for receipt of candidatures could not be discussed until agreement had been reached on how many Directors there were to be.

1.5 The delegates of India, Indonesia, Tanzania, Colombia, Yemen Arab Republic and Qatar supported the proposal of Saudi Arabia.

1.6 The delegate of the United States said that the item, "Deadline for the receipt of candidatures ..." should be retained on the agenda to enable the meeting to discuss the matter. He proposed that an additional item, "Report of the Chairman of Committee 7 to the Plenary", be inserted before item 2.

1.7 Following various unsuccessful attempts to reach a compromise in the interests of allowing the substantive work of the meeting to go ahead, the Chairman put the proposal of Saudi Arabia to the vote.

The proposal of Saudi Arabia was adopted by 58 votes in favour to 26 against, with 26 abstentions.

2. Report of the Chairman of Committee 7 to the Plenary

2.1 The Chairman of Committee 7 said that the preceding discussion had been reminiscent of many meetings of Committee 7 and of the tactics employed either to force or delay decisions. The Committee was aware that its work was linked to the election process and, following the request of the Chairman of the Conference and of the Steering Committee, had, despite various procedural arguments changed its working method so as to address immediately the issue of the International Consultative Committees. Some 50 speakers had taken the floor and the debate was not yet concluded. His report of that debate was, therefore, an interim one. Consensus had been reached on the need to improve the method of work of the CCIs and on the need to examine their structure and operation, although no agreement had been reached on the scope and duration of that examination or by whom it should be carried out. The majority had been in favour of maintaining the present CCIR and CCITT, each with its own Director. Various matters, however, remained outstanding. In particular, Kuwait had proposed the creation of a third CCI to deal with space telecommunication, and the questions of restricting the term of office of elected officials, their eligibility for re-election and of maintaining a geographical balance among them had been raised.

2.2 The Chairman suggested the establishment of a small Working Group to examine the matter, in order to speed up the work of the Conference.

2.3 The delegate of Saudi Arabia said that there would be no point in a Working Group examining the question of the CCIs in isolation. Such a Group would only produce useful results if it considered the whole structure of the Union.

2.4 The delegate of Indonesia said that the previous lengthy discussion gave a good indication of the divergence of views. Time and effort were needed for consensus to be reached, and it was essential to reach agreement on the structure of the Union as a whole before embarking on consideration of its various organs. It would only be worthwhile to set up a Working Group if such a Group were restricted in membership, say to ten representatives of developed countries and ten representatives of developing countries. A larger Group would be just like holding meetings of Committee 7 or the Plenary all over again.

2.5 The delegate of the Islamic Republic of Iran stressed that the issues were interrelated and said that a compromise would have to be reached on a comprehensive package of decisions. He supported the proposal to set up a Working Group but shared the wish expressed by the delegate of Indonesia that it should be limited in size.

2.6 The Chairman withdrew his proposal to establish a Working Group and called on the meeting to take up the next agenda item under the chairmanship of Mr. Venhaus.

The Report of the Chairman of Committee 7 was noted.

Mr. Venhaus (Federal Republic of Germany) took the Chair.

2.7 The Acting Chairman invited the meeting to consider item 3 of its agenda.

2.8 The delegate of Spain, speaking on a point of order, asked whether the meeting should not first complete consideration of item 2 of the agenda, which related to a matter of some urgency. Before leaving the meeting, the Chairman had merely withdrawn his proposal for the establishment of a small Working Group, and it might be advisable to continue to discuss the elections of the Directors of the CCIs, on which a number of comments had already been made. The delegate of Syria endorsed these remarks.

2.9 The Acting Chairman noted that the Chairman of the Conference, after withdrawing his proposal, had called upon the meeting to consider item 3 of the agenda. The Secretary-General corroborated that statement and said it could be assumed that item 2 had been left in abeyance.

3. Programme of major conferences and meetings 1990-1994 (Documents 41(Rev.1), 57 (proposals 11, 12), 69 (proposals 12, 13), 82 (proposals 13, 14), 86(Rev.1) (proposals 23, 36, 37), 98 (proposal 9), 103 (proposals 1, 2, 105(Rev.1), 108 (proposal 21), 109 (proposals 1, 2), 124 (proposal 5), 129, 140, 187, 194 (proposal 5), 219 + Add.1) (continued)

3.1 The Acting Chairman reminded the meeting of the earlier discussions on the subject, which had culminated in a consensus that the numerous proposals should not be considered one by one in Plenary but by a Working Group of the Plenary set up for the purpose. Nevertheless, the Delegation of Turkey had expressed the wish to present proposals TUR/103/1 and TUR/103/2 in Plenary; if the meeting were to concede to that request as an exception, he appealed to the other sponsors to agree to have their proposals considered in the Working Group.

3.2 The delegates of Morocco and Algeria agreed that an exception might be made in the case of Turkey.

3.3 The delegate of Turkey made the following statement:

"Document 103 which was submitted by Turkey and initially assigned to Committee 8 for consideration and then referred back to the Plenary again after the decision of that Committee, mainly deals with the existing difficulties of my Administration and I am sure that of many other administrations in providing aeronautical communication services to their (OR) flights.

As explained in the document, the Frequency Allotment Plan for aeronautical mobile service (Appendix 26 to the Radio Regulations) was adopted by WARC-59, in Geneva, published as a separate booklet and has been in existence for 30 years with no major change. Since that time, we have modified the Convention of the Union several times and now we are trying once more, while this Allotment Plan remains unchanged except for the denomination of some countries and their designating symbols. So one may consider it as the longest lasting and most effective technical plan that has ever been made under the fast improving technological environment in radiocommunication. But, this is not so Mr. Chairman.

The Plan does not include any provision for almost 50 per cent of the Member Administrations that are present here. The latest available copy of the Plan was reprinted in 1967.

WARC-79 adopted Recommendation No. 406 which invited the administrations to urgently study, I repeat, urgently study their national requirements and advised the Administrative Council to convene a world administrative conference to review Appendix 26 and related provisions of the Radio Regulations. Although the request was so urgent and some administrations have communicated their requirements to the IFRB, the Administrative Council has not been able to take any action to date.

During the WARC MOB-87 Conference, the subject was dealt with by making only minor changes again without touching the substance.

Since there is no provision in the Plan for the IFRB to update the technical aspects and to insert the names of the excluded countries in the Plan, the channel separations throughout the HF band allocated to the aeronautical mobile (OR) services still vary from 7 to 10 kHz. This can provide 92 channels in Region 1 and 85 channels each in Regions 2 and 3, thus providing (OR) service channels to a maximum of 132 countries.

However, a 3 kHz separation, as already adopted for the aeronautical (R) services, 244 channels for Region 1 and 239 channels each for Regions 2 and 3 can easily be obtained to the satisfaction of all existing Member administrations.

In conclusion, Mr. Chairman, Turkey has an urgent requirement for sufficient allocations in the said Plan, like those administrations whose names do not appear in the Plan, and those which may have additional requirements. Therefore, I kindly request the Plenary to consider the following:

Considering the heavy workload of the Plenary and the terms of reference of other Committees, a Plenary ad hoc Working Group should be set up to review the draft outline programme of major conferences contained in Document 41(Rev.1), together with the Turkish proposal to combine relevant subjects in the agenda of appropriate administrative conferences and to report the results to the Plenary in appropriate time.

Finally, Mr. Chairman, I would like to encourage those administrations who are not included in the Plan, to participate in this Working Group for their maximum contribution."

3.4 The Chairman said that the Turkish proposals would be considered with all the others in the new Group, Working Group PL-B.

3.5 The delegate of India, while not objecting to the establishment of the Working Group in order to advance the work of the Conference, drew attention to the fact that the Administrative Council had been unable to reach agreement on a Conference timetable. It would therefore be desirable to give the Group policy guidelines, based on the experience of earlier conferences and their financial implications. It should be stressed in particular that any postponement of the proposed WARC on HF broadcasting beyond 1992 would cause serious problems to many developing countries which pinned their hopes on that conference. The delegate of Kenya agreed that the Working Group should be given guidelines.

3.6 The Secretary-General, noting that Document 41(Rev.1) already provided some guidelines with respect to the general agreement in the Administrative Council that the programme for 1990-1994 should not be too heavy and that there should not be more than one major conference each year. The Group should be guided by the advice of the Administrative Council and he read out the following terms of reference for Working Group PL-B:

- "1. to consider a future programme of conferences, taking account of proposals, as well as Resolutions and Recommendations of preceding conferences and the Report of the Administrative Council to the Plenipotentiary Conference;
2. to prepare any appropriate Resolutions and Recommendations relating to the preparation of future conferences, as well as relevant information for consideration in Committee 4."

3.7 The delegate of Spain suggested that the word "draft" should be inserted before "future programme" in paragraph 1 and before "Resolutions" in paragraph 2, in order to make it clear that the results of the Group's work would be approved in Plenary. Following a question from the representative of Saudi Arabia, the Secretary-General indicated that it would also be advisable to clarify the Working Groups link with Committee 4 by inserting the word "financial" after "relevant" in the second line of paragraph 2.

The terms of reference of Working Group PL-B were approved as amended.

3.8 The Chairman suggested that participation in Working Group PL-B should be open-ended and that the Group should be presided over by Mr. Bjornsjo of Sweden, who had successfully chaired more than one WARC in the past.

It was so agreed.

4. Statement by the delegate of the United States

4.1 The delegate of the United States made the following statement:

"Mr. Chairman,

As I indicated in my opening statement to this Plenipotentiary Conference, the United States Government and private sector have developed a new initiative to meet the needs of the developing countries for advisory services in the areas of telecommunications and broadcasting.

The initiative that I am bringing to your attention is an expansion in the activities of the United States Telecommunications Training Institute (USTTI) which over the past seven years has trained more than 1,500 telecommunications and broadcasting professionals from 108 developing countries. This training has taken place in the facilities of United States corporations and government agencies.

The new programme for development assistance will provide teams of experts comprised of representatives of United States industry and consulting communities. When requested by developing countries, these teams will conduct on-site evaluations, interviews and studies. A follow-up written report will be made available within 60 days.

This service will be made available on a cost-free basis to interested telecommunications administrations in the developing world. The costs of the industry experts will be made available on an "in-kind" basis to USTTI. Funding from several USG agencies will underwrite the administrative costs of this new programme. Requests for support can be submitted directly to USTTI or through the Centre for Telecommunications Development.

In addition to this new programme of technical cooperation, USTTI will also inaugurate a pilot training programme using teleconferencing directly from the United States to selected sites in Latin America. The first programme exchange will feature training materials developed by United States industry on telecommunications techniques.

Mr. Chairman, the USTTI initiatives are consistent with the recommendations of the Maitland Commission which urged donors to develop new and novel programmes for stimulating telecommunications development that "serve the mutual interests of governments, operating companies, the public and specialized user groups". I am proud that the United States public and private sector are able to respond to that recommendation."

The meeting rose at 1305 hours.

The Secretary-General:

R.E. BUTLER

The Chairman:

J. GRENIER

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 283-E
17 June 1989
Original: French

COMMITTEE 4

SUMMARY RECORD
OF THE
FIFTH MEETING OF COMMITTEE 4
(FINANCES OF THE UNION)

Tuesday, 13 June 1989, at 1430 hrs

Chairman: Mr. M.H. GHAZAL (Lebanon)

Subjects discussed:

Documents

- | | | |
|----|--|--------------|
| 1. | Approval of the summary record of the first meeting | 172 |
| | Approval of the summary record of the second meeting | 195 |
| | Approval of the summary record of the third meeting | 201 |
| 2. | Evolution of ITU ceilings, budgets and accounts from 1983 to 1989 | DT/36 |
| 3. | Recapitulation of proposals for the amendment of the Constitution and the Convention | DT/25(Rev.1) |

1. Approval of the summary record of the first meeting (Document 172)
Approval of the summary record of the second meeting (Document 195)
Approval of the summary record of the third meeting (Document 201)

The summary records of the first, second and third meetings were approved as amended (see the corrigenda to Documents 172, 195 and 201).

2. Evolution of ITU ceilings, budgets and accounts from 1983 to 1989
(Document DT/36)

2.1 The Secretary of the Committee introduced Document DT/36 containing additional information.

Document DT/36 was approved.

3. Recapitulation of proposals for the amendment of the Constitution and the Convention (Document DT/25(Rev.1))

3.1 The Chairman invited delegates to consider the amendments to those Articles of the Constitution and the Convention which related to financial matters. The outcome of its deliberations would be transmitted to Committee 9. In the last resort, the Plenary Meeting of the Conference would take a decision.

3.2 The delegate of Byelorussia asked whether the new version of the Convention would have the same structure as the Nairobi Convention, or in other words whether it would be accompanied by an additional protocol. The Secretary of the Committee said that the additional protocol could be replaced by a Resolution of the Plenipotentiary Conference.

3.3 The delegate of Byelorussia said that he was prepared to discuss Article 15 relating to the finances of the Union, it being understood that his Delegation reserved the right to take up that Article again and to submit additional proposals in that connection should there eventually be neither an additional protocol nor a Resolution.

3.4 The Chairman and the United Kingdom delegate expressed the view that Committee 4 should concern itself only with the substance of the Convention, not with its form.

3.5 The Chairman invited delegates to approve the new provisions of Article 15.

Nos. 109 [107], 110 [108], 111 [109], 112 [110], 113 [111]

Approved.

No. 114 [113]

3.6 With regard to No. 114 [113], the delegate of Argentina explained that his proposal (ARG/115/12) was aimed at reducing the risks to which the Union would be exposed by a sudden decline in the number of contributory units, in view of the fact that the greater part of the contributory burden was borne by a small number of Members. The only purpose of the proposed rule was to safeguard the Union's financial stability and UPU had already adopted the same type of arrangement.

3.7 The delegates of Mexico and Mali said that they too were anxious to safeguard the Union's financial stability and therefore supported the Argentine proposal.

3.8 The delegate of the United States considered that the Argentine proposal was at variance with the voluntary contribution system currently in force and undermined the freedom of choice of ITU Members.

3.9 In reply to the delegate of Malaysia, who asked what would happen if a Member wished to choose a lower class of contribution, the Chairman said that the Administrative Council could authorize a reduction of the number of contributory units, at the request of the Member concerned. The proposal by Argentina would not change that state of affairs at all; it was intended only to ensure some degree of continuity in the budget.

3.10 The delegate of Australia observed that the next time classes of contribution had to be chosen, the rule adopted by the present Plenipotentiary Conference would be in effect. Furthermore, it was difficult to consider the Argentine proposal in isolation from other proposals to change the structure of the classes of contribution (Article 27 [79] of Document B). Since the proposed change was too radical and would significantly restrict the freedom of the major contributors among the Union's Members, he could not accept the Argentine proposal.

3.11 The delegate of the United Kingdom said that he shared the views of the delegate of Australia in that respect and that he could not accept any restriction of the freedom of choice of Members, which would be the case if account were taken, for example, of the proposals of the USSR, China and a number of Caribbean countries aimed at introducing new classes of contribution in order to give Members a wider choice.

3.12 The delegate of Japan said that, with the delegate of the United Kingdom, he perfectly understood the purpose of the Argentine Delegation's proposal; however the existing text of No. 114 contained an important principle, namely, the free choice of the class of contribution. Argentina's proposal would tend to restrict that choice, and the delegate of Japan was opposed to it on that account. The delegates of Canada, the Philippines and the Netherlands supported that point of view and found the Argentine proposal unacceptable.

3.13 The delegate of Benin supported the proposal of the Argentine delegate which, however, he found extremely complex; he called for the creation of a special committee to study the problem and to submit a document to the next Plenipotentiary Conference. For the time being, however, the Committee might adopt the Argentine proposal.

3.14 At the request of the Chairman, the Secretary of the Committee explained that, after the previous Plenipotentiary Conferences, there had always been reductions in the classes of contribution for certain Members. Those reductions had often been more than one class, but no significant problems had arisen. Between the Torremolinos (1973) and Nairobi (1982) Plenipotentiary Conferences, there would appear to have been a reduction of about 10% and no problems had resulted from the fact that the Convention allowed a free choice in downgrading.

3.15 The delegate of Argentina said that it was useful to take precautions. Those delegates who had just spoken all belonged to the highest class of contribution and their reactions were understandable. For the time being, there appeared to be a degree of security, but the Argentine proposal had been dictated by the fact that the attitude of administrations could not be prejudged.

The Australian proposal appeared useful, in that it established a link between the Argentine proposal and that of the USSR, China and other delegations. He therefore called on the Committee to think again about his Delegation's proposal and suggested that the other delegations should meet to find a means of giving satisfaction to all and seeking the most useful solution possible.

3.16 The delegate of Byelorussia pointed to the difficult financial situation in the United Nations system, for example, for the United Nations itself, where expenditure in excess of the contributions paid was of the order of 500 million US dollars. He referred to Administrative Council Document 6851, to which Document A/43/760 was attached (Report of the Advisory Committee on Administrative and Budgetary Questions), and which showed that the percentage of contributions for the current year collected at 30 September 1988 amounted to 63.31% for the United Nations compared with 93.22% for the ITU and 88.79% for UPU (Table G, page 25). Those were the two organizations in which the percentage was highest, which tended to prove that the voluntary choice of contributions was a sound method.

3.17 The delegate of the Federal Republic of Germany said that he did not entirely share the views of the Argentine delegate, since long-term commitments were not always desirable. He thought that the adoption of the Argentine proposal would lead to reduced contributions. He was therefore not in favour of that proposal.

3.18 The delegate of the Philippines said that there were two types of reduction, voluntary reductions and reductions due to exceptional circumstances. He asked whether the Administrative Council had approved the reduction in the number of contributory units.

3.19 The Secretary of the Committee replied that the Administrative Council had considered a reduction of contributory units following natural disasters.

3.20 The Chairman said that 10 delegations were against the Argentine proposal and four delegations in favour.

The Argentine proposal were therefore rejected and the existing text of No. 114 [113] was maintained.

No. 115 [113 a)]

Approved.

No. 116 [113 b)]

3.21 The Chairman said that the delegation of the Solomon Islands had submitted an amendment (SLM/17/21).

That proposal was not supported by any delegation and was therefore rejected.

No. 117 [113 d)]

Approved.

3.22 After consultation with the Secretary of the Committee, the Chairman said that it would be for the Editorial Committee to decide on the numbering and to remove the square brackets.

No. 118 [113 c)]

Approved.

No. 119 [114]

3.23 The Chairman drew attention to an amendment by the Nigerian Delegation to paragraph 5 (NIG/74/7).

3.24 The delegate of Mali expressed his support for the Nigerian proposal concerning the addition of the words "or economic depressions" after "natural disasters".

3.25 The delegate of Guinea said that he did not support the amendment proposed by the Nigerian Delegation, since the existing text was already sufficiently clear.

3.26 The delegate of Spain said that he would welcome some explanation, since natural disasters were undeniable, which was not the case for economic depressions.

3.27 The delegate of Benin said that he did not share the views of the delegate of Spain. An economic depression could be very readily ascertained, for example, if a coffee- or cotton-producing country was affected by bad weather and lost its crop.

Since the majority of delegates were opposed to the Nigerian proposal, it was rejected.

3.28 The Chairman said that a proposal had also been submitted by the Argentine Delegation (ARG/115/13).

3.29 The delegate of Argentina said that his proposal was based on ITU texts, partly on section 3 of Additional Protocol II (page 212 of the Nairobi Convention, 1982). Since the structure of the Union was going to be changed and the Protocols might not in future appear in the Convention, it might be necessary to include them in the new instruments.

3.30 The delegate of the United States said that she was compelled to oppose the Argentine proposal.

3.31 The delegate of the United Kingdom said that the Argentine proposal added nothing and would rather tend to complicate the task of the Administrative Council.

3.32 The delegate of Spain felt that the reasons invoked by the Argentine delegate justified that proposal, so that his Delegation supported it.

The Argentine proposal was approved.

No. 120 [115]

3.33 The Chairman said that the Delegation of the Solomon Islands had submitted a proposal (SLM/17/22).

Since that proposal was not supported by any delegation, it was rejected.

No. 121 [116]

In the absence of any comment, No. 121 was approved.

No. 122 [117]

The Chairman said that that amendment had been proposed by the Delegation of Kuwait and concerned the addition of the words: "At a Plenipotentiary Conference, such lost rights to vote may be reinstated by decision of the Conference".

The proposal was not supported by any delegation and was therefore rejected.

No. 123 [118]

Approved.

3.34 The Chairman said that Burkina Faso had likewise submitted a proposal (BFA/194/6) and asked whether the delegations wished to support it.

The proposal was not supported by any delegation and was therefore rejected.

The meeting rose at 1620 hours.

The Secretary:

R. PRELAZ

The Chairman:

M.H. GHAZAL

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 284-E

27 June 1989

Original: French

COMMITTEE 6

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 6

(TECHNICAL COOPERATION)

Tuesday, 13 June 1989, at 1440 hrs

Chairman: Mr. H. VIGNON (Benin)

Subjects discussed:

Documents

- | | | |
|----|--|--|
| 1. | Approval of the summary record of the second meeting of Committee 6 | 190 |
| 2. | Report of the Administrative Council to the Plenipotentiary Conference - Implementation of Nairobi Resolutions | 47 (section 5.2.1) |
| 3. | Implementation of Nairobi Resolution No. 20 - The "Missing Link" Report and follow-up action | 99, 21, 106 + Corr.1,
IND/124/6 + Corr.1,
77 |

1. Approval of the summary record of the second meeting of Committee 6
(Document 190)

1.1 The Chairman stated that, in accordance with the procedure mentioned earlier, delegates were requested to submit any comments they might have to the Secretariat in writing.

The summary record of the second meeting of Committee 6 was approved subject to amendment.

2. Report of the Administrative Council to the Plenipotentiary Conference - Implementation of Nairobi Resolutions (Document 47, section 5.2.1)

2.1 The Chairman pointed out that Resolutions Nos. 16 to 35 of the Nairobi Plenipotentiary Conference (1982) were concerned solely with technical cooperation and that it was the practice, at each Plenipotentiary Conference, to revise existing Resolutions, deleting or updating some of them and proposing new ones where appropriate. It was his intention to set up a Drafting Group for that purpose with the task of bringing up-to-date Resolutions Nos. 16 to 19, 22, 23, 25 to 31, 34 and 35. Resolutions Nos. 20, 21, 24, 32 and 33 would be deleted and the Drafting Group would take account of any new Resolutions as they were adopted. All the issues had already been discussed in the course of the Committee's debates and the results of the Drafting Group's work would be submitted to the Committee for approval.

It was so decided.

2.2 The delegate of the United States observed that some countries might wish to put forward different points of view on the draft Resolutions and asked whether the Drafting Group would be an open group or a closed one.

2.3 The Chairman said that the Drafting Group would have to work on the basis of Document 33 and the discussions concerning it.

2.4 The Deputy Secretary-General said he interpreted the United States delegate's statement as a request that countries should be able to express their views on the merits of the draft Resolutions before the Drafting Group started work. That interpretation was confirmed by the United States delegate.

2.5 The Chairman proposed that the Drafting Group should be as small as possible.

2.6 The delegate of the United States asked whether any country would be able to take part in the Drafting Group's work.

2.7 The Chairman said that the Group would be working on the basis already indicated and that countries would be able to make their comments later when the draft Resolutions were considered by the Committee. He proposed that the Group should be composed of Saudi Arabia, Canada, Chile, Côte d'Ivoire, Hungary, the United Kingdom, Switzerland and Thailand, under the chairmanship of the United Kingdom.

2.8 The delegates of Algeria, Morocco, France, Ethiopia and the Islamic Republic of Iran said they would like to belong to the Drafting Group.

2.9 The delegate of the United States said that the original proposal seemed to him a very good one and that it was easier to work in a small group, but that his Delegation would like to take part.

2.10 The delegate of Algeria said that a group of two or three would seem to him normal, but that one of eight countries would be frustrating.

2.11 The Chairman asked members to be reasonable and pointed out that most of the draft Resolutions had in fact been discussed during consideration of Document 33.

2.12 The delegate of Chile expressed his amazement at the various reactions. Drafting was always done in that fashion and the results were then reviewed by the Committee. To facilitate a decision on the membership of the group, he was willing to withdraw.

2.13 The delegate of Tanzania pointed out that the large number of delegates ready to participate was to be interpreted as an indication of general interest. The original proposal seemed to him a good one, but it might nevertheless be wise to have a more balanced group, and he would therefore suggest one of five delegates.

2.14 The delegates of Côte d'Ivoire, Hungary, Switzerland and Thailand said they were willing to withdraw from the Drafting Group if necessary.

2.15 The Chairman, with the support of the delegate of the United Kingdom secured a consensus in the Committee for a Drafting Group of five members (one per region), consisting of the delegates of Saudi Arabia, Canada, Côte d'Ivoire, Hungary and the United Kingdom.

3. Implementation of Nairobi Resolution No. 20 - The "Missing Link" Report and follow-up action (continued), (Documents 99, 21, 106 + Corr.1, IND/124/6 + Corr.1, 77)

3.1 The delegate of Czechoslovakia, referring to the previous day's discussions, said he wished to state his country's position on technical assistance, namely, that contributions to the ordinary budget could not be used to finance measures that were not consistent with the technical cooperation policy adopted by his Government. As a general rule, his Government provided technical cooperation and assistance through UNDP. His Delegation could not agree with those who wanted to merge the Centre and the Technical Cooperation Department. The question of such a merger ought to be taken up after it had been considered by Committee 7. The Technical Cooperation Department played an essentially advisory role in telecommunication development and was not in any way called upon to engage in any kind of commercial activity.

3.2 The delegate of the United States, replying to a question asked the previous day by the Mexican Delegation, reviewed the various contributions made by his country to telecommunication development in the world: various studies, which were evidence of the aid provided by the United States Government and private sector on a bilateral basis; commitment of the United States to the policy formulated in "The Missing Link"; foundation of the Telecommunications Training Institute in the United States, supported by contributions in cash and in kind by the United States Government and private foundations and companies; assistance given by the United States through various projects of the World Bank, INTELSAT, INMARSAT, CITELE, contributions to the ITU budget, UNDP and CTD etc. For further information, he referred delegates to the document "United States contributions to communications development", put out by the United States State Department in English, French and Spanish, which was available at the self-service counter. Despite its substantial multilateral aid, most of the United States' contributions were provided on a bilateral basis. It should also be mentioned that contributions by the private sector amounted to much more than official aid.

3.3 The delegate of Pakistan, referring to Document 99, said that various proposals to promote telecommunication development had been put forward, with the idea of setting up machinery to help change the present situation in the world. However, the measures taken so far did not seem to have had any real effect. The first thing to be done was to pinpoint the difficulties encountered by the developing countries and the solutions to them. The main difficulties lay in the three fields of finance, staff and equipment. His Delegation fully agreed with the need to set up a body to help countries overcome those difficulties, but considered it should not have multi-disciplinary responsibilities which would prevent it from functioning easily within the framework of national law. A number of bodies already provided assistance or credits in the field of telecommunications, but unfortunately the total volume of such contributions was declining. That was due to various factors: the increasing number of bilateral operations and, conversely, the decline in contributions to telecommunication development from multilateral organizations such as the World Bank and the Asian Development Bank; the excessively lengthy procedure for requesting and obtaining credits from international financial agencies; the conditions attached to loans, which were difficult for some countries to accept. Finally, unless a telecommunication industry could be promoted in countries where the demand for services was really high, it would not be possible to fill the gaps in that field. None of the countries concerned could yet do without imports in that area. Although the action so far undertaken by the ITU was very important, there was a need for collaboration in strengthening technical assistance and cooperation for the benefit of developing countries.

3.4 The delegate of Colombia, supporting the delegate of Senegal, said that she would find it difficult to accept a proposal with the aims and scope of the one on WORLDTEL in Document 99.

3.5 The delegate of Ethiopia drew the Committee's attention to two points: since the question of the Centre for Telecommunications Development was at present being considered by Committee 7, it would be preferable to leave the matter until later; with regard to Document 99, as most delegations had pointed out, one of the most important problems highlighted by the Independent Commission was the lack of finance for telecommunication projects. The telecommunication field was not being supported as it deserved to be. In the very interesting document it was proposed that a study should be made to determine whether it would be a good idea to set up a body to promote balanced telecommunication development. He saw no reason why such a viability study should not be made, particularly since it would not have any budgetary implications for the ITU. UNDP for its part had expressed interest in such an innovative approach.

3.6 The delegate of the Netherlands, referring to the statement by the delegate of Mexico, stressed her country's interest in world-wide development and drew attention to the scale of the various contributions it made through UNDP, under bilateral arrangements, under the Lomé agreements and through the private sector. Her Delegation supported the position taken by Senegal on the need to fix priorities at the national level. She agreed with the idea of setting up an independent organ for technical cooperation in the Union, on condition that its status, operating costs and staffing requirements were carefully considered. The Technical Cooperation Department should from now on start operating more independently of the General Secretariat under the responsibility of the Secretary-General. The CTD, whose activities the Netherlands had always supported, although it had not yet come up to expectation, could play the part of an autonomous organ and continue to operate independently of the ITU. Her Delegation was against merging the CTD and the Technical Cooperation Department and wished to reaffirm the principle of voluntary financing for the Centre. On the question of establishing WORLDTEL, she considered that the various issues relating to the investment necessary were outside the ITU's field. Any country was free to consider proposals on the subject, but should do so quite independently of the Union.

3.7 The delegate of the Ukraine pointed out that the Union was not a profit-making organization and, as other delegations had said, should not undertake commercial operations. The new organ that was envisaged should concentrate on collecting information, particularly for the developing countries. The ITU and the new organ could have access to common advisory services, but should remain separate. If the aid given in that field was to be effective, it should be channelled first and foremost to the least developed countries. The terms of reference of the new organ would have to be clearly defined, and the resources necessary to finance it would have to be found and put to the best possible use. All those questions needed to be thoroughly studied beforehand.

3.8 The delegate of Nigeria said he had a feeling that the concepts of technical cooperation and technical assistance were not really clear. Delegates should not lose sight of the essential element, which was the ITU's responsibility as a coordinating body and as the United Nations specialized agency for telecommunication development. That role should not be confused with the role played by voluntary agencies or by bilateral and multilateral agreements based on world trade practices. The principle of establishing an organ for technical cooperation had won approval. It now had to be integrated into the ITU Constitution at the present Conference, its functions had to be clearly defined and it had to be allocated the necessary budget resources. His Delegation recommended setting up a Working Group to draft a Resolution to that effect.

3.9 The delegate of Venezuela said he fully agreed with the statement made by Senegal the previous day on the proposal in Document 99 concerning WORLDTEL. He could not support the document, however, for considerations of national sovereignty.

3.10 The delegate of Kuwait thanked the delegations which had supported Document 99. The Secretary-General should make arrangements for such a study to be made and for a conference to be organized to consider its conclusions.

3.11 The delegate of Kenya, like the delegate of Senegal, considered that there was adequate financing to be had in the market, but that the availability of funds depended on the particular structures set up by each country in the telecommunication field. By their very nature, certain structures attracted investment very easily. The questions of structures had been considered in the "Missing Link" Report, which recommended Governments to consider how the telecommunication sector should be organized. The priority given by each Government to the telecommunication industry helped to attract credit from the commercial sector or donors. Kenya, for its part, had come to prefer bilateral financial arrangements, which had been offered to it on very favourable terms.

3.12 The delegate of Greece observed that in his Delegation's Document 98 it had proposed an expansion of technical cooperation activities. It had avoided making precise proposals, which should normally come from the Conference. The establishment of the new organ was a relevant decision, but he wondered whether the Committee should spend a great deal of time on questions of functions, responsibilities, budgets and priorities. It would be preferable for a Working Group to be given the task of preparing a document to be considered by the Committee and then by the Plenary Meeting. As far as the Centre and WORLDTEL were concerned, his Delegation's position on the first was that it should remain independent, but on the second it had some doubts.

3.13 The delegate of the United Kingdom supported the comments by the delegate of the Netherlands. There seemed to be a general trend in favour of promoting development among all the "actors" involved. The ITU, however, was only one of those actors. It was important to make a clear distinction between the ITU's role and that of the new development organ. As for the Centre, its terms of reference were quite distinct from

those of the Technical Cooperation Department. It should remain independent and outside the ITU. As to WORLDTEL, it should also be independent and outside the ITU. There was much to be said for proceeding with caution in order to be sure of following the right course, for the benefit of the developing countries.

3.14 The Deputy Secretary-General pointed out, first of all, that item 5 of the agenda ought to be considered first, particularly the report of the Executive Secretary of the Centre, in view of all the inter-relations between the Centre and the Technical Cooperation Department, if only to do justice to each of them. On WORLDTEL, the Committee could take a decision quickly. So far, the Secretary-General had confined himself to responding to the Independent Commission's Recommendation 37 in its report "The Missing Link". It was well understood that WORLDTEL would have to be completely separate and be set up outside the ITU. All that was being asked was that the Committee should approve the viability study for submission to a conference which would consider the results. He invited the Chairman to give the floor to the Senior Counsellor for Special Tasks, who would provide further details.

3.15 The Senior Counsellor (Special Tasks), referring to the comments by the delegate of Senegal on WORLDTEL, said that further study was needed on the idea of setting up such an organization. At all events, it was quite clear that the Union could not become involved in investment activity and that any organ set up for that purpose could only carry on its business outside the ITU. It would be for the Plenary Meeting to authorize the Union to help finance a viability study on WORLDTEL. UNDP had indicated that it would be interested in considering financing such a study if it was asked to do so by the Plenipotentiary Conference.

3.16 The Chairman wondered whether, given that the Union would not have to pay for the further study on WORLDTEL, the Committee would be ready to request the Secretary-General to make further approaches to UNDP. If so, delegates might consider that they had had enough discussion on the subject and could go on to other items.

3.17 The delegate of the United States, supported by the delegate of the United Kingdom, said that WORLDTEL would be an organization completely independent of the Union and that any conference on the subject would be outside the ITU's field of activity. There seemed to be a certain inconsistency with the fact that the study would be entrusted to the ITU.

3.18 The delegate of France said that before any decision was taken on WORLDTEL, it would be desirable to consider the question of technical cooperation in a global perspective. It seemed to him that for the time being, any proposal on WORLDTEL would be premature, and he could not therefore accept the Chairman's proposal.

3.19 The delegate of Pakistan agreed with the Senior Counsellor (Special Tasks) and saw no reason why a viability study on WORLDTEL should not be undertaken through the ITU.

3.20 The Deputy Secretary-General said that while WORLDTEL raised a legal problem, the suggested procedure for its possible establishment had already been used by the International Maritime Organization (IMO) in setting-up INMARSAT.

3.21 The delegate of Syria observed that the ITU must above all keep its status as an international organization. Technical cooperation in telecommunications and aid to developing countries in that field should continue to rank among its main objectives. It should not be forgotten that the developing countries together contributed 24% of the Union's overall budget. It was thus essential that technical cooperation should remain the Union's most important field of activity.

3.22 The delegate of Chile reserved the right to speak on the CTD later. As far as WORLDTEL was concerned, he had doubts about its effectiveness for the developing countries, in the light of his own experience, but was not opposed to the study.

3.23 The delegate of Australia said he supported technical cooperation activities. On the question of WORLDTEL, the ITU might be thought to be most experienced in the field of technical cooperation; investment promotion was quite a different matter and should not come within the ITU's purview.

3.24 The delegate of Norway agreed with the views expressed by the delegate of the Netherlands. The decision to set up a new organ seemed to him an excellent one, but the CTD should for the time being retain independent status.

3.25 The delegate of the USSR considered that in the field of telecommunications the appearance of new technology should not, in some cases, mean abandoning older systems which might still render good service to many countries. The role of the technical cooperation organ recently set up in the Union should not be of any less importance than that of the Consultative Committees and the IFRB. He reminded members of the nature of the functions of the Union, which ought to serve as a catalyst of technical cooperation activities in the telecommunication field. The CTD should continue its work independently of the new organ. After considering Document 99, his Delegation was of the opinion that the Union should not be involved in WORLDTEL.

3.26 The delegate of India pointed out that Document 99 merely suggested that a study should be undertaken with the financial participation of UNDP. It was a study that ought to be made, in order to promote telecommunication development.

3.27 The delegate of the United States, referring to the conclusions and recommendations in Document 99, said that if WORLDTEL was not set up, telecommunication development would not suffer. He was against the proposed viability study. The World Bank was active in the investment field and at the Tunis Conference had drawn attention to the fact that it had not received enough requests for financing.

3.28 The delegate of Japan considered that before discussing the question of WORLDTEL, it would be as well to take a wider view of the problem. There were already specialized bodies in the financing field, and also bilateral sources. It was difficult to see how WORLDTEL could fit in with those existing institutions. All in all, if WORLDTEL was independent of the Union, if it was to be an organization of a commercial type, the study relating to it should be undertaken outside the ITU. On the other hand, the roles of the new technical cooperation organ just set up and of the Centre should be studied in detail.

3.29 The delegate of Mexico thought that the conclusions in Document 99 and the remedies proposed in order to redress the balance in the world were outside the ITU's field. For that reason, if WORLDTEL was to be set up, it would have to be set up outside the Union. The problem of unequal development could be overcome either through solidarity between Members of the Union, or through strictly commercial activity. His Delegation would like the Union to evaluate the technical assistance options, the commercial options and questions relating to purchases and sales of equipment and services for the benefit of network development. The General Secretariat should concentrate on the Technical Cooperation Department as it existed and on the Centre as a separate entity.

3.30 The delegate of Tanzania said that the very idea of WORLDTEL had seen the light of day at the Nairobi Plenipotentiary Conference, which, in its Resolution No. 20, had recommended that the Secretary-General should study a "proposal for establishing in the longer term an organization to coordinate the development of telecommunications

world-wide". It seemed to him that the comments made during the debate were prejudging the results of that study. Perhaps it would be a good idea to seek other ways of obtaining assistance for cooperation. Before any final decision was taken, however, the proposed study should first be carried out.

3.31 The delegate of Zambia said that his country enjoyed telecommunication assistance from different sources - various countries, ITU, UNDP - but that it had not forgotten the goals set by the Independent Commission, which had found their most notable expression in the establishment of a cooperation organ, which ought to enjoy wide opportunities for action. Since the Nairobi Plenipotentiary Conference, the number of least developed countries had risen from 31 to 42, and hence the resources available to them were more limited than before. In the field of telecommunication development, the organ just set up ought to operate like the other organs of the Union and have its own Director; on that point he supported the delegate of Greece. Committee 4 would have to determine the financial implications of such a decision.

3.32 The Chairman observed that no consensus had emerged during the debate on Document 99. The matter would have to be recorded in the summary record and referred to the Plenary Meeting for decision, due account being taken of the legal aspect.

3.33 The delegate of Cameroon, speaking on a point of order, requested that delegates who had not yet been able to express their point of view should be given a chance to do so before the end of the meeting. He for his part, considered that the Secretary-General should be authorized to proceed with the proposed study.

3.34 The delegate of Peru was of the opinion that the Secretary-General should be authorized to go ahead with the study on WORLDTEL. The delegate of Costa Rica had no objection to the idea of a viability study on WORLDTEL. However, the Union should not use resources for that purpose which could be used for other activities.

3.35 The Chairman repeated his conclusion that the Committee should not take a decision on the question of a viability study on WORLDTEL. The matter would be referred to the Plenary Meeting for it to decide.

The meeting rose at 1800 hours.

The Secretary:

A. EMBEDOKLIS

The Chairman:

H. VIGNON

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 285-E

20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

FOURTEENTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Tuesday, 13 June 1989, at 0940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

1. Approval of the agenda
2. The choice of options concerning the
International Consultative Committees (continued)

1. Approval of the agenda

1.1 The Chairman said that, following a series of requests from several delegations, he believed it necessary to modify the agenda to make its first item the choice of options concerning the CCIs discussed at the Committee's previous meeting.

1.2 The delegate of Colombia suggested that the discussion of the Chairman's summary of the debate on the structure of the Union in Document DL/15 should also be given priority on the agenda, as had been understood when it was suspended at the previous meeting.

1.3 The delegate of Ethiopia supported that suggestion, but agreed with the Chairman that consideration of the choice of options concerning the CCIs should be taken first.

1.4 The delegates of the United States and Sweden expressed reservations about the proposals to revise the agenda.

1.5 The delegates of Lebanon, Indonesia and Pakistan supported those proposals and the delegate of Kuwait asked when his Administration's proposal KWT/11/4 to provide a third specialist CCI for space telecommunication would be considered.

1.6 The delegate of India also endorsed the proposed revision of the agenda and said that Kuwait's point was directly relevant to the discussion about the election of CCI Directors. Such important proposals ought to be discussed before decisions were taken on the options concerning the CCIs.

1.7 The Chairman said that if he heard no objection he would take it that the Committee wished to approve the agenda as amended.

It was so decided.

2. The choice of options concerning the International Consultative Committees
(continued)

2.1 The delegate of Algeria said that he wished to record his delegation's concern at the procedure followed at the Committee's previous meeting, when discussion of the choice of options concerning the CCIs had been suspended. Changing an approved agenda as a result of interventions by delegates was prejudicial to the work of the Committee and a precedent that he hoped would not be repeated.

2.2 The Chairman said that he would bear in mind the procedural points made by the delegate of Algeria and others. His only wish was to facilitate discussions, so that the Committee could take decisions on the matters entrusted to it.

2.3 The delegate of Ethiopia said that he would like to assist the Chairman in his difficult and complicated task. At the previous meeting of the Committee, one third of the speakers had favoured a merger of the two CCIs and a majority of the other two thirds had agreed with their amalgamation after a careful study of the problem by an independent body. But the Chairman's oral summary of the discussion had not reflected its true sense in that respect. Moreover, the question of the time limit for carrying out the study of the problem had not been considered. His delegation would therefore find it difficult to approve the Chairman's oral summary. He wanted the summary produced as a document and time to consider it before the matter was taken any further. Meanwhile he reserved his right to revert to the subject on any points that arose in subsequent discussion.

2.4 The delegate of India supported the remarks made by the previous speaker and expressed disappointment that the Chairman had not yet produced his summary of the discussion in documentary form.

2.5 The Chairman said that it seemed extraordinarily difficult to strike a balance between the differing viewpoints in the Committee and that his efforts to do so had involved him in angry scenes. When he summarized a discussion orally, he was asked to produce a summary in writing. And when he did so, the Committee approached the document as if it were a Drafting Group. His actions varied because one side or another protested whichever direction he proposed to take. He understood that delegations had differing interests, but appealed to all of them to cooperate in seeking to find common ground on the items before the Committee.

2.6 The delegate of Saudi Arabia endorsed the remarks made by the delegate of Algeria about the procedure followed at the Committee's previous meeting. The unity of the Union was more important than the matter of the forthcoming elections to the permanent organs, which could afford to wait. Agreement had not yet been reached on the summary of the debate on the structure of the Union produced by the Chairman in Document DL/15. Saudi Arabia recognized that development was important, but so were the CCIs, the IFRB and the General Secretariat. A global decision was required on the whole structure of the ITU and Kuwait's proposal for a third CCI for space telecommunication must not be left out of consideration.

2.7 The delegate of Mali, expressed concern where the Committee was heading. He wondered whether it had reached any specific decisions.

2.8 The Chairman said that specific decisions had been produced. In the light of the discussions, the general direction of the Committee's conclusions was clear. There had been a consensus on the creation of a permanent organ for development and considerable headway had been made on the General Secretariat and the CCIs. He therefore hoped that the Committee was approaching a number of major decisions. But in view of the morning's discussion, he still needed the Committee's guidance on certain matters. The first was the question of whether a third CCI should be established, when the decision should be taken, and what the impact of a positive decision would be on the forthcoming election process. Secondly, there was the question of whether he had reflected the Committee's discussion accurately in his oral summary, on which he recalled his statement that a significant number of delegates had spoken in favour of merging the CCIs or their specialized secretariats either immediately or after due consideration. Then there was the question of the divergence between the terms of office of CCI Directors and the study periods of the CCIs. Such matters still remained open.

2.9 The delegate of Kenya said that he understood the difficulty of the Chairman's position. The main reason for changing the agenda at the previous meeting of the Committee had been to enable it to take a position on the question of the CCIs in time for the election of their Directors due on 16 June. He also appreciated the concerns that had been expressed about the position of the new permanent organ for development, but there would be an opportunity to discuss that problem later.

2.10 The delegate of the USSR, endorsing the remarks made by the previous speaker, said that the Chairman could announce the Committee's decisions concerning the two CCIs at the thirteenth Plenary Meeting. But the Committee seemed to have gone back to the beginning of the discussions at its previous meeting, some of the results of which his Delegation liked as little as other delegations did. The results of those discussions showed that the majority of members of the Committee were in favour of retaining the two CCIs and their two Directors for the time being. All were agreed on the need for studies to help decide what ought to be done thereafter. Such responsible decisions should not be taken lightly. The Chairman should therefore sum up the discussion of the previous meeting, after which the Committee could come to an agreement.

2.11 The Chairman said that the delegate of Kenya's remarks were quite correct, but he wondered what could be said to the Plenary Meeting about the CCIs and their Directors in the absence of any decision on the proposal of Kuwait for a third CCI.

2.12 The delegate of Indonesia said that the Committee was in the serious position of having no consensus or decisions to report to the Plenary Meeting on the various options concerning the CCIs. He proposed that the Chairman's oral summary of the discussions be adopted without amendment.

2.13 The delegate of the United States said that, after a full and open debate, it was clear that the sense of the Committee's previous meeting was that there should be elections for two Directors of two CCIs with their own separate specialized secretariats. He endorsed the comments made by the delegates of Kenya and the USSR and suggested that recommendations be made to the Plenary Meeting in the sense which he had indicated.

2.14 The Chairman pointed out that the delegate of Ethiopia, supported by the delegate of India, had asked for a documentary version of his summary of the Committee's discussions before approving it. He hoped to produce a text in time to revert to the subject at the next meeting of the Committee. Meanwhile, he was unable to report to the Plenary Meeting in view of the exchange of opinions which had just taken place.

The meeting rose at 1035 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 286-E
27 June 1989
Original: English/
French

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 8

Replace section 2.21, fourth line, by the following text:

"would read: 'to foster, where appropriate, diversity of operation and innovation in ...'"

Replace section 2.34 by the following text:

"The delegate of Greece said that since the ITU was an international forum there was no need to add the phrase in question to Article 4, thereby making the text clumsy."

Replace section 2.63, third line, by the following text:

"Provision 15 was thus adopted without change."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 286-E

20 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Tuesday, 13 June 1989, at 0935 hrs and at 1440 hrs

Chairman: Mr. M.F. DANDATO (Zimbabwe)

Subjects discussed:

1. Article 14 of the Draft Convention
2. Article 4 of the Draft Constitution

Documents

Document B, DT/10,
DL/17

Document A, DT/40,
DL/18, DL/19

1. Article 14 of the Draft Convention (Document B, DT/10, DL/17)

No. 173A

The Committee approved the following text submitted by the United States:
(DL/17)

"173A Each proposal received from a [Member] shall be annotated by the Secretary-General to indicate its origin by means of the ITU established country symbol. Where a proposal is made jointly by more than one [Member], the proposal shall, to the extent practicable, be annotated with the symbol of each [Member]."

1.1 The Chairman said that the text would now be submitted to the Editorial Committee which would deal with the square brackets.

Nos. 175, 175A and 175B (Document DT/10)

1.2 The delegate of the United States, introducing his Administration's proposals, said that they had been put forward to clarify existing practice: No. 175 was to clarify who could submit proposals to administrative conferences, No. 175A was to clarify how reports were to be treated, while No. 175B was to clarify the intent of No. 174 and conform to actual practice.

No. 175, having been supported by the delegates of Argentina, Japan and Mexico, was approved.

No. 175A was approved.

No. 175B

1.3 The delegate of Czechoslovakia queried the use of the word "practicable"; the delegate of the United States, replied it indicated both possibility and capability. On receipt of a proposal submitted after the time limit, the Secretary-General would send it out as soon as he was capable of doing so, within the administrative time available.

1.4 The delegate of Czechoslovakia said that while he would have preferred "as soon as possible" he would not insist on that expression.

No. 175B was thus approved.

It was agreed that the Spanish text would be aligned with the English with regard to the phrase "as soon as practicable".

2. Article 4 of the Draft Constitution (Document A, DT/40, DL/18, DL/19)

2.1 The Chairman, drew attention to the list of proposals for Article 4 contained in Document DT/40 and invited the delegates of the submitting administrations to introduce them.

CHL/18/1

2.2 The delegate of Chile, introducing the proposal, said that it was intended to amplify the reference to international cooperation to give permanent validity to the aims embodied in Resolution No. 24 approved at the Nairobi Plenipotentiary Conference.

The proposal was not supported.

CAN/72/3

2.3 The delegate of Canada said that the above proposal was intended to reflect the "Spirit of Melbourne" by emphasizing the particular role of the ITU in providing the principal forum for maintaining and extending international cooperation.

2.4 The delegate of Norway supported the Canadian proposal.

CLM/157/1

2.5 The delegate of Colombia, introducing the proposal, said that it was intended to amplify one of the goals of the ITU, namely the development of telecommunications projects designed to meet social objectives rather than projects determined for their immediate profitability. The United Nations had also recognized and highlighted the importance of such projects, which a number of countries were now developing.

The proposal was not supported.

SIM/17/6

The proposal by the Solomon Islands was not supported.

2.6 The Chairman having invited discussion on proposal CAN/72/3, the only one which had received support, the delegate of the United Kingdom said that while he did not disagree with the sentiments expressed in the proposal, he did question whether it was realistic for an organization to take it upon itself to decide that it was the principal forum for a particular field of activity.

2.7 The delegate of Argentina said that Document 115 submitted by his Administration contained proposals for No. 14A, which inadvertently had been omitted from the proposals submitted to Committee 8, although the document itself had been assigned to several other Committees.

It was agreed that it would be appropriate to consider Argentina's proposal ARG/115/6 in Committee 8.

2.8 The delegate of Morocco, speaking on a point of order, said that he was not opposed to the proposal by Argentina but that he needed time to consider it, since the document was neither on the agenda nor in DT/40. He was supported by the delegate of Senegal.

2.9 The Chairman said that he was merely seeking support for discussion of the matter and invited the delegate of Argentina to introduce his proposal.

2.10 The delegate of Argentina said that proposal ARG/115/6 was based on an assessment of the decisions taken at the CCITT Plenary Assembly in Melbourne and was intended to highlight two of the purposes of the Union, world-wide standardization of telecommunications and a satisfactory quality of service.

2.11 The Chairman suggested that discussion on the proposal by Argentina be postponed until the afternoon meeting. Noting that the delegates of Niger, Zimbabwe, Senegal, France and Algeria had requested to speak on the proposal by Canada, he invited the meeting to move on to provision No. 15.

No. 15

- 2.12 The delegate of the United States, recalling the statement made by the Head of his Delegation at the Plenary Meeting, introduced proposal USA/96/1 on No. 15A of Article 4. Diversity and innovation were the keys to bridging the gap between the developing and industrialized countries and would facilitate the transition of all Members into the "information age". He drew the attention of the meeting to a similar proposal by the USSR in Corr.1 to Add.2 to Document 16 and proposed that the two proposals be considered jointly.
- 2.13 The delegate of New Zealand supported the addition proposed by the United States.
- 2.14 The delegate of the USSR concurred with that suggestion and added that the provision should be inserted in the appropriate place in Article 4.
- 2.15 The delegates of Colombia, Zimbabwe, Kenya, Niger and Mali supported the proposal by Brazil to maintain Nos. 13 to 15 without change, with the delegate of Niger speaking in favour of harmonization rather than diversity.
- 2.16 The delegate of Mexico, sympathizing with the text proposed by the United States and in view of the USSR proposal, asked whether a joint revised text was to be prepared.
- 2.17 The delegate of the United States said that the wording of the United States proposal could be incorporated into the proposal by the USSR. The delegate of the USSR agreed to that procedure.
- 2.18 The delegate of Algeria, although not opposed to the proposals by the United States and the USSR, preferred using No. 15 b) as a basis because it was more explicit.
- 2.19 The delegate of Senegal, appreciating the aim of the proposal by the United States said that if it were to be discussed jointly and merged with that of the USSR, they should also be integrated into the existing No. 15 b) so as not to create a new concept which could lead to misunderstanding.
- 2.20 The delegate of Japan preferred a text similar to that proposed by the USSR and its reference to "a global information fabric" since the term "diversity" was contradictory to "interconnectivity" and "interoperability".
- 2.21 The delegate of Indonesia, appreciating the thrust of the proposals by the United States and the USSR and recognising the concerns of the delegates of Niger and Japan, proposed an amendment to the proposal by the United States so that the text would read: "to foster, where appropriate, diversity of cooperation and innovation in telecommunication, while ensuring interoperability and interconnectivity;"
- 2.22 The Chairman invited the delegates of the United States and the USSR to prepare a revised version of No. 15A so that it could be discussed together with the Brazilian proposal for no change that afternoon.
- 2.23 The delegate of Mexico observed that consideration of the proposals of the United States and the USSR should also take into account the comments from the floor.
- 2.24 The delegate of Kenya, supported by the delegate of Kuwait, said it was appropriate for the delegate of Indonesia to be included in the discussion.

2.25 The delegate of Argentina said that an amalgamation of the proposals by the United States, the USSR and Indonesia was in the same vein as proposal ARG/115/7 which need not be introduced should the former solution be adopted.

2.26 The Chairman invited the three delegates concerned to return with a harmonized text of their proposals.

The meeting rose at 1050 hours and resumed at 1440 hours.

2.27 The Chairman put to the meeting the Canadian proposal CAN/72/3 for the amendment of No. 14 a), which had received considerable support earlier.

2.28 The delegate of Niger said the Canadian proposal was intended to take account of the Spirit of Melbourne, but he thought the way in which it was drafted diluted its purpose and he would prefer no change.

2.29 The delegate of Senegal said he did not think that much support had been expressed for the Canadian proposal and he himself preferred the existing formulation. If the Canadian proposal were to be approved, it should be placed elsewhere since it was not a main purpose of the Union but merely one of the tools by which those purposes could be achieved.

2.30 The delegate of France said that although he sympathized with the idea behind the Canadian proposal, he did not believe it should be included as one of the main purposes of the Union and he could not therefore support it.

2.31 The delegate of Algeria said that he also saw some merit in the Canadian proposal, but he did not consider "international forum" to be the most apposite expression to use. He would prefer to keep the original wording and possibly to add some words at the end of 14 a) referring to research and dissemination of information.

2.32 The delegate of Mali said he could not support the Canadian proposal in its present form.

2.33 The delegate of Chile said that the Canadian proposal was of value, and the idea behind it should be retained, while seeking a different drafting and location for it.

2.34 The delegate of Greece said that since the ITU was an international forum there was no need to add the phrase in Article 4, the text of which would be thereby weakened.

2.35 The Chairman said that the consensus of the meeting appeared to be to retain the existing text of 14 a), as in Document A. However, some delegates had said that they would like the principle of the Canadian amendment to be reflected elsewhere in the Constitution. He asked whether the Canadian delegate insists on maintaining his proposal for MOD 14 a).

2.36 The delegate of Canada said that he would not insist on his proposal. However, if any delegation could suggest a more appropriate place in the Constitution where the proposal could be inserted, he would be grateful. If not, his Delegation would withdraw the proposal.

2.37 After further discussion, in which the delegates of Morocco, Paraguay, the Netherlands, Algeria, Saudi Arabia, Zambia and Kenya took part, and during which the delegate of the Islamic Republic of Iran suggested that possibly the best place for

the Canadian proposal would be in Annex 3, Article 1, dealing with the agreement between the United Nations and the ITU, which was being discussed by Committee 9,

No. 14 a) was approved without change as in Document A.

2.38 In summarizing the Chairman said that the Committee did not support the reference of the Canadian proposal to Committee 9 as a Committee 8 decision, but if it so desired, the Canadian Delegation might raise the matter either in Committee 9 or in Plenary.

Proposal ARG/115/6 (resumed)

2.39 The Chairman invited the Committee to resume consideration of the Argentine proposal ARG/115/6, which had been introduced earlier and now reproduced in DL/18.

2.40 Support for the Argentine proposal was expressed by the delegates of Spain, Algeria, Colombia, Paraguay and Venezuela.

2.41 The delegate of Morocco, while agreeing with the importance of standardization, felt that including a reference to it in No. 14 would dilute the sense of the provision, which was intended to promote cooperation and technical assistance. Standardization was a complex technical matter and perhaps should not be referred to specifically in what was a fundamental legal instrument; it was, moreover, included in the scope of the provisions of No. 24.

2.42 The delegate of Argentina, responding to a suggestion from the delegate of Finland, said he had no objection to inserting the essence of his proposal, namely the need for world-wide standardization and a satisfactory quality of service, in the second paragraph of Article 4, somewhere between Nos. 17 and 24.

2.43 That placing of the Argentine proposal was endorsed by the delegates of the USSR, Colombia, Paraguay and Japan.

2.44 It was also supported by the delegate of the United Kingdom, who, supported by the delegate of the Federal Republic of Germany, pointed out that it was inappropriate to single out standardization in the first paragraph of Article 4, which spelled out the basic principles of the Union and was one of the most fundamental statements in the draft Constitution; standardization was in fact only one of a very broad range of activities involved in fulfilling the basic purposes of the Union.

2.45 The delegate of the USSR, supported by the delegates of the Federal Republic of Germany and the United States, suggested that the Argentine proposal could perhaps be combined with No. 21 by inserting the word "and standardization" after "harmonization".

2.46 The delegate of France considered that that suggestion would dilute the force of the Argentine proposal. Most if not all delegates, in their statements on the basic principles of the Union, had included standardization as one of those basic principles along with cooperation, development assistance and regulation. With the support of the delegates of Venezuela, Austria, Indonesia, Saudi Arabia, Greece, China and Chile, he was of the opinion that the Argentine proposal should figure as a separate clause in the second paragraph of Article 4.

2.47 The delegate of Japan proposed that the Argentine proposal, with the following wording:

"to facilitate the world-wide standardization of telecommunications, with a satisfactory quality of service;"

should be inserted as No. 19A. That was a logical place since the preceding provisions (Nos. 18 and 19) dealt with regulatory matters and the following provision (No. 20) dealt with international cooperation.

2.48 The delegates of Mexico and Greece considered that it might be advisable to establish a Drafting Group to prepare a written text reflecting the outcome of the discussion for the consideration of the Committee.

2.49 The delegate of Argentina said he would accept the text and positioning proposed by Japan.

On that understanding, the Argentine proposal, as amended by Japan, was approved.

2.50 The delegate of Greece, supported by the delegate of Colombia, considering that regulation, standardization and development were the three major principles and objectives of the Union, said that the reference to standardization should, on reflection, perhaps more properly appear in the first paragraph of Article 4; as suggested earlier a Drafting Group should perhaps be set up to consider the text in the light of those implications.

2.51 The delegate of Argentina said he would abide by the decision of the Committee on the point.

2.52 The Chairman, supported by the delegates of the United Kingdom, Chile, Sweden, Qatar, United States and Japan, ruled that the Committee had already reached a decision on the Argentine proposal; the discussion should therefore not be reopened.

It was so decided.

No. 15A

2.53 The Chairman having invited the meeting to resume consideration of No. 15, the delegate of the USSR said that his Delegation's original proposal (URS/16/20), designed to include in the idea of the need for diversity and innovation in telecommunications, in Article 4 of the Constitution, reflected Resolution PL/4 of the WATTC-88 and the report of the Advisory Group on Telecommunication Policy entitled "The Changing Telecommunication Environment". In accordance with the suggestion of the Committee at the previous meeting, his Delegation, together with those of Indonesia and the United States, had prepared a text (DL/19) amalgamating the original Soviet proposal with the United States proposal (USA/96/1) and an oral amendment submitted by Indonesia.

2.54 The Chairman invited consideration of the proposal in DL/19 as well as the Brazilian proposal for no change.

2.55 The delegate of Chile supported the proposal in DL/19 which would enable the Union to look ahead. The delegate of Japan also supported the proposal, the language of which he considered well-balanced.

2.56 The delegate of Senegal considered the amalgamated text unsatisfactory. It contained ambiguous words like "diversity" and did not foster the idea of helping the developing countries to catch up in a rapidly changing telecommunications environment. The delegate of Zimbabwe also found the proposal confusing and preferred the Brazilian proposal for no change.

2.57 The delegate of Sweden opposed the proposal since it duplicated existing provisions in the Constitution, which was an instrument that should be kept as simple as possible. The delegate of Kenya, supported by the delegates of Colombia and Brazil endorsed that view. Moreover in the absence of definitions the words "interconnectivity" and "interoperability" might be dangerously restrictive.

2.58 The delegate of Algeria proposed to amend the proposal to read "to promote the development of telecommunications by any technical means ...".

2.59 The delegate of the United States said he could not support that amendment which would change the meaning of the text. Only with diversity, which applied inter alia to services, capabilities, systems and techniques could the developed and the developing countries utilize telecommunications to the full while ensuring, in accordance with Resolution PL/6 of WATTC-88, the continued availability of traditional services. It should be a basic purpose of the ITU to help the transition of both developed and developing countries into the information age.

He agreed that the words "interconnectivity" and "interoperability" were too technical and should be deleted.

2.60 The delegate of Indonesia explained that the proposal he had made earlier was to accommodate the concern of the representatives of Japan and Niger that new telecommunications facilities should be capable of operating with existing systems.

2.61 The delegates of Saudi Arabia, Switzerland, Greece, Mali, Venezuela, Morocco and Qatar were in favour of no change.

2.62 The delegate of Turkey proposed as a compromise that the text of DL/19 be included in No. 16A but after discussion, withdrew that proposal.

2.63 The Chairman said that the discussion had shown that the general consensus of the Committee was against adoption of the amendment to 15A as in DL/19.

Provision 15A was thus adopted without change.

It was so decided.

The meeting rose at 1730 hours.

The Secretary:

D. SCHUSTER

The Chairman:

M.F. DANDATO

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 287-E

13 June 1989

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COMMITTEE 4

Report of Working Group 4-A to Committee 4

ITU PUBLICATION POLICY

IFRB WEEKLY CIRCULARS

Attached is the report of the Working Group prepared in the form of a draft report from Committee 4 to the the Plenary Meeting.

Pierre GAGNE
Vice-Chairman
Committee 4

REPORT OF COMMITTEE 4 (FINANCE)
TO THE PLENARY MEETING

1. Introduction. The Committee considered Document 24, a contribution by the Secretary-General, on the ITU Publication Policy, and Document 47, Report of the Administrative Council to the Plenipotentiary Conference, specifically section 2.2.6.6(5) relating to the IFRB Weekly Circular.

DOCUMENT 24

2. At present, all costs and income relating to ITU publications are managed in a "Supplementary Publication Budget", which should ideally be self-balancing, as required under No. 625 of the Nairobi Convention. The sale prices of ITU publications are set by the Secretary-General in collaboration with the Administrative Council. During the last few years, the Supplementary Publication Budget has often produced a surplus and the Council has redistributed it for other purposes such as reducing the amount of the contributory unit.

3. In Document 24, the factors relevant to a revised publication policy are offered under six headings (A to F). These have been considered by Committee 4 with the following conclusions :

A. User Needs - Timely and Widespread Availability of Information

Accepted and agreed in principle.

B. Special needs of developing Countries

Recognized and agreed in principle.

C. Appropriate Costing and Pricing Practices

Accepted and agreed in principle, except as regards the proposal in paragraph 21 that the costs of master copies of publications be transferred to the Ordinary Budget. Furthermore, a correction is necessary in paragraph 26 to show that sale prices or subscription fees shall continue to be determined by the Secretary-General in collaboration with the Administrative Council (as in No. 625 of the Convention).

D. Budgetary considerations

Not accepted. The proposed transfer of certain costs from the Supplementary Publication Account to the Regular Budget, and which could amount to 5,631,000 Swiss francs in 1989, could result in a 5.5 % increase in the amount of the contributory unit adversely affecting all administrations without compensating advantages.

E. Secondary distribution

Agreed, but with added emphasis on the need for a dynamic marketing approach as a means of facilitating wide distribution of ITU publications at economic prices.

F. Copyright protection against unauthorized reproduction

Agreed.

4. ITU Publication Policy

- a) Policy objectives : agreed.
- b) Secondary Distribution : agreed.
- c) Budgeting

Not agreed. The Committee believes that the present practice of assembling all costs and income relating to ITU publications in a "Supplementary Publication Account" should be maintained, that this account should, as far as possible, continue to be self-balancing, that, in the event of there being a surplus in this account, this surplus should normally be maintained in the account as a means of reducing the prices of publications, and that the Plenipotentiary Conference should invite the Administrative Council to reflect this view in a revision of the Financial Regulations.

The Committee, while recognizing the need wherever possible to reduce costs, sees no value in transferring costs from the Supplementary Publication Account to the Regular Budget, the effect of which would in 1989 add nearly 6 % of the size of the contributory unit without compensatory advantages.

The Committee welcomes the proposal to increase the use of magnetic media, but recognizes and expresses concern that the costs of printed publications could rise as the demand for them fall due to the increased use of magnetic media. To prevent this from happening, with the added burden on developing countries who may prefer to receive printed publications, the Committee recommends that the pricing of publications on magnetic media be adjusted proportionately.

The Committee further recommends that the Secretary-General, in collaboration with the Administrative Council (No. 625 of the Convention), should adopt a responsible pricing policy to achieve this aim of stabilising the costs of printed publications. The Council will need to consider whether any special measures are required for implementation of the recommendation.

The Committee invites the Plenary Meeting to agree that a future WARC be requested to examine the requirements for "service documents" and other publications which are produced for the purposes of the radio regulations (including their content, format and periodicity).

d) Pricing

Agreed in principle, subject to the comments made above.

DOCUMENT 47

5. The Committee considered Section 2.2.6.6(5) of the Report of the Administrative Council relating to the IFRB Weekly Circular.

6. The Committee, against the background of the broader discussion of the ITU Publication Policy, concluded that :

- a) For reasons previously given, there should be no change from the present accounting method under which this publication is accounted for in the Supplementary Publication Accounts along with all other ITU publications.
- b) Every Administration must continue to receive one free copy of the IFRB Weekly Circular. Other copies must be paid for, and must, as far as possible, be priced so as to cover the costs of all free copies.
- c) If the demand for the Weekly Circular to be supplied on magnetic media was to reduce the demand for the printed version and thus increase its price, then the copies on magnetic media must be priced so as to maintain a realistic price for the printed version.
- d) The Plenipotentiary Conference should invite a future WARC to review the balance of advantages and disadvantages together with the financial implications of any change in the periodicity of issue of the IFRB Weekly Circular.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 288-E
15 June 1989
Original: English

COMMITTEE 4

Note by the Chairman of Committee 5
to the Chairman of Committee 4

DECISIONS HAVING FINANCIAL IMPLICATIONS

Further to your note in Document 193, the first decisions having annual financial implications adopted by Committee 5 were communicated to you in Document 235. In addition, after consideration of Documents 31, 32 and 87, Committee 5 has adopted the following decisions:

	<u>Item</u>	<u>Reference</u>
1.	Salaries of ITU Elected Officials	Doc. 31 and Res. COM5/4
2.	Actuarial Situation of the ITU Staff Superannuation and Benevolent Fund	Doc. 32 and Res. COM5/5
3.	Staff Requirements and Financial Ceilings	Doc. 87.

The Committee made the following comments with regard to section II:

a) **Transfer of credits**

approved subject to future programme of work;

b) **Re-establishment of the credits for frozen posts**

human resources are necessary and suitable provisions should be included in the ceilings to enable the Administrative Council to take appropriate action;

c) **Future evolution**

1% growth has not been approved but some growth provision (0.5% was suggested) was considered necessary and should be included in the ceilings. Committee 5 was unable to decide on this at this point in time.

With regard to human resources, informal discussions are still taking place which could result in a draft Resolution being submitted directly to the Plenary.

F. MOLINA NEGRO
Chairman of Committee 5

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 289-E

14 June 1989

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COMMITTEE 4

Liberia

CONTRIBUTION TO THE ITU BUDGET

During 1988, the Administration of the Republic of Liberia made a token payment to the International Telecommunication Union in the amount of eleven thousand four hundred and fifty dollars (\$11,450). That payment, along with the two others made in 1989, underscore our Administration's desire and commitment to honour its obligation to the Union. It should be further emphasized that our Government values the work of the International Telecommunication Union and is therefore in full support of its world-wide activities. This commitment is supported by the fact that, in spite of the very serious economic and financial difficulties prevailing in Liberia, our Administration has made sacrifices to enable it to make a contribution of fifty-five thousand six hundred and seventy five dollars (\$55,675) in 1989 alone. Although we are anxious to see all of our obligations settled, our current grave financial difficulties render this exercise difficult, if not impossible.

Under the circumstances, it is requested that the Republic of Liberia be treated in the same manner as other Members that have fallen in arrears with their contributions to the Union due to severe economic problems. The Republic of Liberia will undertake to settle unpaid contributions from 1978 until 1989 over a period of time to be agreed and will honour its obligations at the appropriate level of contribution on an annual basis. The sum to be transferred to the special arrears account should not incur interest and should not be taken into account for the application of No. 117 of the Convention.

It is against this background that we appeal to the Union through the Plenipotentiary Conference to grant our Administration special dispensation to enable us to fully participate in and vote on the important issues that are being discussed during this Conference.

PLENIPOTENTIARY CONFERENCE

Document 290-E
14 June 1989

NICE, 1989

B.4

PLENARY MEETING

FOURTH SERIES OF TEXTS SUBMITTED BY THE EDITORIAL COMMITTEE TO THE PLENARY MEETING

The following texts are submitted to the Plenary Meeting for first reading:

<u>Source</u>	<u>Document</u>	<u>Title</u>
COM.9	278	<u>Constitution</u> : Article 36 Article 37

M. THUE
Chairman of Committee 10

Annex: 2 pages

CHAPTER V

Final Provisions

ARTICLE 36

Instrument of the Union

- NOC
- NOC
- NOC 165 1. The Instruments of the Union are:
- this Constitution of the International Telecommunication Union,
 - the Convention of the International Telecommunication Union, and
 - the Administrative Regulations.
- NOC 166 2. This Constitution, the provisions of which are complemented by those of the Convention, is the basic instrument of the Union.
- MOD 167 3. The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Members:
- [- International Telecommunication Regulations]*
 - [- Telegraph Regulations]*
 - [- Telephone Regulations]
 - Radio Regulations.
- (MOD) 168 4. In the case of inconsistency between a provision of this Constitution and a provision of the Convention or of the Administrative Regulations, the Constitution shall prevail. In the case of inconsistency between a provision of the Convention and a provision of the Administrative Regulations, the Convention shall prevail.

* Subject to the outcome of Committee 9 considerations of Article 40.

Constitution
B.4/2

ARTICLE 37

NOC

Definitions

- | | | |
|-------|-----|--|
| NOC | 169 | Unless the context otherwise requires: |
| (MOD) | 170 | a) the terms used in this Constitution and defined in its Annex 1, which forms an integral part of this Constitution, shall have the meanings assigned to them in that Annex; |
| (MOD) | 171 | b) the terms - other than those defined in Annex 1 to this Constitution - used in the Convention and defined in Annex 1 thereto, which forms an integral part of the Convention, shall have the meanings assigned to them in that Annex; |
| NOC | 172 | c) other terms defined in the Administrative Regulations shall have the meanings therein assigned to them. |

PLENIPOTENTIARY CONFERENCE

NICE, 1989

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19 June 1989

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COMMITTEE 4

SUMMARY RECORD

OF THE

SIXTH MEETING OF COMMITTEE 4

(FINANCES OF THE UNION)

Wednesday, 14 June 1989, at 0940 hrs

Chairman: M. M. GHAZAL (Lebanon)

Subjects discussed:

Documents

- | | | |
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| 1. | Adoption of the agenda | C4/6 |
| 2. | Absorption of the shortfall in income on
Technical Cooperation special accounts -
draft Resolution | DT/43 |
| 3. | Report of Working Group 4-A on
"Publications policy" to Committee 4 | 287 |
| 4. | Recapitulation of proposals for the amendment
of the Constitution and the Convention | DT/25(Rev.1) |

1. Adoption of the agenda (Document C4/6)

1.1 The Chairman said that Document 161 should be deleted from item 4 of the agenda. The Secretary of the Committee added that the document, which had been allocated to Committee 4, actually came within the purview of Committee 7 and would be considered by the latter. It concerned Article 16 of the draft International Telecommunication Convention relating to the conditions of participation in the International Consultative Committees, and not Article 27 dealing with finance.

1.2 In reply to the delegate of the United Kingdom, who asked whether Document 161 would be resubmitted to Committee 4, the Secretary of the Committee said that after consultation with the Secretary of Committee 7 and in order to avoid the document being amended differently by the two Committees, it had been decided to leave it entirely with Committee 7.

The agenda, as amended, was adopted.

2. Absorption of the shortfall in income on Technical Cooperation special accounts - draft Resolution (Document DT/43)

2.1 The Vice-Chairman of the Committee, who had chaired the Working Group set up at the third meeting of the Committee to consider draft Resolution No. COM4/4 entitled "Absorption of Shortfall in Technical Cooperation Special Accounts, 1980-1989", introduced the draft Resolution, in which the Administrative Council was instructed to continue its endeavours to find ways and means of absorbing, within a reasonable space of time, the remaining shortfall in income, estimated at 4,200,000 Swiss francs.

2.2 The delegate of the United Kingdom suggested that the word "inclusive" be added after "1989" in the second line under "having noted".

Draft Resolution No. COM4/4, as amended, was approved.

3. Report of Working Group 4-A on "Publications policy" to Committee 4
(Document 287)

3.1 The Vice-Chairman, who had chaired Working Group 4-A, introduced the Group's report to the Committee, which took the form of a draft report by Committee 4 to the Plenary Meeting.

3.2 The Chairman suggested that the report be considered page by page.

Pages 2 and 3

Approved.

Page 4

3.3 The delegate of Columbia asked whether it was really essential for the periodicity of issue of the IFRB weekly circular to be decided by a world administrative radio conference. Could not any changes required be made by the Administrative Council?

3.4 The Secretary of the Committee observed that the periodicity of the IFRB weekly circular was laid down in the Radio Regulations, which could be amended only by a world administrative radio conference.

3.5 The delegate of the Netherlands, referring to paragraph 6 c), proposed that the word "realistic" on the last line of the English text be replaced by the word "reasonable". The delegate of the United Kingdom said he could accept that change.

Page 4, as amended, was approved.

The report of Committee 4 to the Plenary Meeting, as amended, was approved.

4. Recapitulation of proposals for the amendment of the Constitution and the Convention (Document DT/25(Rev.1))

4.1 The Chairman, introducing the proposals in Document DT/25(Rev.1) relating to Article 27 [79] (Finances) of Document B, suggested that the 20 to 40 unit classes should be discussed first.

4.2 The delegate of the USSR introduced his Administration's proposal to add five more unit classes between 20 and 30 units, in order to give the system more flexibility.

The delegate of the People's Republic of China introduced his Administration's proposal to add three unit classes between 20 and 35 units.

4.4 The delegate of Antigua and Barbuda, introduced the proposal by nine countries, including his own. The adoption of a broader range of classes of contributions in the upper part of the scale might encourage some countries to increase their contribution, thus benefiting the least developed countries for whom lower contributions might then be acceptable.

4.5 The delegate of Indonesia proposed, as the aim was to secure as much flexibility as possible, that there should be 40 classes of contribution (from 1 to 40 units).

4.6 The delegate of France pointed out that six Member countries contributed 30 units, two 18 units and seven 10 units. Perhaps an extra class could be added between 25 and 30 units and another between 30 and 35 units.

4.7 The delegate of the Federal Republic of Germany said that the scale drawn up at the Nairobi Plenipotentiary Conference was extremely well balanced and should be left as it was. He was supported by the delegates of Japan, the United Kingdom and Italy.

4.8 The delegate of Algeria supported the USSR's proposal relating to the 25 to 30 unit classes.

4.9 The delegate of Australia, referring to the question of voluntary contributions to the ITU, said that the existing system worked very well. In the ITU, payments in arrears were insignificant compared to those of other United Nations agencies. His Delegation was therefore in favour of keeping the Nairobi scale.

4.10 The delegate of the People's Republic of China agreed with the delegate of Australia that the system of voluntary contributions had yielded excellent results. However, Member countries should perhaps, be left a broader choice of contribution, so as to take account of their economic and financial conditions. If other countries wished to add extra classes of contribution, the Chinese Delegation would not object.

4.11 The delegate of Byelorussia agreed that the voluntary contribution principle had produced excellent results. With regard to the addition of new classes of contribution, the effect of maintaining the status quo would be that, if some countries were forced to lower their contribution as a result of financial difficulties, the reduction would be greater than just one or two units, with a consequent loss for the ITU.

4.12 The delegate of Greece considered that the insertion of some extra unit classes might encourage administrations to select a higher class and thus improve the ITU's income.

4.13 The Chairman, in the light of past experience at the Nairobi Plenipotentiary Conference, which had spent three or four days considering the scale of classes of contribution, expressed the view that it would be advisable to maintain the status quo, which appeared to be the solution preferred by most of the delegations which had spoken. That view was supported by the delegate of the United States.

4.14 The delegate of Argentina said that it would be pointless to multiply the number of classes above 20, since most ITU Members were in the 10-unit class or below.

4.15 The delegate of Switzerland said that administrations wishing to change their contributions generally opted for an increase or decrease of at least 20%. A rapid calculation showed that the alternatives offered by the Nairobi scale were perfectly logical. Accordingly, he too agreed with the Chairman's summing up.

4.16 The delegate of Algeria observed that there was not a real majority in favour of maintaining the status quo and called for a compromise solution.

4.17 The Chairman invited delegates to consider the proposal in Document 91 submitted by Antigua and Barbuda and eight other countries. It suggested that two extra classes, 1/16 and 1/32 unit, be inserted in the lower part of the scale.

4.18 The delegate of Canada asked what the financial implications of such a decision would be on the Union's expenditure.

4.19 The Secretary of the Committee said that 38 Members were currently paying 1/8 unit, representing about five contributory units in all. If those countries decided to pay only 1/16 unit, the loss would amount to 2.5 units, or roughly 600,000 Swiss francs. If they decided to pay 1/32 unit, the loss would amount to 3.75 units, or roughly 900,000 Swiss francs, which would entail an increase of 1% for all Union Members.

4.20 The delegates of Algeria, Argentina, Benin and Colombia supported the proposal to introduce 1/16 and 1/32 unit classes.

4.21 The delegate of Thailand was prepared to accept 1/16 unit but not 1/32 unit.

4.22 The Chairman proposed, as a compromise, that the countries classified by the United Nations as least developed countries should be given the opportunity of choosing between the 1/8 and 1/16 unit class. In addition, to meet the concern expressed by China and the USSR in respect of flexibility, he proposed that 28 units be inserted between 30 and 25 units, and 23 units between 25 and 20 units.

It was so decided.

4.23 The delegate of the United Kingdom said he was satisfied with the compromise reached. The financial implications of the decisions taken, particularly with regard to the 1/16 unit class, should be communicated to the Plenary Meeting in order to facilitate the proposal's adoption there.

4.24 The Chairman invited delegates to continue consideration of the proposed new provisions of Article 27 [79].

Nos. 377 [609], 378 [610], 379 [611], 380 [612], 381 [613], 382 [614], 383 [615], 384 [616] and 385 [617] were approved without comment.

4.25 The delegate of Argentina said it was most regrettable that so few delegates were present at the meeting of Committee 4.

With regard to No. 386 [618] c), he proposed that recognized private operating agencies, scientific or industrial organizations and international organizations which shared in defraying the expenses of conferences and meetings in accordance with Nos. 384 and 385 of the Convention should not be able to choose a class of contribution lower than 1 unit. The factors taken into consideration by the Argentine Administration were set out in detail on pages 7, 8 and 9 of Document DT/25(Rev.1). The proposed arrangement would not only increase the budget of the CCIs but might also result in a reduction of the contributory unit. He hoped that the principle of greater financial participation by RPOAs and ISOs would be adopted but acknowledged that the practical means of applying it might take a different form from that proposed by his Administration. In any event, a better balance should be sought in the funding of the CCIs, particularly as RPOAs and ISOs derived substantial benefit from their participation in the work of the ITU.

4.26 The Chairman noted that the Argentine proposal was supported by the delegates of Algeria, Chile, Spain and China.

4.27 The delegate of Uruguay said that he too supported the proposal, which would have the effect of increasing the Union's resources and possibly also those earmarked for technical cooperation.

4.28 The delegate of France noted that RPOAs and ISOs already accounted for 30%, or 10,000,000 Swiss francs, of the two CCIs' income and considered that it would be difficult to ask them to increase their financial contribution. He also observed that the ITU was not the only organization to deal with standardization and that RPOAs and ISOs might be discouraged from taking part in the Union's work if the demands were made on them were too heavy. Accordingly, he was not in favour of the Argentine proposal.

4.29 The delegate of Switzerland said that conversations he had held with industrialists had convinced him that the Argentine proposal would have the effect of turning medium-sized firms away from the ITU's standardization activities. Several industrial organizations already wanted their contributions to be paid directly to the CCIs rather than credited to the Union's overall budget. The Argentine proposal, if adopted, would result in a loss of both funds and scientific contributions.

4.30 The delegate of Spain said that if the principle of greater participation by RPOAs and ISOs was accepted, the best means of applying it would have to be sought. He invited those delegates who opposed the Argentine proposal to make constructive suggestions aimed at securing greater support from private agencies.

4.31 The delegate of Burkina Faso said he had no objection to the proposal in principle but feared that if the ITU asked for too much it might end up empty-handed. He hoped that France and Switzerland would put forward other proposals.

4.32 The Secretary-General emphasized that RPOAs and ISOs were not interested in the CCIs alone but were also very active in other areas of ITU work.

The debate on participation by private bodies had been a lengthy one and a cautious approach was required. It was true that small and medium-sized organizations had financial difficulties.

While RPOAs and ISOs certainly derived considerable benefit from ITU activities, they also made an important contribution to standardization studies, supplying information that was valuable for all Members even if at first sight only the most technologically advanced States might appear to benefit.

4.33 The delegate of the United Kingdom said he was impressed by the documentation supplied by Argentina but drew quite a different conclusion from the information provided. It should be emphasized that the Union's activities depended on the technological and scientific contributions made by recognized private operating agencies and that, without the information they provided, there would be no Union at all. Many RPOAs, some of them small, were of great assistance in providing scientific information free of charge and bearing the cost of distributing and presenting it; in his view, it would be absurd to ask them to ask more.

The 1/6 unit class had recently been replaced by 1/5 unit, increasing the contributions of RPOAs and ISOs once already. He therefore shared the views expressed by the delegates of Switzerland and France and strongly opposed the Argentine proposal.

4.34 The delegates of Colombia and Cuba supported the Argentine proposal.

4.35 The delegate of China, having regard to the growing number of ITU meetings, the related expenditure and the Union's budgetary difficulties, suggested that RPOAs and ISOs should simply be encouraged to increase their financial participation.

4.36 The delegate of Japan endorsed the United Kingdom's position and the Secretary-General's statement. The RPOAs and ISOs, whose participation in ITU activities was voluntary, should not be discouraged from taking part. In his view, therefore, that particular article of the Convention should not be amended.

4.37 The delegates of the Netherlands and Canada agreed with the United Kingdom delegate that the Argentine proposal would hinder rather than help the Union and they therefore considered that the present text should be retained.

4.38 The delegates of Australia and the United States endorsed the statements by the United Kingdom and the Secretary-General, and supported the Chinese delegate's view that voluntary contributions should be encouraged.

4.39 The delegate of Sweden endorsed the views expressed by the United Kingdom delegate and stressed the danger of discouraging small agencies from participating.

4.40 The delegate of Italy said that if the Union were to continue to be the main organization dealing with standardization, RPOAs and ISOs should not be discouraged from participating in its work; accordingly, the existing text should be retained.

4.41 The delegate of Argentina said that he appreciated the arguments advanced by the various delegations. As his Delegation saw it, greater financial participation on the part of private agencies would provide substantial additional support without endangering the Union or causing its Members inconvenience. If the CCIs were to continue to work efficiently, they needed fresh resources. It was most regrettable that so many delegates had been unable to attend the present meeting, owing to the fact that Committee 7 was meeting at the same time; in order to give the matter a wider hearing, he proposed that it be taken up in a Plenary Meeting.

4.42 The Chairman said that the problem was a complex one since all the delegates were in favour of increasing resources so that the ITU could meet its responsibilities, bear the related expenses and support the establishment of a new technical cooperation organ. Accordingly, a compromise had to be sought without losing sight of the fact that, under the Convention, participation by RPOAs and ISOs was strictly voluntary.

4.43 The Secretary-General emphasized the need to find a balanced solution which catered for the interests of both large and small private organizations.

4.44 The delegate of Indonesia said that he was anxious to reach a satisfactory compromise and therefore supported the Chinese proposal aimed at encouraging RPOAs and ISOs to step up their voluntary participation. Perhaps the larger organizations could be particularly encouraged to increase their contributions.

4.45 The delegate of Byelorussia proposed that the discussion be continued at the next meeting.

4.46 The delegate of Spain supported that proposal, adding that the financial implications of the Argentine proposal should be communicated to a Plenary Meeting.

It was so decided.

The meeting rose at 1310 hours.

The Secretary:

R. PRELAZ

The Chairman:

M. GHAZAL

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 292-E
24 June 1989
Original: English

SUMMARY RECORD

OF THE

FIFTEENTH MEETING OF COMMITTEE 7

Replace paragraph 2.51 by the following:

"2.51 The delegate of the Netherlands reiterated her Delegation's disappointment and worries on the way procedures were being followed in Committee 7. She feared no progress would be made if the Committee were to continue in the same way. She also regretted the departure from a consensus approach.

Her Delegation made it clear that Document DL/15 was not acceptable and reserved its position in that respect. She also made clear which amendments were necessary, in her view, in order to reflect the debate on the item in Committee 7 in a proper, balanced way.

Her Delegation would submit the text of those amendments to paragraphs 2, 3, 6 and 7. Her statement was intended both for the summary record of the current meeting and for the official record of Committee 7 to the Plenary."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 292-E

20 June 1989

Original: English

COMMITTEE 7

SUMMARY RECORD

OF THE

FIFTEENTH MEETING OF COMMITTEE 7

(STRUCTURE OF THE UNION)

Wednesday, 14 June 1989 at 0940 hrs

Chairman: Mr. A. VARGAS ARAYA (Costa Rica)

Subjects discussed:

Documents

1. Status of the new organ for technical cooperation
2. Summary by the Chairman of the debate on general principles

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DL/15

1. Status of the new organ for technical cooperation

1.1 The delegate of Kenya asked how the Committee's decision to establish a permanent organ for development would be followed through and whether his Delegation's proposal to hold an Extraordinary Plenipotentiary Conference would be discussed in Committee 7 or in Committee 9.

1.2 The Chairman replied that Notes to the Chairmen of Committees 4, 6 and 9 from the Chairman of Committee 7 would shortly be circulated informing those Committees of the adoption of the principle of establishing a permanent organ for development. A document was also being prepared from regional groups concerning the establishment of an interim working group which would be considered at the appropriate time by Committee 7. The proposal by Kenya would also be discussed at the appropriate time.

After opinions had been expressed on the order in which agenda items should be taken, and after a subsequent show of cards, it was agreed by a majority of 38 that the Chairman's written summary of the Committee's debate on general principles should be discussed first.

2. Summary by the Chairman of the debate on general principles (Document DL/15)

2.1 The delegate of India said that the Chairman's summary was a very faithful and objective account of the discussions and proposed that the Committee should adopt it as drafted to enable it to expedite its work and meet the requirements of the Chairman of the Conference and the Chairman of the Steering Committee. The delegates of Ethiopia, Indonesia, Lesotho, Mali, Nigeria, Pakistan, Saudi Arabia, Tanzania and Zimbabwe endorsed those views and supported the proposal.

2.2 The delegate of Spain observed that the Chairman's written summary did not require adoption but simply agreement. The Chairman agreed with that comment.

2.3 The delegate of Australia said that some aspects of the document should be rearranged to indicate that many had felt that there should be some examination of organizational and procedural matters, and that a majority of members had expressed satisfaction with the existing structure and supported its retention by the Conference. Furthermore, there should be no reference to any alternative method whatsoever, but it should be stated that the documentation of Committee 7 was available for consideration by any panel of experts which might be established.

2.4 The delegate of the USSR said that his Delegation could not agree with the text as it stood. For example, no alternative model could be imposed on the Conference. Only a comprehensive study would show which alternative was preferable.

2.5 The delegate of Viet Nam congratulated the Chairman on his summary which his Delegation fully supported. Concerned by the slow progress of Committee 7 in view of the limited time available, he proposed that members should be asked to indicate their approval or otherwise of the Chairman's summary by a show of cards.

2.6 The Chairman, taking up that suggestion, invited the Committee to indicate its feelings by a show of cards.

2.7 The delegate of France, speaking on a point of order, said that the Committee should take note of the Chairman's summary. To make the situation clear a sentence should be added to the text stating that some delegations had expressed reservations on it.

2.8 The delegate of Japan, also speaking on a point of order, said that he did not think that the time was appropriate for a show of cards. In order to make progress, he suggested that the Committee merely take note of the document.

2.9 The delegate of the Federal Republic of Germany, speaking on a further point of order, asked which document of the three before him the Committee was supposed to be considering. He also wished to know whether delegates were being invited to vote or to establish their views on the document.

2.10 The Chairman replied that the Committee was not being asked to vote but to indicate its opinion. The document under discussion was DL/15 as published on which, on the proposal of Viet Nam, he had thought it appropriate to consult the meeting. As the delegate of Spain had pointed out, the Committee was not being asked to adopt a text but simply to accept it.

2.11 The delegate of the United Kingdom, speaking on a point of order, said that before any show of cards, delegates with reservations, like his own, should be given an opportunity to submit them in writing and have them considered by the Committee. The Chairman, having replied that the unamended text could be considered by the Committee once some indication of its views had been obtained, the delegate of the United Kingdom said that as a matter of procedure, that was unwise. As he had stated earlier, there were doubts as to whether the whole of the text adequately reflected a consensus within the Committee. He therefore urged the Chairman to give delegations wishing to do so an opportunity to submit written amendments to the text, before making an expression of opinion.

2.12 The Chairman pointed out that Document DL/15 was dated 10 June and had been distributed on that date. Since then he had received no written amendments.

2.13 The delegate of Spain speaking on a point of order, re-emphasized that the Committee could only accept the text, which should reflect the results of the debate in the Committee. From his point of view, there were certain points which needed clarification before they were fully acceptable.

2.14 The delegate of the United States, speaking on a point of order, said that the document was extremely important to the Committee's deliberations. By making amendments at an earlier meeting to paragraphs 2, 5 and 7, the Chairman had stated the process of modification to bring the text into line with what delegates considered had been the sense of the debate. He therefore had some doubts as to which version of the text was under consideration. The comments made by the delegate of the United Kingdom were very appropriate. The summary would have a major impact on the next items for discussion, so all points of view had to be brought forward. As the text stood, it did not reflect the basic sense of the long debate. The document was not an official one, but there was a requirement for a summary record, which did not appear to have been distributed. He therefore supported the delegate of the United Kingdom in cautioning the Chairman on his suggested procedure.

2.15 The Chairman agreed that on a previous occasion he had suggested a number of amendments. However, the motion put forward at the current meeting was that the Committee should adopt the text unamended, in other words as originally printed and distributed. Commenting on the number of points of order, he requested delegates to indicate the relevant provision of the Convention. Points of order should not be used as a means of extending the debate.

2.16 The delegate of Indonesia, speaking on a point of order under No. 504 of the Convention, said that the Committee must observe the rules of procedure and not indulge in discussions designed to prolong the debate.

2.17 The delegate of Algeria, speaking on a point of order, said that Document DL/15 was a package in which some points could be agreed but not others. He therefore appealed to the Committee to pay heed to the request of the Chairman of the Conference. The procedure had been correct and if the Committee indulged in putting forward written amendments to be considered by subsequent meetings, even more time would be wasted. He supported the motion put forward by the delegate of Viet Nam.

2.18 The delegate of New Zealand speaking under No. 505 of the Convention, said that it was his Delegation's intention to appeal against the Chairman's ruling, but before doing so, he needed to know whether Document DL/15 was to be accepted as a summary from the Chairman as its title stated or as the conclusions of the Committee as stated in the first paragraph of the text.

2.19 The Chairman, in an attempt to clarify the Committee's work, said that at the request of a large number of delegations he had suspended the discussion on specific organs of the Union and their structural aspects in order to re-open the debate on general principles of structure, in which 50 delegations had made statements. He had summarized that debate, taking up the main elements of the various opinions expressed, and that summary appeared in a document issued on 10 June as DL/15. Delegations had thus had time to express their views and a number of delegates had requested that the text of the document as issued be submitted to the meeting for an indication as to whether it could be accepted as it stood. As its title stated, Document DL/15 was the Chairman's summary.

2.20 The delegate of New Zealand said that he accepted the Chairman's ruling that the document was the Chairman's summary of the discussions, and requested that the first paragraph of the text be amended to reflect the title of the document.

2.21 The delegate of Japan, speaking on a point of order, said that the day after Document DL/15 had been distributed, his Delegation had submitted a written opinion informally to the Chairman, and wished to know the status of that note. He also appealed to the Chairman to give the Committee a formal opportunity to submit opinions on DL/15 before asking the Committee to indicate its feelings.

2.22 The Chairman said that although Japan's question was not a point of order under Nos. 504, 505 or 506, he was prepared to reply. A number of delegations had made a number of comments informally. However, the official work of Committee 7 was conducted solely inside the meeting room. Any delegation wishing to express a point of view officially could do so.

2.23 The delegate of Iraq speaking on a point of order under No. 506 of the Convention, drew the attention of the Chairman to the fact that a number of delegations had deviated from usual procedure and had led the Committee astray on procedural matters. Many of the points of order raised were not acceptable, some even having been requests for amendment. The Chairman had correctly applied No. 527. He now requested that the Chairman should move closure of the debate so that the Committee could proceed to vote.

2.24 The Chairman said that in view of the various expressions of concern expressed, No. 506 of the Convention would be applied strictly.

2.25 The delegate of the Netherlands, speaking on the point of order, expressed concern at the procedure. Under No. 513 of the Convention, the Chairman's ruling implied that the debate on Document DL/15 was closed. Her Delegation could not accept that position since it wished to make its reservation known and reflected in the document to be submitted to the Plenary Meeting.

2.26 The Chairman replied that if the majority present did not wish to accept the Chairman's ruling then obviously the debate would continue. All delegations were entitled to express their comments which would in any event be reflected in the summary record. His purpose was still to consult the general opinion of Committee 7 as to its acceptance or otherwise of Document DL/15 entitled "The summary of the Chairman".

2.27 The delegate of the Netherlands said that she therefore took it that after the indication of opinion, if the majority were in favour of Document DL/15, delegations would have an opportunity to express their views.

2.28 The Chairman replied that once the majority had expressed their wishes in the clearest democratic spirit possible, those who disagreed would be fully entitled to express their views.

2.29 The delegate of the USSR, speaking on a point of order under No. 505 of the Convention, said that the Chairman had started informal consultations in order to obtain results in Committee 7. His Delegation had submitted an informal amendment but such amendments had not been taken into account in the text. Referring therefore to Nos. 505 and 513 of the Convention, he appealed for a common sense approach in producing the document that would meet the approval of all. The Committee should try and avoid a large number of reservations. Although his Delegation would submit its views in writing, he could not help but be astonished at the way the work of Committee 7 was being conducted. Informal discussions were essential. The Chairman should try and meet delegates and discuss possible solutions to the problem.

2.30 The Chairman said that it had always been his intention to contribute to speeding up the work of the Committee so that in turn it could contribute to speeding up the work of the Conference. To that end his agenda for the Committee's fifteenth meeting had been aimed at concluding consideration of structural aspects concerning the CCIs and the electoral process. However, a motion had been submitted to consider Document DL/15 first, and he had strictly followed the wishes expressed in Committee 7.

2.31 The delegate of Syria, speaking on a further point of order under No. 505 of the Convention, thanked the Chairman for having taken up Viet Nam's proposal. His point of order was to propose a further amendment, namely, that Document DL/15 be considered paragraph by paragraph.

2.32 The Chairman, replying to a question by the delegate of Czechoslovakia on a point of order under No. 505 of the Convention, said that the proposal was intended to sound the feelings of Committee 7 about his summary on the general debate. It had been made by members of the Committee, not by himself.

2.33 The delegate of France, speaking on a point of order, said his Delegation had already suggested that the text should be considered paragraph by paragraph, and that if necessary delegations should be allowed to submit their views in writing, with the aim of achieving a text acceptable by consensus. The Committee should either refrain from an immediate indication of views on the text or agree to the immediate addition of a paragraph 9 to the effect that several deletions had expressed reservations on the text, the various paragraphs of which could not be discussed in great detail.

2.34 The Chairman said that delegations having reservations could express their views for the record after the Committee had indicated its feeling about the existing text.

2.35 The delegate of the United Kingdom, speaking on a point of order, appealed, under No. 505 of the Convention, against the Chairman's ruling. His Delegation had submitted a written amendment which he urged the Chairman to put to the meeting before inviting the latter to indicate its views.

2.36 The Chairman repeated that it had been proposed that the Committee should indicate its views on the original text. Once that had been done, delegations wishing to put forward other proposals could do so.

2.37 The delegate of Tanzania, speaking on a point of order under Nos. 504, 505 and 506 of the Convention, moved that the proposal originally made by the Delegation of Viet Nam should be taken up forthwith.

2.38 The delegate of Morocco, speaking on a point of order, said that the many requests to speak on points of order should be dealt with in order of priority, pursuant to No. 508 of the Convention.

2.39 The delegate of Japan, speaking on a point of order under Nos. 505 and 571 of the Convention, referred to the proposals made by the delegate of Australia and supported by the USSR Delegation and that of France. Amendments most remote in substance from the original text should be voted upon first.

2.40 The Chairman observed that there was no call for a formal vote.

2.41 The delegate of Venezuela, speaking on a point of order, said that the problem stemmed from the nature of the text which, being a summary by the Chairman, should be tabled under his exclusive responsibility and not require endorsement by the Committee.

2.42 The delegate of Romania, speaking on a point of order under No. 509 of the Convention, said that the proposal in question had not been properly formulated pursuant to No. 491. He moved closure of the debate, pursuant to No. 520, and the submission of a fresh document with the new proposals.

2.43 The Chairman said that, since the text in question had been accepted as a basis for discussion by the Committee as the priority item on the current meeting's agenda following the latter's adoption, it was out of order to invoke No. 491 of the Convention as grounds for an objection.

2.44 The delegate of the United States, speaking on a point of order, said it was premature to embark on the procedure proposed. Since opinions had differed widely on the text in question, the correct place to reflect the Committee members' positions was in the summary records of the Committee, in accordance with No. 588 of the Convention.

2.45 The Chairman said that the summary records of Committee 7 had been produced and distributed in the normal way. He reiterated that in all his actions, from preparing the summary of the debate on general principles and issuing it as a text, to giving it priority on the current meeting agenda and inviting the Committee to indicate its position regarding that text, he had simply followed the Committee's own wishes.

2.46 The delegate of Japan, speaking on a point of order, referred to Nos. 505, 508, 512 and 518 of the Convention. His Delegation regretted the change in order of agenda items for discussion at the current meeting. He proposed, pursuant to No. 518, that consideration of the text should be postponed so that the Committee could proceed immediately to discuss options for the CCIs - a matter of some urgency since it related to the electoral process. As soon as discussion of those options had been completed, the Committee would return to consideration of the text in Document DL/15.

2.47 The delegate of Spain supported that proposal. The delegates of Algeria and India opposed it.

The Committee rejected the proposal by 58 votes to 37, with 14 abstentions.

2.48 The delegate of Iraq moved, pursuant to No. 520 of the Convention, the closure of debate on the proposal that the Committee should indicate its view with regard to Document DL/15.

2.49 The delegate of Spain said that he opposed that proposal. The situation was anomalous in that formal procedure was being invoked about what was supposed to be an informal indication.

The Committee decided, by 66 votes to 17, with 18 abstentions, to close the debate on the proposal to indicate its view with regard to the original text of Document DL/15.

The Committee also indicated by a show of hands, (78 in favour, 30 against) to accept that text.

2.50 The delegate of Spain said that his Delegation had not participated in that indication. The course of the current proceedings was disquieting and his Delegation suggested that, through the Chairman, an urgent request to convene the Steering Committee should be submitted to the Chairman of the Conference.

2.51 The delegate of the Netherlands reiterated her Delegation's disappointment at the lack of progress and the departure from a consensus approach. Her Delegation reserved its position with regard to the text of Document DL/15. It would submit the text of the amendments it had proposed to paragraphs 2, 3, 6 and 7; in the meantime, her statement was intended for the record of the current meeting.

2.52 The Chairman requested all delegations having comments and proposals relating to Document DL/15 to transmit them in writing to the Secretariat. He appealed to all delegations to seek points of convergence of views, with the aim of achieving a consensus.

2.53 The delegate of France said that his Delegation too was disappointed by the failure to seek a consensus, which could have been achieved by agreeing to add to the text in question a paragraph 9 to the effect that some delegations had expressed reservations. The move to indicate the Committee's view on the text had been premature, had wasted a great deal of time and had failed to achieve a balanced approach. In the hope that the latter could still be achieved, however, his Delegation would continue to do its utmost.

2.54 The delegate of Italy said that his Delegation could have supported a more balanced document but found the text as it stood unacceptable.

2.55 The delegate of Japan said that his Delegation also was unable to accept the text as it stood. Paragraph 2 should have contained the oral amendments proposed earlier by the Chairman. Paragraph 3 was unnecessary, the point being covered by paragraph 5. Paragraph 7 was misleading since no consensus had been apparent about Alternative Model 3 as the final structure to be aimed at.

2.56 The delegate of Kenya said that, although his Delegation had no objection to the outcome of the action just taken, it wished to know whether there would be an opportunity for delegations to return to specific issues, such as that implicit in paragraph 7.

2.57 The delegate of the United States said that his Delegation was dissatisfied with the way matters had been conducted. The consensus approach discernible in the Chairman's introduction of oral amendments at the thirteenth

meeting had been abruptly abandoned. His Delegation intended to document its views, and insisted that they should be taken as a record of its position at the current meeting. His Delegation assumed, in any case, that the text in question, being entitled a Summary by the Chairman, was not to be taken as conclusions reached by Committee 7.

2.58 The delegate of the Ukrainian Soviet Socialist Republic said that his Delegation wished to record its disappointment with the Committee's methods of work, the lack of progress and the failure to pursue the consensus approach which, a few meetings previously, had seemed promising.

2.59 The delegate of the Federal Republic of Germany said that a consensus would have been achievable had the text been considered paragraph by paragraph. His Delegation would submit a text and reserved its right to speak again on the matter.

2.60 The delegate of the Syrian Arab Republic said it had taken an unduly lengthy discussion and a confusing array of points of order to achieve a result which could have been predicted at the outset and whose significance was still not clear. The suggestion about setting up an informal group should have been taken up long ago. He reiterated that suggestion, and invited all interested delegations to communicate with him when the current meeting rose.

2.61 The delegate of Indonesia, speaking on a point of order, said that additional texts could not be added or annexed to the Chairman's summary. He wondered whether such texts could be annexed to the summary record of the current meeting.

2.62 The Chairman said that his summary would be reproduced, in the original, version, as an official conference document.*

The meeting rose at 1235 hours.

The Secretary:

A.M. RUTKOWSKI

The Chairman:

A. VARGAS ARAYA

* Document 295

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 293-E
27 June 1989
Original: English

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 8

Replace section 1.6, eleventh line down, by the following text:

"Arabic is used by ..."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 293-E

20 June 1989

Original: English

COMMITTEE 8

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 8

(PURPOSES, RIGHTS AND OBLIGATIONS)

Wednesday, 14 June 1989, at 1515 hrs

Chairman: Mr. M.F. DANDATO (Zimbabwe)

Subjects discussed:

Documents

1. Article 16 of the draft Constitution:
Languages

Document A
40, 281, DT/40

1. Article 16 of the draft Constitution: Languages (Nos. 124-134)
(Documents A, 40, 281 and DT/40)

1.1 The Head of the Department of Conferences and Common Services, introducing Document 40, said that it did not give any particular guidance but provided information, especially on costs, to assist the Committee in reaching its decisions. Anticipating similar questions to those that had been asked when the document was submitted to the Administrative Council, he wished to give complementary information (reproduced in Annex 1).

1.2 The delegate of Canada asked if the Head of the Department of Conferences and Common Services could indicate what the impact of introducing additional working languages would be on the personnel working at Headquarters, and whether they would be required to learn more languages than was currently the case.

1.3 The Head of the Department of Conferences and Common Services replied that ITU officials already had to know one or two languages. The introduction of another working language would not affect the situation greatly so far as the internal work at Headquarters was concerned, although there might be complications. The biggest difficulty would be to find translators and interpreters who knew more than one or two of the working languages other than their own, which meant that more indirect translation would have to be done.

No. 124 (Official languages)

1.4 The Chairman asked if the Committee could approve No. 124 with no change, as proposed by the administrations of Brazil and Paraguay.

No. 124 was approved without change.

No. 125 (Working languages)

1.5 The Chairman pointed out that of the five proposals to modify No. 125 received from Arabic-speaking Members, the one from Saudi Arabia differed from those of Kuwait, Morocco, Oman and Qatar.

1.6 The delegate of Saudi Arabia said that the issue of working languages was a delicate one in every way. His Administration's proposal to add Arabic to the working languages of the ITU differed from the others only in that it sought to confine any reference to specific working languages to the Convention, because the Convention could be amended but the Constitution could not. Arabic had long been an official language of the Union. When his Administration had asked at the previous Plenipotentiary Conference for it to be made a working language, it had been suggested that a decision be delayed because of the difficulties facing the Conference. Since then, Arabic had become more widely used in the Union's activities and an Arabic glossary had been prepared to facilitate its further progress. Apart from being an official language of the ITU, Arabic was used by 21 of its Member countries and was already a working language of the United Nations and many of its specialized agencies. Arabic should therefore be placed on an equal footing with the other working languages of the ITU.

1.7 The delegate of Morocco said that his Administration's proposal (MRC/126/6) to make Arabic a working language on a par with English, French and Spanish was a logical consequence of developments since 1973, when Arabic interpretation was introduced at the Torremolinos Plenipotentiary Conference. That had promoted use of the language and encouraged the Arab countries to hope for further progress. At the Nairobi Plenipotentiary Conference, where Arabic became an official language, the Arab countries had accepted that it should not be made a working language, as they wished,

because of the cost involved. They had also agreed to help finance the preparation of a multilingual ITU glossary including Arabic. As a result, the Union now had a glossary in four languages that met all the needs of translation. The Arab countries had also met the cost of translating the Nairobi Convention and the publication of that and other ITU documents. As a result there were now 29 volumes of ITU publications in Arabic.

The Arab countries were seeking to make Arabic a working language because some members of their delegations used other languages to avoid difficulties of interpretation. Their proposals were intended to ensure that documents appeared at meetings in Arabic. If unsuccessful, they would attempt to have Arabic introduced as a working language progressively between the current and the next Plenipotentiary Conference.

1.8 The Chairman invited the Committee to deal first with the proposals to make Arabic a working language, and defer any decision about where it might be reflected in the Union's statutes.

1.9 The delegate of Oman, supporting the remarks made by the delegates of Saudi Arabia and Morocco, said that he would like the Committee to consider not only the costs but also the advantages of having Arabic as a working language, which would be very beneficial for the Union's activities.

1.10 The delegate of Kuwait said that his Administration proposed to make Arabic a working language because Arab countries constituted a considerable proportion of the ITU membership and occupied a strategic geographic position in the world. If it was not made a working language, the Arab countries might not have the necessary interaction with the ITU as a result of the gulf created. Arabic was used in Arab countries for scientific and technical training, so making it a working language could promote technical training and higher technical qualifications in the Arab world. There had been support at the Nairobi Plenipotentiary Conference for the introduction of Arabic as a working language and the time was ripe to put it on an equal footing with English, French and Spanish.

1.11 The delegate of Qatar said that the ITU had to be truly international and promote communication to live up to its name. The delegates of Morocco and Kuwait had dealt with the background and the practical aspects of the case for making Arabic a working language. 1982 had not been the right time to do that but the trends since then emphasized the need to study the possibility at the present time. The group of Arab countries had presented a clear case for adopting Arabic as a working language and he was sure that the Plenipotentiary Conference would take a realistic and practical decision on the subject.

1.12 The delegate of the USSR, speaking on a point of order, and supported by the delegates of the German Democratic Republic, Mongolia, and the Ukrainian Soviet Socialist Republic, requested that his Delegation's proposal URS/16/17 for the introduction of Russian as a working language of the Union be considered jointly with the proposal by the group of Arab countries for the introduction of Arabic, and that he should be given the floor to introduce it.

1.13 The delegates of Saudi Arabia, Syria, Qatar and Tunisia said that while they had every sympathy with the substance of the USSR proposal, it was their view that the Chairman should abide by the procedure he had suggested at the beginning of the meeting of examining each proposal separately, commencing with that for the introduction of Arabic.

1.14 The delegate of Australia, supported by the delegate of Venezuela, said that there was sufficient complementarity between the two proposals, not least from the financial point of view, for them to be considered together.

1.15 The Chairman ruled that the USSR delegate should be allowed to introduce his proposal, and that the ensuing discussion should concentrate first on the proposal by the group of Arab countries as it is listed first in Document DT/40.

1.16 The delegate of the USSR, introducing his Delegation's proposal URS/16/17, said that Russian was used as a working language in inter-governmental relations by many countries in various regions of the world. The USSR covered a vast territory and had a very large population. His Government made a very substantial contribution, both financially and technically to the ITU, and the introduction of Russian as a working language would enhance cooperation by many countries with the activities of the ITU. All were aware of the financial contribution of his Government. So far as technology was concerned, his Administration played an outstanding role in promoting the development of CCIR and CCITT Recommendations, and the USSR alone provided over 20% of the contributions to the work of the CCI Study Groups. The use of Russian as a working language would enable his Administration to increase its contributions to the work of the CCIs, the IFRB and the General Secretariat. The reasons which had been advanced by the Arabic-speaking countries in support of the introduction of Arabic as a working language applied equally to the introduction of Russian, and indeed of Chinese, as working languages. His Delegation was in favour of expansion of the use of official languages as working languages and, while it did not seek any special priority or advantages for its language, neither did it feel that it should be singled out negatively. In conclusion, he supported the introduction of Arabic as a working language of the Union on a par with Russian.

1.17 In reply to the delegate of Jordan, representing also the delegation of Iraq, and speaking on a point of order, who asked what procedure was to be followed in discussing the proposals for the introduction of Arabic and Russian as working languages, the Chairman said that both proposals would be considered jointly.

1.18 The delegate of Venezuela, speaking on a point of order, asked what was the position with regard to the proposals by Brazil B/58 and Paraguay PRG/95 for no change to Article 16.

1.19 The delegates of Syria, the Ukrainian Soviet Socialist Republic and Morocco raised points of order questioning the Chairman's conduct of the meeting.

1.20 The delegate of Iraq, also speaking on a point of order, said that he wished to comment on the statement by the Head of the Department of Conferences and Common Services before that statement was circulated. In his view, the Secretariat statement, which had indicated that difficulties would result from the introduction of additional working languages, constituted the adoption of a certain position. He pointed out that the United Nations had six working languages, and the European Community some eight languages so there should be no problem in introducing additional working languages in the ITU. The subject should be fully discussed.

1.21 The Head of the Department of Conferences and Common Services said that it had not in any way been his intention to show partiality for one position or another. He had merely stated that the figures in Document 40 appeared very high and, since he had been questioned about them in the Administrative Council, he had wished to provide some explanation. It was perfectly possible to introduce other working languages but it would be a costly matter and the Plenipotentiary Conference should be aware of that fact.

The meeting rose at 1745 hours.

The Secretary:

D. SCHUSTER

The Chairman:

M.F. DANDATO

Annex: 1

ANNEX

Statement by the Head of the Conferences and Common Services Department

Document 40, already submitted to the Administrative Council at its 44th session, contains details concerning the calculation of the staff required and the additional costs entailed by the partial or systematic use of Arabic, Chinese or Russian as working languages.

The costs involved are substantial and numerous questions were raised during the Administrative Council, to which I am able to reply in advance.

In the first place, taking the total cost of the introduction of three additional working languages (maximum hypothesis), we obtain a figure of approximately 38.3 million Swiss francs, namely (see paragraph 3 of the document) 29,191,800 Swiss francs for all activities except conferences, for which we should add about 27 million Swiss francs for five years of conferences (or 2.8 million yearly) and 6.5 million Swiss francs for the publication of the volumes of the CCIs.

A figure of about 13 million Swiss francs per year and per working language must therefore be envisaged.

This figure is due largely to the fact that the languages division is not the only one concerned: the typing pool, reprography, the publications service (composition, preparation) and the distribution and conference services are likewise affected.

Furthermore, the addition of a working language has an effect on the existing language sections, since with three working languages, for 100 documents submitted, there are 200 translations, or 66 translations on average for each language section. Six languages would produce 500 translations, representing an average of 83 per language section.

Lastly, it is impossible to avoid indirect translation, (just as there is indirect interpretation in meetings), since there is no means at present of combining all six languages in one team of translators.

This may mean longer conferences. Allowance has been made for this in the estimates contained in Note 40.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 294-E

14 June 1989

Original: French

COMMITTEE 10

SECOND SERIES OF TEXTS FROM COMMITTEE 4 TO THE EDITORIAL COMMITTEE

Committee 4 has adopted the attached texts, which it submits to the Editorial Committee for consideration and for transmission in due course to the Plenary Meeting.

M. GHAZAL
Chairman of Committee 4

Annexes: 2

ANNEX 1

RESOLUTION No. COM4/4

**Absorption of Shortfall in Technical Cooperation Special Accounts
1980-1989**

The Plenipotentiary Conference of the International Telecommunication Union
(Nice, 1989),

in view of

the provisions of Resolution No. 16 of the International Telecommunication
Convention (Nairobi, 1982), particularly those concerning:

- the decisions of the Governing Council of the United Nations Development
Programme (UNDP) relating to the existing arrangements for reimbursing the support
costs of the United Nations specialized agencies;

- the ITU's responsibility under its partnership with UNDP,

having noted

that the shortfall in income to cover the expenditure in Technical Cooperation
Special Accounts for the years 1980 to 1989 inclusive is estimated at 17,226,870 Swiss
francs, of which 13,026,870 Swiss francs have already been amortized between 1986 and
1989,

instructs the Administrative Council

to continue its endeavours to find ways and means of absorbing, within a
reasonable space of time, the remaining shortfall in income, estimated at
4,200,000 Swiss francs.

ANNEX 2

RESOLUTION No. COM4/5

Settlement of accounts in arrear

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

- a) the report of the Secretary-General to the Plenipotentiary Conference on the situation with regard to amounts owing to the Union;
- b) Resolution No. 10 annexed to the International Telecommunication Convention (Malaga-Torremolinos, 1973);
- c) Resolution No. 53 annexed to the International Telecommunication Convention (Nairobi, 1982),

noting with satisfaction

- a) that Chile, Costa Rica, the Republic of Haiti, Peru, the Eastern Republic of Uruguay and the Yemen Arab Republic with regard to Resolution No. 10 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973) and the Central African Republic with regard to Resolution No. 53 of the Plenipotentiary Conference (Nairobi, 1982) have settled their debts in full;
- b) that the Republic of El Salvador is gradually settling its debt and that only one further payment remains to be received by the Union,

regreting

that Bolivia and the Dominican Republic with regard to Resolution No. 10 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973) and the Republic of Guatemala, the Islamic Republic of Mauritania and the Republic of Chad with regard to Resolution No. 53 of the Plenipotentiary Conference (Nairobi, 1982) have not submitted any schedule for the settlement of their debts,

considering

that it is in the interests of all Members of the Union to maintain the finances of the Union on a sound footing,

resolves

1. that the Republic of Sudan's contributions for the years 1980 to 1983, amounting to 567,047.55 Swiss francs, shall be transferred to a special arrears account bearing no interest;
2. that the interest on arrears charged to the Republic of Sudan, namely, 306,507.55 Swiss francs, shall be transferred to a special interest account;

3. that the transfer to the special arrears account shall not release the Republic of Sudan from the obligation to settle its arrears;

4. that the amounts due in the special arrears account shall not be taken in account when applying No. 117 of the Convention,

invites the Administrative Council

to study ways of settling the special interest account.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to
Document 295-E
16 June 1989
Original : English

COMMITTEE 7

NOTE BY THE CHAIRMAN OF COMMITTEE 7 (STRUCTURES)

Page 6, paragraph 7, please delete the last two sentences :

"In this context.....by this Conference."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 295-E

14 June 1989

Original: English

COMMITTEE 7

NOTE BY THE CHAIRMAN OF COMMITTEE 7 (STRUCTURES)

The following summary of the Chairman was accepted by the majority of Committee 7. The written views of other delegations are contained in the annex.

SUMMARY OF THE CHAIRMAN

After an extensive debate on the general principles to follow with regard to the general structure of the Union, the Committee reached the following conclusions.

1. The type of structure that the Union adopts should be geared to deliver the basic functions in an efficient and effective manner to the satisfaction of the totality of the membership.
2. While many Members expressed a sentiment of satisfaction with the existing structure, many also regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.
3. There was support for the enhancement of the role of the Secretary-General as the chief executive officer, who as the leader of the Union has a responsibility for overall policy matters and the management of the resources.
4. It was recognized that the various organs are units having their own specific identities which justify a special status and a measure of autonomy for their operation in their respective fields of competence.
5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it. Some suggested a strong Coordination Committee with authority for making decision, while others proposed that this be done by reinforcing the authority of the Secretary-General, with appropriate advice from the Coordination Committee.
6. It was reaffirmed that the newly created permanent organ for development should have adequate budgetary resources and should be established on a footing of equality with the other organs.

7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a resolution, with a time frame to enable decisions and implementation at an Extraordinary Conference to be convened at the earliest practicable time. In this context Alternative Model 3 was foreseen by some as the final structure to be aimed at. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.
8. The conclusion of the above debate refers to the general structure of the Union as a whole without prejudice to the follow up discussions that have been agreed to be held with respect to the individual organs.

Annex: 1

ANNEX

Alternative views regarding the summary of the Chairman

It is the view of Australia that the following changes to the summary of the Chairman of Committee 7 relating to general principles are necessary to ensure that the Chairman's summary in Document DL/15 accurately reflects the sense of discussions in Committee 7.

After an extensive debate on the general principles to follow with regard to the general structure, the Chairman reached the following conclusions.

1. The structure the Union adopts should ensure that the basic functions are conducted in an efficient and effective manner to the satisfaction of the total membership.
2. A majority of Members expressed satisfaction with the existing structure and supported its retention by this Conference. Nevertheless, a number of Members drew attention to the need for changes in organization, methods and procedures to enhance cohesiveness and efficiency in fulfilling the purposes of the Union.
3. Delete (already covered in 5).
4. No change.
5. No change.
6. No change.
7. The Committee recognized the need for an in-depth and independent study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear plan of action to be formulated as a Resolution.
- 7bis. Add: The relevant documentation of the Committee would be available for the assistance of future study conducted on this issue.
8. No change.

It is the view of the Byelorussian Soviet Socialist Republic, Czechoslovak Socialist Republic, German Democratic Republic, Hungarian People's Republic, Mongolian People's Republic, Poland, Ukrainian Soviet Socialist Republic and the USSR that paragraph 3 of the Summary of the Chairman of Committee 7 relating to general principles should be deleted, and that paragraphs 2, 5, 6 and 7 should read as follows.

1. No change.
2. While the majority of Members expressed a sentiment of satisfaction with the existing structure, some delegations also regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.
3. Delete.
4. No change.
5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it. Some suggested a strong Coordination Committee with authority for making decisions, while others proposed that this be done by reinforcing the authority of the Secretary-General, with appropriate advice from the Coordination Committee, and some other proposals were tabled.
6. It was reaffirmed that the new permanent organ for development should be established using the staff resources of the existing TCD subject to future decisions on a precise mandate and functions of the organ.
7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.
8. No change.

It is the view of the Netherlands, United Kingdom, Sweden, Finland, Norway, Iceland and Denmark that paragraph 3 of the Summary of the Chairman of Committee 7 relating to general principles should be deleted and that the introduction and paragraphs 2, 6 and 7 should read as follows.

After an extensive debate on the general principles to follow with regard to the general structure of the Union, the Chairman summarized the views of the meeting as follows.

1. No change.

2. The majority of Members expressed a sentiment of satisfaction with the existing structure. Some delegations also regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.

3. Delete.

4. No change.

5. No change.

6. It was reaffirmed that the new permanent organ for development should have adequate budgetary resources and an appropriate position in the structure of the Union to be determined in the light of the precise mandate and functions attributed to that organ.

7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.

8. No change.

The Delegation of the Federal Republic of Germany is unable to accept Document DL/15 as presented since the summary contained in that document does not reflect the course of the general debate of Committee 7 on the structure of the Union. Paragraph 3 of the Summary of the Chairman of Committee 7 relating to general principles should be deleted and the introduction and paragraphs 2, 5, 7 and 8 should read as follows.

After an extensive debate on the general principles to follow with regard to the general structure of the Union, the Chairman of Committee 7 gave the following summary.

1. No change.
2. While the majority of the Members agreed that, in principle, the existing structure should be maintained for the time being, some delegations regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.
3. Delete.
4. No change.
5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it. Many suggested a strong Coordination Committee with authority for making decisions, while others proposed that this be done by reinforcing the authority of the Secretary-General, with appropriate advice from the Coordination Committee.
6. No change.
7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution, with a fixed time frame. The majority of the delegations basically favour Alternative Model 1 for the time being. However, some delegations expressed the opinion that the Plenipotentiary Conference in Nice should in any case take a fundamental decision in favour of Alternative Model 3, even if the Conference decided to maintain Alternative Model 1 for the time being. In this context, Alternative Model 3 was foreseen by some as the final structure to be aimed at. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.
8. The above debate refers to the general structure of the Union as a whole without prejudice to the follow-up discussions that have been agreed to be held with respect to the individual organs.

New Zealand is concerned that Document DL/15 has been placed before Committee 7 for its acceptance, but there has not been the opportunity provided to consider the individual paragraphs so as to arrive at a common viewpoint. The document is seen to contain several inherent contradictions of substance in its present wording.

The document is put forward, according to its title, as the summary of the Chairman of Committee 7, but then purports to state that "the Committee reached the following conclusions". Were this phrase in the preamble to be altered to read "the Chairman summarized his view of the debate as follows:" the New Zealand Delegation could fully accept the document.

However, should the document be seen to reflect the view or conclusions of the meetings of Committee 7, then there would be seen to be modifications necessary to paragraphs 2, 3 and 7 in particular.

New Zealand reaffirms that it is willing to participate in an appropriate process to further discuss the details of DL/15 or to further consider the substantive issues of the general structure of the Union.

The opinion of Japan on Document DL/15 concerning the Chairman's summary of the debate on the general structure of the Union is as follows.

The preamble of this document should be modified in order to avoid any misunderstanding. It should be clearly stated that the document is intended to be a summary by the Chairman. The same also applies to point 8 (new point 7).

Point 3 should be deleted, because the role of the Secretary-General should be mentioned keeping balance with other views expressed in relation to this issue, as has been done in point 5. Consequently, renumber the following items.

In our opinion, point 7 (now the new point 6) of the summary is significantly biased. Many delegations pointed out a need for an in-depth and objective study for reviewing the structure and working methods of the Union without presupposing any future structure. Furthermore, it should be noted that reference to Alternative Model 3 was made just as a possible future structure, and that there was no agreement in the meeting. An Extraordinary Meeting to examine the results of the in-depth study has not been agreed upon in the meeting either. Japan views that the following changes are necessary:

After an extensive debate on the general principles to follow with regard to the general structure of the Union, the summary of the Chairman is made as follows:

1. No change.
2. No change.
3. Delete.
4. No change.
5. No change.
6. No change.

7. The Committee recognized the need for an independent, in-depth and objective study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution, with a term of reference and a certain time frame. In this context Alternative Model 3 was foreseen by some as the final structure to be aimed at while others emphasized the need to investigate the matter without any presupposition. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.

8. The Chairman's summary of the above debate refers to the general structure of the Union as a whole without prejudice to the follow-up discussions that have been agreed to be held with respect to the individual organs.

It is the view of the United States that the following version of DL/15 represents a more accurate representation of discussions on the structure of the Union and associated general principles.

After an extensive debate on the general principles to follow with regard to the general structure of the Union, the Committee agreed to the following conclusions.

1. No change.
2. A majority of the Members expressed a sentiment of satisfaction with the existing structure, some regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.
3. Delete (covered in item 5).
4. No change.
5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it. Many suggested a strong Coordination Committee with authority for making decisions, while others proposed that this be done by reinforcing the authority of the Secretary-General, with appropriate advice from the Coordination Committee.
6. No change.
7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a Resolution, and implementation at the earliest practicable time. In the meantime, the structural model designated as Alternative Model 1 is supported for implementation by this Conference.
8. The summary of the above debate refers to the general structure of the Union as a whole without prejudice to the follow-up discussions that have been agreed to be held with respect to the individual organs.

It is the view of France that the following paragraph should be added to Document DL/15:

9. Several delegations expressed reservations on the text, the various paragraphs of which were not discussed in detail.

The Delegation of Spain has the following comments to make on Document DL/15:

1. It is obviously difficult to sum up in one page the long hours of discussion, not always easy to follow, which took place in Committee 7 on the subject of structure; to a certain extent, therefore, the summary's lack of precision is forgivable.
2. The most striking instance of this lack of precision is the reference to the structure of the Union rather than to that of its permanent organs (namely, under the present Convention, the General Secretariat, the IFRB and the International Consultative Committees), which seems to be the point at issue.
3. In this connection, it is incorrect to refer to the Secretary-General as the leader of the Union, since that is the role of the Plenipotentiary Conference.
4. The term "organs" ("organismos" in Spanish) presumably refers to the permanent organs ("órganos permanentes" in Spanish), namely, those mentioned in paragraph 2 above; in general, the comments in paragraph 4 of Document DL/15 should be interpreted as referring to those organs' respective fields of competence under the Convention.
5. With regard to paragraph 6 of Document DL/15, it is understood that the budgetary resources in question would be provided within the framework of the ITU budget.
6. As to paragraph 7 of Document DL/15, it is not altogether clear what is meant by the expression "independent study" and it is contradictory on the one hand to speak of the need to conduct a study on the structure of the Union (does this mean of its permanent organs?) and on the other to establish one or more structural models. In addition, we consider that any such study should deal also with the structure of the various conferences convened to revise the instruments by which the Union is governed.

It is the view of Canada that based on the detailed notes taken by the Canadian Delegation during the discussion in Committee 7 of general principles it is felt that Document DL/15 does not summarize the points raised in a balanced manner. While not wishing to make major changes to the document prepared by the Chairman, we do find it necessary to suggest certain limited changes including some introduced by the Chairman himself following his further reflection on the document.

The Canadian Delegation offers the following limited number of comments on DL/15.

1. No change.
 2. While a majority of the Members expressed satisfaction with the existing structure, some regretted the absence of a mechanism that enhances a more cohesive and unified approach towards the fulfillment of the purposes of the Union.
 3. There was some support for the enhancement of the role of the Secretary-General as the chief executive officer, who as the leader of the Union has a responsibility for overall policy matters and the management of the resources. Other delegations felt that the Convention already adequately provides for such overall responsibilities.
 4. No change.
 5. There was full recognition of the absolute necessity for good coordination between organs, however, there was divergence of views on the means of achieving it.
 6. No change.
 7. The Committee recognized the need for an independent, in-depth study for reviewing the fundamental structure and methods of work of the Union and agreed on the need for a clear cut plan of action to be formulated in the form of a Resolution, with a time frame to enable decisions and implementation.
 8. No change.
-

CONFÉRENCE DE PLÉNIPOTENTIAIRES

NICE, 1989

Corrigendum 1 to
Document 296-F/E/S
16 June 1989

COMMITTEE 8

RAPPORT DU PRESIDENT DU GROUPE DE REDACTION C8-3
A LA COMMISSION 8

Page 2, sous décide, remplacer le paragraphe 1. par le suivant:

" 1. les institutions spécialisées paient ce service de télécommunication sur la base des frais d'exploitation du service par les Nations Unies et les tarifs établis dans le cadre de [l'instrument fondamental de l'Union] en vigueur et de la réglementation et pratiques actuelles;"

REPORT BY THE CHAIRMAN OF DRAFTING GROUP C8-3
TO COMMITTEE 8

Page 3, replace paragraph 4. by the following :

" 4. the operation of the network shall conform with the current [Basic Instrument of the Union], regulations and practices."

No concierne el texto español

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 296-E

14 June 1989

Original: English

COMMITTEE 8

REPORT BY THE CHAIRMAN OF DRAFTING GROUP C8-3
TO COMMITTEE 8

Following the discussions on Document 107 by Committee 8, the members of Drafting Group 3 (France, Switzerland, United States and the United Nations) agreed on the text of a draft Resolution (see annex) dealing with the "Use of the United Nations Telecommunication Network for the Telecommunication Traffic of the Specialized Agencies" which should replace the text actually appearing in the ITU Convention (Resolution No. 39).

G. DUPUIS
Chairman of Drafting Group C8-3

Annex: 1

ANNEX

DRAFT

RESOLUTION No. ...

Use of the United Nations Telecommunication
Network for the Telecommunication
Traffic of the Specialized Agencies

The Plenipotentiary Conference of the International Telecommunications Union
(Nice, 1989),

considering

a) the Agreement between the United Nations and the International
Telecommunication Union in particular Article 16 thereof (Atlantic City, 1947);

b) Resolution No. 39, of the Plenipotentiary Conference of the International
Telecommunication Union (Nairobi, 1982) based on the Secretary-General of the United
Nations having, as of 1 January 1954, withdrawn the offer he had formerly made to the
specialized agencies to carry their traffic over the United Nations network and
Resolution No. 35 of the Malaga-Torremolinos Convention (1973);

c) the report by the Administrative Council to the Plenipotentiary Conference
on the updating of Resolution No. 39 (Nairobi, 1982), annex to Document 47,
paragraph 2.2.3,

noting

a) that in 1985 the Joint Inspection Unit prepared a report on "The changing
use of computers in organizations of the United Nations System in Geneva: Management
Issues";

b) that as from 12 May 1989 the Secretary-General of the United Nations has
requested that the International Telecommunication Union take such action that would
allow the use of the United Nations telecommunication network by the specialized
agencies,

resolves

that the United Nations telecommunication network may carry the traffic of the
specialized agencies which participate voluntarily on condition that:

1. the specialized agencies would pay for the telecommunications service
based on the expenses of operating the service by the UN and tariffs, established
within the framework of current [Basic Instrument of the Union] regulations and
practices;

2. the use of the network is restricted to the principal organs of the United
Nations, the United Nations offices and programmes, and the specialized agencies of the
United Nations.

3. the transmissions be limited to those information exchanges in the conduct
of the United Nations system business;

4. the operation of the network be within the framework of current [Basic Instrument of the Union], regulations and practices,

instructs the Secretary-General

to follow carefully the evolution of the United Nations telecommunication network, to continue cooperation with the United Nations Telecommunication Service and to provide guidance as deemed appropriate;

further instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Corrigendum 1 to

Document 297-E

28 June 1989

Original: Spanish

COMMITTEE 9

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 9

Replace paragraph 2.11 by the following text:

"2.11 The delegate of Spain said he agreed with the Group of Experts that the title of Article 38 should read "Ratification, acceptance and approval;" the same amendment should be made to Article 40, which referred only to acceptance of the Administrative Regulations. That would be consistent with the Vienna Convention on the Law of Treaties, according to which those three terms had the same legal significance, so that States would be free to apply their domestic legislation, which might entail a different parliamentary or administrative process in each case. In any event, he could accept the replacement of the word "and" by "or"."

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 297-E

19 June 1989

Original: English

COMMITTEE 9

SUMMARY RECORD

OF THE

SEVENTH MEETING OF COMMITTEE 9

(BASIC INSTRUMENT OF THE UNION)

Tuesday, 13 June 1989, at 2040 hrs

Chairman: Mr. H.H. SIBLESZ (Netherlands)

Subjects discussed:

Documents

1. Summary record of the fourth meeting of Committee 9
2. Consideration of proposals (continued)

229

DT/12
+ Corr.1 + Add.1
Documents A + B
GE-BIU 50(Rev.)

1. Summary record of the fourth meeting of Committee 9 (Document 229)

The summary record of the fourth meeting of the Committee was approved on the understanding that delegates were entitled to submit written corrections to their own statements to the Secretariat.

2. Consideration of proposals (continued)
(Documents DT/12 + Corr.1 + Add.1, Documents A + B, and GE-BIU 50(Rev.))

Article 38 - Ratification

2.1 The Chairman invited the Committee to consider the title of Article 38 and drew attention to the suggestion of the Group of Experts that it might be enlarged to include acceptance and approval which, according to the Vienna Convention on the Law of Treaties, had the same legal effect as ratification in that they indicated consent by a signatory State to be bound by a treaty. The Committee's decision on the title could then be applied throughout the text. The proposal by Hungary (HNG/22/8) could be considered as being covered by the proposals of Tanzania, Paraguay and Colombia (TZA/56/11, PRG/95/65 and CLM/151/11) which all sought to modify the title to read: "Ratification, acceptance and approval".

2.2 The delegate of Kenya said that the question was not of major substance since approval and acceptance meant the same as ratification. The Vienna Convention did not, however, make the terminology of other treaties obsolete and it would be preferable to keep "Ratification" alone.

2.3 The delegate of Côte d'Ivoire, supported by the delegate of Guinea, was in favour of the inclusion of the notion of acceptance in the title. In the spirit of the Nairobi Convention, the Constitution was the fundamental instrument of the Union and it was to be ratified by Members, whereas the Convention was to contain provisions more likely to require amendment and did not call for a complex ratification procedure. Acceptance of the Convention would be sufficient.

2.4 The delegate of Australia drew the distinction between on one hand ratification, acceptance and approval, which all followed signature, and on the other hand accession, which did not. He questioned whether the different procedures for the Constitution and Convention suggested by the delegate of Côte d'Ivoire would in fact imply different treatment.

2.5 The Chairman confirmed that ratification, acceptance and approval were all the second stage of a two-stage process, the first stage being signature. He requested the Committee first to deal with broadening the scope of the title, before taking up the question of distinguishing between ways in which States would express willingness to be bound by the Constitution and the Convention.

2.6 The delegate of the United Kingdom, supported by the delegate of Chile, said that there was not a great deal of difference between ratification, acceptance and approval which, as the Vienna Convention stated, were all ways by which a State expressed its consent to be bound by a treaty, following signature. While it was acceptable to expand the title to read "Ratification, acceptance or approval", Provision No. 173 should not make any distinction between the way States expressed consent to be bound by the Constitution and the Convention. As the Group of Experts had made clear, the Constitution and the Convention were to be ratified in a single instrument; the same term should therefore be used for both. The delegate of Chile considered that it would be better to keep the single term "Ratification".

2.7 The delegate of Kenya said that as ratification, acceptance and approval all had the same meaning, those terms could not be used to distinguish between ways States expressed consent to be bound by the Constitution or the Convention.

2.8 The delegate of Colombia echoed the comments made by the delegate of the United Kingdom. Although the three terms were virtually synonymous, all three should be retained in order to allow States to choose the procedure compatible with their national constitutional or parliamentary practice.

2.9 The delegate of Japan supported the use of all three terms to broaden the way in which nations could express their consent to be bound by the treaty. As the delegate of the United Kingdom had explained, the three terms had the same effect but, as the delegate of Colombia had said, they would take account of differences in national procedures for consent to international agreements. Expansion of the scope to include ratification, acceptance and approval would thus be in accordance with the desirability of universal participation, expressed in Article 1.

2.10 The delegate of France agreed with the comments made by the delegates of the United Kingdom, Chile and Kenya, as well as the opinion of the Group of Experts. The idea of separate ratification of the Constitution and the Convention was not acceptable.

2.11 The delegate of Spain drew attention to No. 180 of Article 40 which spoke of ratification of or accession to the Constitution and the Convention, but of acceptance of the Administrative Regulations. That usage implied acceptance to be a lesser step than ratification or accession; such was indeed the case in his country. The Group of Experts had, however, suggested the inclusion of acceptance and approval which, according to the Vienna Convention, had the same legal effect as ratification. He therefore supported the broadening of the scope in order to meet the requirements of differing parliamentary procedures. The title should include the word "or" rather than "and".

It was agreed that the title should read: "Ratification, acceptance or approval" and that the necessary consequential changes should be made in the text.

2.12 The Chairman invited the Committee to consider No. 173, recalling that the phrase in square brackets was to be deleted in accordance with an earlier decision of the Committee. He noted that the proposal of Hungary (HNG/22/8A) was covered by the decision taken with respect to the title and thus suggested that discussion might focus on the proposals of the German Democratic Republic (DDR/6/5), Paraguay (PRG/95/66) and Colombia (CLM/151/12).

2.13 The delegate of the German Democratic Republic said that his Delegation's proposal sought to overcome the difficulty faced by certain countries, including his own, in which the parliamentary procedure did not allow for the ratification of instruments such as the Convention (or General Regulations). Although the proposal permitted consent to be bound by instruments at different hierarchical levels to be expressed in different ways, by means of separate instruments, the proposal's requirement that such instruments be deposited simultaneously maintained the unity between the Constitution and the Convention.

2.14 The delegate of Paraguay clarified the text of his country's proposal, which should read as follows: "This Constitution and the Convention shall be ratified, accepted or approved in accordance with the constitutional rules of the Members of the Union in one single instrument. Each instrument of ratification, acceptance or approval shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Members of each deposit of such instrument of ratification, acceptance or approval". The proposal sought to clarify the text.

Although not opposing the inclusion of the term "simultaneously", he pointed out that it was implied by the requirement for "in one single instrument". The words "in force", however, were redundant.

2.15 The Vice-Chairman said that the difference in meaning between "simultaneously" and "in one single instrument" might well be important in discussing the possibility of making a distinction between ways of expressing consent to be bound by the Constitution and the Convention.

2.16 The delegate of Colombia said that the ratification, acceptance or approval of the Constitution and the Convention should take place simultaneously but it was not necessary for consent to be expressed in one single instrument. Member States should be able to choose the means of expressing consent consistent with their national constitutional or parliamentary procedures. In view of the similarity between the proposal of his country and that of Paraguay, he would be willing to withdraw the proposal of Colombia in favour of that of Paraguay on the understanding that the latter be amended by deleting "in one single instrument" and by inserting "simultaneously".

2.17 The delegates of Uruguay and Gabon supported the proposal of Paraguay, as amended by the delegate of Colombia. The delegate of Gabon said that ratification in a single instrument would pose problems when the time came to amend the Convention; the complex ratification procedure would have to be continually repeated.

2.18 The delegate of Kenya considered the proposal of the German Democratic Republic to be unacceptable because it drew a distinction that was not in accordance with the definitions in the Vienna Convention and the understanding of the Committee. The concern of the German Democratic Republic was surely met by the phrase "in accordance with its constitutional rules". The proposal of Paraguay would be acceptable if it were amended by inserting the word "simultaneously".

2.19 The delegate of Venezuela also supported the proposal of Paraguay, with the insertion of "simultaneously". The Constitution and the Convention contained related provisions and could only be applied jointly.

2.20 The delegate of Australia agreed with the delegate of Kenya's remarks concerning the proposal of the German Democratic Republic. While Members could choose the procedure for expressing consent, all three procedures had the same effect. The text of the Group of Experts, with the addition of the notions of acceptance and approval, was clear and emphasized the unitary construction. Furthermore, the term "signatory" implied a Member of the Union. The text proposed by Paraguay, although similar in substance, was less clear.

2.21 The delegate of Japan said that any distinctions to be made in ways of expressing consent to be bound by different instruments should be dealt with at the national level, not at international level. The link between the Constitution and the Convention would be clearly indicated by retaining the term "simultaneously". Although there might be other ways of expressing the idea, the term "signatory" most clearly brought out the two-stage nature of the procedure for expressing consent to be bound by the Constitution and the Convention.

2.22 The delegate of Paraguay said that, after some reflection, he could accept the Australian proposal.

2.23 The Chairman suggested that the proposed expansion of the ways in which Members could express their consent to be bound might cover the concern of the delegate of the German Democratic Republic.

2.24 The delegate of the German Democratic Republic said that he too could accept the Australian proposal, provided the word "simultaneously" was transferred to the second sentence, before the phrase "in as short a time as possible".

2.25 The delegate of Australia observed that such a transfer would be inadvisable, since the word "simultaneously" was associated with "in one single instrument" in the first sentence, in order to emphasize the unitary approach to ratification, acceptance or approval.

2.26 The delegate of Mexico proposed the following text for the first two sentences of Article 38: "This Constitution and the Convention shall be ratified, accepted or approved by any signatory in accordance with its constitutional rules. This instrument of ratification, acceptance or approval shall be deposited simultaneously in one single instrument in as short a time as possible with the Secretary-General."

2.27 The delegate of Chile said that he could support that proposal, but suggested that the word "Member" should be inserted after "signatory", in order to establish a link with No. 177 in Article 39 on accession.

2.28 The delegate of Colombia also supported the Mexican proposal. The words "simultaneously in one single instrument" were correctly placed in the second sentence, where they were associated with the time at which the instrument was deposited. On the other hand, he had some doubt concerning the word "signatory", which was used in quite a different sense in other international instruments, such as those of INTELSAT and INMARSAT.

2.29 The Legal Adviser pointed out that the term "signatory" was used in the Articles on ratification of the Nairobi Convention and earlier Conventions, to make the distinction between signatories which could ratify the instrument and which had not signed it, but could accede to it. Use of the term - without the addition of the word "Member" proposed by the Chilean delegate - was therefore in line with ITU practice and was not an innovation of the Group of Experts.

2.30 The delegates of Morocco and Brazil supported the proposal to add the word "Member" after "signatory", as well as the placing of the words "simultaneously in one single instrument" proposed by Mexico.

2.31 The delegate of the United Kingdom considered that none of the proposals submitted so far added anything of value to the text in Document A amplified by the references to acceptance or approval.

2.32 The delegate of Kenya endorsed the views of the delegates of Australia and the United Kingdom, but supported the part of the Mexican proposal which avoided the awkwardness of ending the first sentence with the words "one single instrument" and beginning the second with the words "Each instrument".

2.33 The delegates of the Netherlands and Uruguay considered that the placing of the word "simultaneously" proposed by Mexico created the difficulties mentioned earlier by the Australian delegate.

2.34 The delegate of Australia observed that if the addition of the word "Member" after "signatory" met the concerns of some delegations, it might be accepted even though it was redundant.

2.35 The delegate of the Ukrainian Soviet Socialist Republic agreed with the United Kingdom delegate that it was difficult to improve on the text in Document A, but suggested that the words "of ratification, acceptance or approval" after "instrument" might be omitted in the second and third sentences, to make the provision even more concise.

2.36 The delegate of the Islamic Republic of Iran supported that suggestion as well as the Mexican proposal to replace the word "Each" at the beginning of the second sentence by "This". On the other hand, transfer of the word "simultaneously" from the first sentence to the second caused some difficulty, as the Australian delegate had pointed out earlier. Finally, in view of the Legal Adviser's reply to comments by the delegate of Gabon, it might be advisable to specify that the ratification, acceptance or approval procedure did not have to be gone through again in the event of amendments to the Convention.

2.37 The Legal Adviser pointed out that Article 43 of the draft Constitution and Article 35 of the draft Convention set out completely new amendment procedures for the two instruments, and he drew special attention to the two alternatives for No. 191 of the draft Constitution in Document A, from which it would clearly be seen that there would be no question of repeating the ratification, acceptance or approval procedure with respect to the Constitution itself as a whole, but only in regard to the individual amendments/protocols only.

2.38 The delegate of Cameroon said that he was in favour of the text in Document A as amplified, but suggested that, since the placing of the word "simultaneously" caused so much difficulty, the word could be omitted altogether, since the phrase "in one single instrument" adequately conveyed the desired unitary approach. He agreed that the word "Each" at the beginning of the first sentence should be replaced by "This".

2.39 The delegates of France and Italy expressed their preference for the text in Document A with the addition of the references to acceptance or approval.

2.40 The Chairman, after summing up the debate, suggested the following compromise text for No. 173:

"This Constitution and the Convention shall be ratified, accepted or approved simultaneously by any signatory Member, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Members of each deposit of any such instrument."

2.41 The delegates of Mexico, Kenya and the Islamic Republic of Iran said that they would prefer to give their views on the basis of a written text.

The meeting rose at 2335 hours.

The Secretary:

A. NOLL

The Chairman:

H.H. SIBLESZ

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 298-E

14 June 1989

Original: English

Note by the Secretary-General

CANDIDACIES FOR THE POST OF DEPUTY SECRETARY-GENERAL

The following candidacy for the post of Deputy Secretary-General was submitted by the deadline for nominations (Wednesday, 14 June 1989 at 2000 hours UTC - see Document 273):

- Mr. Jean JIPGUEP (Cameroon)

R.E. BUTLER
Secretary-General

PLENIPOTENTIARY CONFERENCE

NICE, 1989

Document 299-E

15 June 1989

Original: English

COMMITTEE 10

THIRD SERIES OF TEXTS FROM COMMITTEE 9 TO THE EDITORIAL COMMITTEE

On behalf of Committee 9, I take pleasure in transmitting to the Editorial Committee the third series of texts unanimously adopted by Committee 9, i.e.:

- Article 38

of the draft Constitution (Document A) for consideration by Committee 10 and forwarding them to the Plenary Meeting. These texts are contained in the Annex to the present document.

H.H. SIBLESZ
Chairman of Committee 9

Annex: 1

A N N E X

Article 38

MOD Ratification, acceptance or approval

MOD 173 1. This Constitution and the Convention shall be ratified, accepted or approved simultaneously by any signatory Member, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Members of each deposit of any such instrument.

MOD 174 2. (1) During a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member, even though it may not have deposited an instrument of ratification, acceptance or approval, in accordance with No. 173 of this Constitution, shall enjoy the rights conferred on Members of the Union in Nos 8 to 11 of this Constitution.

MOD 175 (2) From the end of a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member which has not deposited an instrument of ratification, acceptance or approval, in accordance with No. 173 of this Constitution, shall not be entitled anymore to vote at any conference of the Union, or at any session of the Administrative Council, or at any meeting of any of the permanent organs of the Union, or during consultation by correspondence conducted in accordance with the provisions of this Constitution and of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.

MOD 176 3. After the entry into force of this Constitution and the Convention in accordance with Article 46 of this Constitution, an instrument of ratification, acceptance or approval, shall become effective on the date of its deposit with the Secretary-General.

PLENIPOTENTIARY CONFERENCE

NICE, 1989

LIST OF DOCUMENTS (Documents 251 to 300)

N°	Origin	Title	Destination
251	C.5	Summary Record of the seventh meeting of Committee 5 (not yet published)	C.5
252	C.7	Summary Record of the eleventh meeting of Committee 7 (not yet published)	C.7
253	C.8	Summary Record of the seventh meeting of Committee 8	C.8
254	C.9	Summary Record of the fifth meeting of Committee 9	C.9
255	SG	Transfer of powers - Republic of Kiribati - United Kingdom	PL
256	SG	Message from the Secretary-General of the United Nations	-
257	USA	Proposals for the work of the Conference - Draft Constitution - Article 40	C.9
258	CUB	Proposals for the work of the Conference - Draft Constitution - Article 29	PL
259	S	Proposals for the work of the Conference - ITU Promotion of telecommunications development	GT PL
260	C.7	First Report of Committee 7 to the Plenary Meeting	PL
261	SG	Note by the Secretary-General - Delegation of El Salvador	PL
262	C.8	Note by the Chairman of Committee 8 to the Chairman of Committee 9	C.9
263	SG	Position of the Conference Accounts as at 12 June 1989	C.3
264	C.9	First Series of texts from Committee 9 to the Editorial Committee	C.10

No.	Origin	Title	Destination
265	C.9	Note by the Chairman of Committee 9 to the Chairman of Committee 8	C.8
266	C.8	Note by the Chairman of Committee 8 to the Chairman of Committee 9	C.9
267	PL	Minutes of the twelfth Plenary Meeting (not yet published)	PL
268	C.6	Summary Record of the sixth meeting of Committee 6 (not yet published)	C.6
269	C.7	Summary Record of the twelfth meeting of Committee 7 (not yet published)	C.7
270	C.7	Summary Record of the thirteenth meeting of Committee 7 (not yet published)	C.7
271	C.8	Summary Record of the eighth meeting of Committee 8	C.8
272	C.8	Summary Record of the ninth meeting of Committee 8	C.8
273	PL	Deadline for the deposit of candidacies for the post of Deputy Secretary-General, and date of the election	-
274	Chairman	Statement by the Minister of Posts and Telecommunications of the Democratic Republic of Madagascar	-
275	C.10	B.2	PL
276 + Corr.1	C.6	Note by the Chairman of Committee 6 to the Chairman of Committee 7	C.7
277	C.6	Note by the Chairman of Committee 6 to the Chairman of Committee 4	C.4
278	C.9	Second Series of texts from Committee 9 to the Editorial Committee	C.10
279	C.9	Summary Record of the seventh meeting of Committee 9 (not yet published)	C.9
280	C.10	B.3	PL

No.	Origin	Title	Destination
281	MNG, UKR	Proposals for the work of the Conference - Proposed amendments to the Draft Constitution	C.8
282	PL	Minutes of the thirteenth Plenary Meeting (not yet published)	PL
283	C.4	Summary Record of the fifth meeting of Committee 4 (not yet published)	C.4
284	C.6	Summary Record of the fourth meeting of Committee 6 (not yet published)	C.6
285	C.7	Summary Record of the fourteenth meeting of Committee 7 (not yet published)	C.7
286	C.8	Summary Record of the tenth meeting of Committee 8 (not yet published)	C.8
287	WG4-A	Report of Working Group 4-A to Committee 4 - ITU Publication policy - IFRB Weekly Circulars	C.4
288	C.5	Note from the Chairman of Committee 5 to the Chairman of Committee 4	C.4
289	LBR	Contribution to the ITU budget	C.4
290	C.10	B.4	PL
291	C.4	Summary Record of the sixth meeting of Committee 4 (not yet published)	C.4
292	C.7	Summary Record of the fifteenth meeting of Committee 7 (not yet published)	C.7
293	C.8	Summary Record of the eleventh meeting of Committee 8 (not yet published)	C.8
294	C.4	Second series of texts from Committee 4 to the Editorial Committee	C.10

No.	Origin	Title	Destination
295 +Corr.1	C.7	Note by the Chairman of Committee 7 (Structures) Summary of the Chairman	C.7
296 +Corr.1	GR C8-3	Report by the Chairman of Drafting Group C8-3 to Committee 8	C.8
297	C.9	Summary Record of the seventh meeting of Committee 9 (not yet published)	C.9
298	SG	Candidacies for the post of Deputy Secretary-General	-
299	C.9	Third series of texts submitted by Committee 9 to the Editorial Committee	C.10
300	SG	List of documents (251 to 300)	-