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**Documents of the Plenipotentiary Conference (Minneapolis, 1998)**

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

- This PDF includes Document No. 301-356
- The complete set of conference documents includes Document No. 1-356, DT No. 1-55 and DL No.1-34

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 301-E**
**4 November 1998**
**Original: French/English**

**PLENARY MEETING**

NOTE BY THE CHAIRPERSON OF COMMITTEE 6

In accordance with the conclusions of Committee 6, I have pleasure in submitting to the Plenary Meeting for its consideration the following draft resolution, coordinated with the delegation of Argentina.

DRAFT RESOLUTION

# PUBLICATION OF THE ITU CONSTITUTION AND CONVENTION, DECISIONS, RESOLUTIONS AND RECOMMENDATIONS AND THE OPTIONAL PROTOCOL ON THE COMPULSORY SETTLEMENT OF DISPUTES

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*noting*

*a)* that the instruments of the Union are the Constitution, the Convention and the Administrative Regulations;

*b)* that this Conference has adopted a new instrument containing the rules of procedure of conferences and other meetings of the International Telecommunication Union;

*c)* that an Optional Protocol on the compulsory settlement of disputes relating to the Constitution, the Convention and the Administrative Regulations is open for ratification, acceptance, approval or accession by Member States of ITU,

*considering*

*a)* that revisions of the Radio Regulations are published in a reference publication containing an updated version of the Radio Regulations and of the resolutions and recommendations adopted by world radiocommunication conferences;

*b)* that, despite their permanent nature, the ITU Constitution and Convention have been amended by the Plenipotentiary Conference (Kyoto, 1994) and by this Conference;

*c)* that this Conference has adopted Decision PLEN/1 relating to the treatment of decisions, resolutions and recommendations of plenipotentiary conferences,

*instructs the Secretary General*

to publish a reference document containing:

- the Constitution and the Convention as amended by plenipotentiary conferences, indicating, for amended provisions, the conference having adopted those amendments;
- the full text of all decisions, resolutions and recommendations in force;
- a list of abrogated decisions, resolutions and recommendations including the year in which they were abrogated;
- the full text of the Optional Protocol on the compulsory settlement of disputes relating to the Constitution, the Convention and the Administrative Regulations.

A. BERRADA
Chairperson

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE (PP-98)

Document 302-E
4 November 1998
Original: English

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

NOTE BY THE CHAIRPERSON OF THE AD HOC GROUP OF THE PLENARY

DRAFT DECISION [COM7/2]

**EXPENDITURE OF THE UNION FOR THE PERIOD 2000 TO 2003***

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

the strategic plans and goals established for the Union and its Sectors for the period 1999 to 2003,

*considering further*

the resolution on general principles for cost recovery (Document 292 of this Conference),

*[noting*

the proposed financial plan for the years 2000 to 2003,]

*decides*

1.1 that the Council is authorized to draw up the two biennial budgets of the Union in such a way that the total expenditure of the General Secretariat and the three Sectors of the Union does not exceed:

333.2 million Swiss francs for the years 2000 and 2001;

332.6 million Swiss francs for the years 2002 and 2003;

1.2 that the amounts specified in paragraph 1.1 above include expenditure in respect of the working languages Arabic, Chinese and Russian, to an amount not exceeding 30 million Swiss francs for the years 2000 to 2003;

* All amounts indicated in this decision are expressed in Swiss francs with the value at 1 January 1998.

1.3 that, when adopting the biennial budgets of the Union, the Council may decide to exceed the limits in 1.1 above in order to meet unanticipated demand for products or services which are subject to cost recovery;

1.4 that the Council shall each year control the expenditure and income of the budget as well as the different activities and the related expenditure contained therein;

2 that if no plenipotentiary conference is held in 2002, the Council shall establish the biennial budgets of the Union for 2004 and thereafter, having first obtained approval for the budgeted annual values of the contributory unit from a majority of the Member States of the Union;

3 that the Council may authorize expenditure in excess of the limits for conferences, meetings and seminars if such excess can be compensated by sums within the expenditure limits accrued from previous years or charged to the following year;

4 that the Council shall, during each budgetary period, assess the changes that have taken place and the changes likely to take place in the current and coming budgetary periods under the following items:

4.1 salary scales, pension contributions and allowances, including post adjustments, established by the United Nations common system and applicable to the staff employed by the Union;

4.2 the exchange rate between the Swiss franc and the United States dollar in so far as this affects the staff costs for those staff members on United Nations scales;

4.3 the purchasing power of the Swiss franc in respect of non-staff items of expenditure;

[5 that, in the light of this information, the Council may authorize expenditure up to but not beyond the amounts indicated in paragraph 1.1 above, adjusted to take account of paragraphs 4.1, 4.2 and 4.3 above, giving weight to the desirability of achieving savings within the Union, while also recognizing that certain expenditures cannot be adjusted quickly in response to changes outside the Union's control. However, the actual expenditure may not exceed the amount resulting from the actual changes under paragraph 4 above;]

6 that the Council shall have the task of effecting every possible economy and, to this end, that it shall establish the lowest possible authorized level of expenditure commensurate with the needs of the Union, within the limits established by paragraph 1[, if necessary taking into account the provisions of paragraph 4];

7 that the Council may exceed the limits established by the Plenipotentiary Conference by up to 1% in order to meet expenditure on unforeseen and urgent activities which are in the interests of the Union. The Council may exceed the limit by more than 1% only with the approval of a majority of the Member States of the Union, which shall be presented with a full statement of the facts justifying this step. This provision does not apply to paragraph 1.3 above;

8 that, in determining the value of the annual contributory unit in any particular year, the Council shall take into account the future programme of conferences and meetings and the estimated related costs as well as other sources of income in order to avoid wide fluctuations from year to year;

9 that, in determining the value of the contributory unit, the Council should also take into account the budgetary impact of the introduction of new cost-recovery charges for activities that were previously funded from assessed contributions and should, to the greatest extent possible, reduce the value of the contributory unit by an appropriate amount,

*instructs the Secretary-General*

to provide to the Council, no less than five weeks before its regular 1999 and 2001 sessions, complete and accurate data as needed for the development, consideration and establishment of the biennial budget.

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 303-E**
**5 November 1998**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**R.3** **PLENARY MEETING**

**SECOND READING**

## THIRD SERIES OF TEXTS SUBMITTED BY THE EDITORIAL COMMITTEE TO THE PLENARY MEETING

The following texts are submitted to the Plenary Meeting for **second reading**:

| **Source** | **Document** | | **Title** |
|---|---|---|---|
| COM4 | 266 | | Resolution COM5/18 |
| | | | Resolution COM5/19 |
| | 279 | | Resolution COM7/12 |
| | | | Resolution COM7/13 |
| | | | Resolution COM7/14 |
| | | | Decision PLEN/1 |
| | | | Resolution COM6/1 |
| | | **Constitution** | Article 8 |
| | | | Article 10 |
| | | | Article 11 |
| | | | Article 13 |
| | | | Article 18 |
| | | | Article 22 |
| | | | Article 25 |
| | | | Article 28 |
| | | | Article 32 |
| | | | Article 34 |
| | | | Article 55 |

| Source | Document | | Title |
|---|---|---|---|
| COM4 | 279 | **Convention** | Article 3<br>Article 4<br>Article 5 |

Lucien BOURGEAT
Chairperson

**Annex:** 25 pages

RESOLUTION COM5/18

# THE USE OF TELECOMMUNICATIONS FOR THE SAFETY AND SECURITY OF HUMANITARIAN PERSONNEL IN THE FIELD

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*recognizing*

that, in fulfilling their duties, humanitarian personnel are frequently exposed to a high degree of risk,

*gravely concerned*

about the increasing number of tragic incidents of injury or loss of life involving humanitarian personnel in the field,

*noting*

*a)* the provisions of Nos. 9, 17 and 191 of the Constitution of the International Telecommunication Union which state, respectively, that the Union is to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society by cooperating with other organizations; that the Union shall in particular promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication services; and that international telecommunication services must give absolute priority to all telecommunications concerning safety of life;

*b)* the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations which recalls the essential role of telecommunication resources in facilitating the safety of humanitarian relief and assistance personnel;

*c)* the Convention on the Safety and Security of United Nations and Associated Personnel, adopted by the 49th session of the United Nations General Assembly, laying down principles and duties to ensure the safety and security of United Nations and associated personnel,

*convinced*

that the unhindered use of telecommunication equipment and services can greatly improve the safety and security of humanitarian personnel in the field,

*recalling*

*a)* Resolution 644 of the World Radiocommunication Conference (Geneva, 1997) which recognizes the vital role of telecommunications for the safety and security of relief workers in the field;

*b)* Resolution 19 of the World Telecommunication Development Conference (Valletta, 1998) which recognizes the vital role of telecommunications for the safety and security of relief workers in the field,

*desiring*

to ensure the full application of telecommunication technology and services for the safety and security of humanitarian personnel,

*resolves to instruct the Secretary-General*

to study the possibilities for increased use of telecommunications for the safety and security of humanitarian personnel in the field and to report to the Council at its 1999 session,

*instructs the Council*

to address the issue of the use of telecommunications for the safety and security of humanitarian personnel in the field and to take appropriate actions to improve that use,

*urges Member States*

to ensure that humanitarian personnel have unhindered and uninterrupted use of telecommunication resources required for their safety and security in accordance with the national rules and regulations of the States concerned.

RESOLUTION COM5/19

# THE ROLE OF THE NOTIFYING ADMINISTRATION IN THE CASE OF AN ADMINISTRATION NOTIFYING ON BEHALF OF A NAMED GROUP OF ADMINISTRATIONS

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* that the Radio Regulations permit one administration to act as the notifying administration on behalf of a named group of administrations, and there are a number of examples of this situation in which there is one administration that acts as the notifying administration for such systems to the Radiocommunication Bureau;

*b)* that, for national operating agencies, the national administration is responsible, under No. 38 of the Constitution, for ensuring that such national agencies observe the provisions of the Constitution, Convention and the Administrative Regulations;

*c)* that the notifying administration is responsible, under the agreement with the organization responsible for multinational networks of this kind, for communicating any information from that entity to the Radiocommunication Bureau;

*d)* that, under the Radio Regulations, all communications and actions are in the name of an administration, and that the Radiocommunication Bureau needs one administration to be responsible for each satellite network of such agencies,

*instructs the Director of the Radiocommunication Bureau, with the advice of the Radiocommunication Advisory Group*

to prepare a report to the next world radiocommunication conference on the role of notifying administrations when notifying on behalf of a named group of administrations,

*resolves to invite the next world radiocommunication conference*

to address the issue of the role and requirements of the notifying administration in the case of an administration notifying on behalf of a named group of administrations.

RESOLUTION COM7/12

## LINKING STRATEGIC, FINANCIAL AND OPERATIONAL PLANNING IN ITU

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* the adoption of Recommendation 11 by the World Telecommunication Development Conference (Valletta, 1998) highlighting the need for financial and operational planning to be considered for implementation on an ITU-wide basis by this Plenipotentiary Conference;

*b)* the inclusion in the strategic plan for the Union 1999-2003, as one of the priorities of ITU, of the extension of operational planning to the three Sectors and the General Secretariat as a mechanism for enhancing accountability and transparency and the linkage of this management tool to the strategic planning and budgeting process,

*recognizing*

*a)* that the process by which progress in achieving the objectives of ITU can be measured could be considerably enhanced through the linkage of strategic, financial and operational plans which set out the activities planned to be undertaken during any given year;

*b)* that operational and financial plans for ITU should set out the activities of the Union, the objectives of those activities and the associated resources, and could be effectively utilized, *inter alia*:

- to monitor progress in the implementation of the programmes of the Union;
- to enhance the capacity of the membership to evaluate, using performance indicators, progress in the achievement of programme activities;
- to improve efficiency of these activities;
- to ensure transparency, particularly in the application of cost recovery;
- to promote complementarity between the activities of ITU and those of other relevant international and regional telecommunication organizations;

*c)* that the introduction of operational planning and its effective linkage to strategic and financial planning may make changes in the Financial Regulations necessary in order to elaborate the relationships between the corresponding documents and to harmonize presentation of the information they contain;

*d)* that an effective and specific oversight mechanism is required to enable the Council adequately to audit progress in linking the strategic, operational and financial functions and to assess the implementation of operational plans,

*resolves to instruct the Secretary-General and the Directors of the three Bureaux*

1 to identify particular measures and elements such as those listed in the annex to this resolution which should be considered indicative and not exclusive, to be included in the operational plan, which will assist the Union in implementing the strategic and financial plans and enable the Council to review their implementation;

2 to review the Financial Regulations of the Union, taking into account the views of Member States and the advice of the Sector advisory bodies, and to make appropriate proposals for consideration by the Council in the light of *recognizing c)* and *d)* above;

3 to each prepare their consolidated plans reflecting the linkages between strategic, financial and operational planning for annual review by the Council,

*instructs the Council*

1 to evaluate progress in linking the strategic, financial and operational functions and in implementing operational planning, and to take steps as appropriate to achieve the objectives of this resolution;

2 to take the necessary action to ensure that the future strategic, financial and operational plans will be prepared in line with this resolution;

3 to prepare a report, with any appropriate recommendations, for consideration by the 2002 Plenipotentiary Conference.

ANNEX TO RESOLUTION COM7/12

**Elements associated with operational planning**

- Detailed specification of activities to be undertaken during any given year, including ongoing work as well as special projects or studies having a fixed duration.
- Establishment of performance indicators, benchmarks or milestones in order to measure progress in the achievement of objectives and subobjectives of the various organizational units.
- Establishment of workload scenarios and implementation strategies, and specification of resources available to undertake various tasks.
- Specification of strategies to address resource shortfalls through measures such as the re-ordering of priorities, which are precipitated, for example, by relevant conference or assembly decisions having financial resource implications.
- Outline of progress on the implementation of decisions taken by plenipotentiary conferences or by the Council.
- Specification of measures undertaken to fulfil the objectives outlined in the strategic plan: for example, progress achieved in identifying a range of products and services which could be subject to cost recovery and/or revenue generation.
- Outline of progress reports by the various advisory bodies.

RESOLUTION COM7/13

## DOCUMENTS AND PUBLICATIONS OF THE UNION

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*recalling*

Resolution 66 of the Plenipotentiary Conference (Kyoto, 1994),

*considering*

*a)* No. 484 of the Convention of the International Telecommunication Union (Geneva, 1992) and Resolution 1 of the Plenipotentiary Conference (Kyoto, 1994) concerning the effective utilization of information resources;

*b)* the need for efficient marketing and distribution of documentation and publications of the Union to promote increased use of ITU recommendations and other publications;

*c)* the evolution of electronic handling and transmission of information;

*d)* the continued development of new publishing technologies and methods of distribution;

*e)* the desirability of cooperation with bodies engaged in relevant standards development;

*f)* the continued importance of the Union's copyright in its publications;

*g)* the need to derive revenue from publications as a means of recovering costs of production, marketing and sales;

*h)* the need to provide a timely and efficient global standardization process;

*i)* the pricing policies of other relevant standardization bodies,

*considering further*

*a)* that a primary purpose of the Union is to extend the benefits of new telecommunication technologies to all the world's inhabitants;

*b)* the need to maintain a coherent financing and pricing policy which will ensure the continuity of publications, including the development of new products and the use of modern methods of distribution,

*resolves*

1 that documents intended to facilitate the timely development of recommendations of the Union shall, to the fullest extent possible, be made available also in electronic format and be accessible to any Member State or Sector Member;

2 that publications of the Union, including all recommendations of the Sectors, shall, where appropriate, also be made available to the Member States and Sector Members and to the public in electronic format and through electronic sale or distribution, with appropriate provision for payment to the Union for a particular publication or set of publications requested;

3 that a request for any publication of the Union, regardless of its format, obliges those who obtain or purchase the publication to respect the copyright of the Union set forth in that publication;

4 that a publication containing a recommendation of an ITU Sector obtained from ITU, regardless of its format, may be utilized by the receiving entity or purchaser for uses including furthering the work of the Union or any relevant standards body or forum developing related standards, providing guidance for product or service development and implementation and serving as support for documentation associated with a product or service;

5 that none of the above is intended to breach the copyright held by the Union, so that any person or entity wishing to reproduce or duplicate all or parts of ITU publications for resale must obtain a specific agreement for such purpose,

*instructs the Secretary-General*

1 to take the necessary steps to facilitate the implementation of this resolution;

2 to ensure that publications in paper format are made available as quickly as possible so as not to deprive Member States or Sector Members not possessing electronic facilities of access to publications of the Union;

3 to implement, within the financial constraints of the Union, strategies and mechanisms to enable all Member States and Sector Members to acquire and use the facilities required to access documents and publications of the Union in electronic format;

4 to ensure that prices for all forms of publications of the Union are reasonable in order to promote their wide distribution;

5 to seek consultation with the advisory groups of the three ITU Sectors to assist in developing and updating policies on documents and publications,

*instructs the Director of the Telecommunication Development Bureau*

to implement, as a priority, in close coordination with the Directors of the Radiocommunication and the Telecommunication Standardization Bureaux, strategies and mechanisms to encourage and facilitate the efficient use by the developing countries, and in particular least developed countries, of the Web-based documents and publications of the Union.

RESOLUTION COM7/14

## REDUCTION OF THE VOLUME AND COST OF DOCUMENTATION FOR ITU CONFERENCES

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*recalling*

*a)* Council Resolution 847 on control of volume and observance of time limits for documents, and the Rules of Procedure and working methods adopted in the Sectors for the submission and processing of documents;

*b)* that, after discussing a report on follow-up to the report of the Budget Control Committee of the World Radiocommunication Conference (Geneva, 1997) (WRC-97), the Council requested that an initial report on reduction of the volume and cost of documentation be submitted to this Plenipotentiary Conference and a final report to Council-99;

*c)* that the above-mentioned follow-up report, noting that a limit of five copies per delegation had been introduced during WRC-97 for one long document, suggested that such a limit could in the future be applied more systematically to conference documentation and that the introduction of cost-recovery mechanisms for additional copies would have resulted in significant cost savings;

*d)* that the Budget Control Committee of the World Telecommunication Development Conference (Valletta, 1998) similarly requested the Secretary-General to study measures to limit the volume of documentation, including the introduction of electronic means, during the proceedings of future conferences,

*having examined*

the report by the Secretary-General on reduction of the volume and cost of documentation for ITU conferences,

*considering*

*a)* that the question of limitation of documentation is under review throughout the United Nations system and ITU is participating in this process through inter-agency bodies such as the Inter-Agency Meeting on Language Arrangements, Documentation and Publications (IAMLADP);

*b)* that the continued introduction and application of electronic media and document handling technology provides an efficient and cost-effective alternative to the distribution of hard-copy documents, speeding up document flows and reducing the consumption of paper, with resulting benefits for the environment;

*c)* that, while some measures to control the volume and cost of documentation generated by the secretariat can be taken at the initiative of the secretariat above, others will require the agreement and cooperation of the membership,

*recognizing*

that rationalizing document production (volume, cost, timely distribution) is an ongoing objective for the Union, in order to maintain established standards of quality and service while responding to steadily increasing demands,

*conscious*

that, in view of the growth in the size of the Union's membership, increased participation in its conferences and meetings and increasingly heavy agendas, controlling the volume and cost of documentation will be an important factor for efficiency and cost effectiveness,

*noting*

the efforts being made in the secretariat, through internal guidelines on the length and submission of documents, improvement in the quality of documents by appropriate editing and technological innovations at all stages of document processing and management,

*resolves*

that, in the interests of efficiency and cost effectiveness, every effort should be made to reduce the volume and cost of documentation in the Union,

*instructs the Secretary-General*

to continue studying ways and means of controlling the volume and cost of documentation, including those listed in annex to this resolution as an example, and to report to Council-99 on the subject,

*instructs the Directors of the three Bureaux*

to bring this resolution and the Secretary-General's report to this Conference to the attention of the Sector advisory bodies with a view to reviewing ways in which the Sectors can contribute to the overall effort to reduce the volume and cost of documentation, and to include their findings in the Secretary-General's report to Council-99,

*urges Member States and Sector Members*

in submitting contributions to ITU conferences and meetings, to bear in mind the need for timely submission, the advantages of using electronic media and the desirability of keeping documents as concise and short as possible,

*instructs the Council*

1 to study the report by the Secretary-General at its 1999 session and take any appropriate action;

2 to keep the question of documentation under review and report to the next Plenipotentiary Conference.

ANNEX TO RESOLUTION COM7/14

**Items for consideration with a view to reducing the volume and cost of documentation**

1 Categorization of documents (secretariat reports, contributions, proposals, information documents, treaty texts, etc.) and treatment of the different categories (translation, method of distribution, deadlines, etc.).

2 Guidelines for authors of documents:

- internal;
- external.

3 Limitation of hard-copy distribution:

- electronic delivery (e-mail, Web, CD-ROM);
- number of copies distributed;
- avoid re-issuing documents;
- cost-recovery principle for extra copies.

4 Treatment of information/action documents:

- distinction between the two categories;
- distribution of action documents only as conference documents;
- distribution of information documents by electronic means only, wherever possible;
- non-essential information to be put in annex to action documents;
- limitation of size of documents.

DECISION PLEN/1

# TREATMENT OF DECISIONS, RESOLUTIONS AND RECOMMENDATIONS OF PLENIPOTENTIARY CONFERENCES

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* that the adoption of a permanent Constitution and Convention of the International Telecommunication Union by the Additional Plenipotentiary Conference (Geneva, 1992) has contributed to the efficiency of plenipotentiary conferences;

*b)* that, at past plenipotentiary conferences, all the decisions, resolutions and recommendations of the preceding conference have been examined and a new set adopted, even if it repeats, totally or partially, some of the previous output;

*c)* that the Plenipotentiary Conference (Kyoto, 1994) started a new numbering system for decisions, resolutions and recommendations, independent of the numbering system used in previous plenipotentiary conferences;

*d)* that these practices concerning decisions, resolutions and recommendations are not ideal, in that they have resulted in certain inefficiencies and potential for confusion;

*e)* that a new numbering system for decisions, resolutions and recommendations is required in order to avoid confusion,

*decides*

1 that resolutions of an ITU plenipotentiary conference remain in effect unless they are revised or abrogated by a subsequent plenipotentiary conference;

2 that the Final Acts of a plenipotentiary conference should also include:

– the full text of new and revised resolutions, together with a list of their titles and numbers;

– a list of abrogated resolutions showing their titles and numbers, but no text;

3 that resolutions should be identified as follows:

3.1 resolutions not amended:

i) a resolution of the Plenipotentiary Conference (Kyoto, 1994) the text of which is not amended by the Plenipotentiary Conference (Minneapolis, 1998) should continue to be identified by its existing number, with the addition of "(Kyoto, 1994)" after the number, e.g. Resolution AAA (Kyoto, 1994);

ii) resolutions not amended by plenipotentiary conferences subsequent to the Plenipotentiary Conference (Minneapolis, 1998) should retain their existing designation;

3.2 new resolutions:

new resolutions adopted by the Plenipotentiary Conference (Minneapolis, 1998) and subsequent plenipotentiary conferences should be numbered consecutively, starting from the next number to the last one adopted at the preceding plenipotentiary conference, together with the city and the year in parentheses, e.g. Resolution BBB (Minneapolis, 1998);

3.3 revised resolutions:

resolutions revised at the Plenipotentiary Conference (Minneapolis, 1998) and subsequent plenipotentiary conferences should retain the same number as before, together with the abbreviation "Rev.", the city and the year in parentheses, e.g. Resolution CCC (Rev. Minneapolis, 1998);

4 that decisions and recommendations of plenipotentiary conferences should also be treated in the manner described in *decides* 1 to 3.3 above.

RESOLUTION COM6/1

## WORKING METHODS OF THE RADIO REGULATIONS BOARD

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* that the rights of administrations are often affected by the decisions of the Radio Regulations Board;

*b)* that the regulatory status of costly satellite networks may be affected or changed as a result of decisions of the Radio Regulations Board;

*c)* that the World Radiocommunication Conference (Geneva, 1997) decided on some changes to the Radio Regulations that will help to improve the transparency of the working methods of the Board, but that further improvements are possible and necessary,

*resolves to instruct the Radio Regulations Board*

to develop appropriate changes to its working methods in order to further increase the transparency of its methods and decision-making process; such changes in the working methods shall be reported to the next world radiocommunication conference by the Director of the Radiocommunication Bureau,

*invites the next world radiocommunication conference*

to study the above report and consider any consequent measures which might need to be adopted.

# INSTRUMENT AMENDING THE CONSTITUTION OF THE INTERNATIONAL TELECOMMUNICATION UNION*
(GENEVA, 1992)

**(Amendments adopted by the Plenipotentiary Conference (Minneapolis, 1998))**

## CHAPTER I

**Basic Provisions**

### ARTICLE 8 (CS)

**Plenipotentiary Conference**

**MOD 48** 2. On the basis of proposals by Member States and taking account of reports by the Council, the Plenipotentiary Conference shall:

**MOD 50** *b)* consider the reports by the Council on the activities of the Union since the previous Plenipotentiary Conference and on the policy and strategic planning of the Union;

**MOD 51** *c)* establish the basis for the budget of the Union and determine, in the light of its decisions taken on the reports referred to in No. 50 above, related financial limits until the next plenipotentiary conference, after considering all relevant aspects of the work of the Union in that period;

**ADD 51A** *d)* establish, using the procedures described in Nos. 161D to 161I of this Constitution, the total number of contributory units for the period up to the next plenipotentiary conference on the basis of the classes of contribution announced by Member States;

**ADD 58A** *jbis)* adopt and amend the Rules of Procedure of conferences and other meetings of the Union;

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* Pursuant to Resolution PLEN/1 of the Plenipotentiary Conference (Minneapolis, 1998) on the inclusion of gender perspective in the work of ITU, the language in the basic instrument of the Union (Constitution and Convention) shall be considered as gender-neutral.

ARTICLE 10 (CS)

**The Council**

**MOD 70** (2) It shall consider broad telecommunication policy issues in keeping with the guidelines given by the Plenipotentiary Conference in order to ensure that the Union's policies and strategy fully respond to the constantly changing telecommunication environment and shall prepare a report on the policy and strategic planning recommended for the Union, together with their financial implications. It shall use to this effect the material prepared by the Secretary-General under No. 74A below.

ARTICLE 11 (CS)

**General Secretariat**

**ADD 74A** *b)* prepare, with the assistance of the Coordination Committee, material required for the preparation of a report on the policies and strategic plan for the Union, and coordinate the implementation of the plan;

**ADD 76A** (4*bis*)The Secretary-General may act as depositary of special arrangements established in conformity with Article 42 of this Constitution.

## CHAPTER II

## Radiocommunication Sector

### ARTICLE 13 (CS)

### Radiocommunication Conferences and Radiocommunication Assemblies

**MOD 92** 4. The decisions of a world radiocommunication conference, of a radiocommunication assembly and of a regional radiocommunication conference shall in all circumstances be in conformity with this Constitution and the Convention. The decisions of a radiocommunication assembly or of a regional radiocommunication conference shall also in all circumstances be in conformity with the Radio Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

## CHAPTER III

## Telecommunication Standardization Sector

### ARTICLE 18 (CS)

### World Telecommunication Standardization Assemblies

**MOD 115** 3. Decisions of world telecommunication standardization assemblies must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the assemblies shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

## CHAPTER IV

## Telecommunication Development Sector

### ARTICLE 22 (CS)

### Telecommunication Development Conferences

**MOD 142** 4. Telecommunication development conferences shall not produce Final Acts. Their conclusions shall take the form of resolutions, decisions, recommendations or reports. These conclusions must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

## CHAPTER V

## Other Provisions Concerning the Functioning of the Union

### ARTICLE 25 (CS)

### World Conferences on International Telecommunications

**MOD 147** 2. Decisions of world conferences on international telecommunications shall in all circumstances be in conformity with this Constitution and the Convention. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

ARTICLE 28 (CS)

**Finances of the Union**

**MOD 159** 2. The expenses of the Union shall be met from:

**ADD 159A** *a)* the contributions of its Member States and Sector Members;

**ADD 159B** *b)* other revenues as identified in the Convention or in the Financial Regulations.

**ADD 159C** 3. Each Member State and Sector Member shall pay a sum equivalent to the number of units in the class of contribution it has chosen in accordance with Nos. 160 to 161I below.

**ADD 159D** 4. Expenses incurred by the regional conferences referred to in No. 43 of this Constitution shall be borne, in accordance with their class of contribution, by all the Member States of the region concerned and, where appropriate, on the same basis by any Member States of other regions which have participated in such conferences.

**MOD 160** 5. (1) Member States and Sector Members shall be free to choose their class of contribution for defraying Union expenses.

**MOD 161** (2) The choice by Member States shall be made at a Plenipotentiary Conference in accordance with the scale of classes of contribution and conditions contained in the Convention and with the procedures described below.

**ADD 161A** (3) The choice by Sector Members shall be made in accordance with the scale of classes of contribution and conditions contained in the Convention and with the procedures described below.

**ADD 161B** 6. (1) At its session preceding the Plenipotentiary Conference, the Council shall fix the provisional amount of the contributory unit, on the basis of the draft financial plan for the corresponding period and total number of contributory units.

**ADD 161C** (2) The Secretary-General shall inform the Member States and Sector Members of the provisional amount of the contributory unit as determined under No. 161B above and invite the Member States to notify, no later than one week prior to the date set for the opening of the Plenipotentiary Conference, the class of contribution they have provisionally chosen.

**ADD 161D** (3) The Plenipotentiary Conference shall, during its first week, determine the provisional upper limit of the amount of the contributory unit resulting from the steps taken by the Secretary-General in pursuance of Nos. 161B and 161C above, and taking account of any changes in class of contribution notified by Member States to the Secretary-General as well as classes of contribution remaining unchanged.

**ADD 161E** (4) Bearing in mind the draft financial plan as revised, the Plenipotentiary Conference shall determine the definitive upper limit of the amount of the contributory unit. The Secretary-General shall then invite the Member States to announce, before the end of the penultimate week of the Plenipotentiary Conference, their definitive choice of class of contribution.

**ADD 161F** (5) Member States which have failed to notify the Secretary-General of their decision by the date set by the Plenipotentiary Conference shall retain the class of contribution previously chosen.

**ADD 161G** (6) The Plenipotentiary Conference shall then approve the definitive financial plan on the basis of the total number of contributory units corresponding to the definitive classes of contribution chosen by the Member States and classes of contribution of the Sector Members at the date on which the financial plan is approved.

**ADD 161H** 7. (1) The Secretary-General shall inform the Sector Members of the definitive upper limit of the amount of the contributory unit and invite them to notify, within three months from the closing date of the Plenipotentiary Conference, the class of contribution they have chosen.

**ADD 161I** (2) Sector Members which have failed to notify the Secretary-General of their decision within this three-month period shall retain the class of contribution previously chosen.

**MOD 162** (5) Amendments to the scale of classes of contribution adopted by a plenipotentiary conference shall apply for the selection of the class of contribution during the following plenipotentiary conference.

**MOD 163** (6) The class of contribution chosen by a Member State or a Sector Member is applicable as of the first biennial budget after a plenipotentiary conference.

**SUP 164**

**MOD 165** 6. When choosing its class of contribution, a Member State shall not reduce it by more than two classes of contribution and the Council shall indicate to it the manner in which the reduction shall be gradually implemented over the period between plenipotentiary conferences. However, under exceptional circumstances such as natural disasters necessitating international aid programmes, the Plenipotentiary Conference may authorize a greater reduction in the number of contributory units when so requested by a Member State which has established that it can no longer maintain its contribution at the class originally chosen.

**ADD 165*bis*** 6*bis*. Under exceptional circumstances such as natural disasters necessitating international aid programmes, the Council may authorize a reduction in the number of contributory units when so requested by a Member State which has established that it can no longer maintain its contribution at the class originally chosen.

**ADD 165A** 7. Member States and Sector Members may at any time choose a class of contribution higher than the one already adopted by them.

**SUP 166**

**SUP 167**

**MOD 168** 8. Member States and Sector Members shall pay in advance their annual contributory shares, calculated on the basis of the biennial budget approved by the Council as well as of any adjustment adopted by the Council.

**[MOD 169** 9. A Member State which is in arrears in its payments to the Union shall lose its right to vote as defined in Nos. 27 and 28 of this Constitution [and shall not be eligible for election to the Council nor to any chairmanship or vice-chairmanship for conferences, as referred to in the relevant provisions of the Convention,] for so long as the amount of its arrears equals or exceeds the amount of the contribution due for the two preceding years.]

*NOTE - Committee 6 concluded its work before the Plenary Meeting dealt with this matter.*

**MOD 170** 10. Specific provisions governing the financial contributions by Sector Members and by other international organizations are contained in the Convention.

## ARTICLE 32 (CS)

### Rules of Procedure of Conferences and Other Meetings

**MOD 177** 1. For the organization of their work and the conduct of their discussions, conferences and other meetings of the Union shall apply the Rules of Procedure of conferences and other meetings of the Union adopted by the Plenipotentiary Conference.

**MOD 178** 2. Conferences, assemblies and the Council may adopt such rules as they consider to be essential in addition to those in the Rules of Procedure. Such additional rules must, however, be compatible with this Constitution, the Convention and the Rules of Procedure referred to in No. 177 above; those adopted by conferences or assemblies shall be published as documents of the conference or assembly concerned.

## CHAPTER VI

## General Provisions Relating to Telecommunications

### ARTICLE 34 (CS)

### Stoppage of Telecommunications

**MOD 180** 1. Member States reserve the right to stop, in accordance with their national law, the transmission of any private telegram which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.

**MOD 181** 2. Member States also reserve the right to cut off, in accordance with their national law, any other private telecommunications which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency.

## CHAPTER IX

## Final Provisions

### ARTICLE 55 (CS)

### Provisions for Amending this Constitution

**MOD 228** 5. Unless specified otherwise in the preceding paragraphs of this Article, which shall prevail, the general provisions regarding conferences and the Rules of Procedures of conferences and other meetings shall apply.

# INSTRUMENT AMENDING THE CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION*
(GENEVA, 1992)

**(Amendments adopted by the Plenipotentiary Conference (Minneapolis, 1998))**

## CHAPTER I

## Functioning of the Union

### SECTION 1

### ARTICLE 3 (CV)

### Other Conferences and Assemblies

**MOD 47** 7. In the consultations referred to in Nos. 42, 46, 118, 123, 138, 302, 304, 305, 307 and 312 of this Convention, Member States which have not replied within the time limits specified by the Council shall be regarded as not participating in the consultations, and in consequence shall not be taken into account in computing the majority. If the number of replies does not exceed one-half of the Member States consulted, a further consultation shall take place, the results of which shall be decisive regardless of the number of votes cast.

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* Pursuant to Resolution PLEN/1 of the Plenipotentiary Conference (Minneapolis, 1998) on the inclusion of gender perspective in the work of ITU, the language in the basic instrument of the Union (Constitution and Convention) shall be considered as gender-neutral.

SECTION 2

ARTICLE 4 (CV)

**The Council**

**MOD 61** 10. The Council shall consider each year the report prepared by the Secretary-General on implementation of the strategic plan adopted by the Plenipotentiary Conference and shall take appropriate action.

**MOD 69** (3) take decisions to ensure equitable geographical distribution and representation of women in the Professional and higher categories in the staff of the Union and monitor the implementation of such decisions;

**MOD 73** (7) review and approve the biennial budget of the Union, and consider the budget forecast for the two-year period following that budget, taking account of the decisions of the Plenipotentiary Conference in relation to No. 50 of the Constitution and of the financial limits set by that Conference in accordance with No. 51 of the Constitution; it shall ensure the strictest possible economy but be mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible. In so doing, the Council shall take into account the views of the Coordination Committee as contained in the report by the Secretary-General mentioned in No. 86 and the financial operating report mentioned in No. 101 of this Convention;

## SECTION 3

## ARTICLE 5 (CV)

### General Secretariat

**MOD 86** *c)* prepare, with the assistance of the Coordination Committee, and submit to the Council a report indicating changes in the telecommunication environment since the last plenipotentiary conference and containing recommended action relating to the Union's future policies and strategy, together with their financial implications;

**ADD 86A** *cbis)* coordinate implementation of the strategic plan adopted by the Plenipotentiary Conference and prepare an annual report on this implementation for review by the Council;

**MOD 100** *q)* after consultation with the Coordination Committee and making all possible economies, prepare and submit to the Council a biennial draft budget covering the expenditures of the Union, taking account of the financial limits laid down by the Plenipotentiary Conference. This draft shall consist of a consolidated budget, including cost-based budgets for the three Sectors, prepared in accordance with the budget guidelines issued by the Secretary-General, and comprising two versions. One version shall be for zero growth of the contributory unit, the other for a growth less than or equal to any limit fixed by the Plenipotentiary Conference, after any drawing on the Reserve Account. The budget resolution, after approval by the Council, shall be sent for information to all Member States;

**ADD 102A** *sbis)* manage the special arrangements referred to in No. 76A of the Constitution, the cost of this management being borne by the signatories of the arrangement in a manner agreed between them and the Secretary-General.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

Document 304-E
4 November 1998

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**B.6** **PLENARY MEETING**

**FIRST READING**

SIXTH SERIES OF TEXTS SUBMITTED BY THE EDITORIAL COMMITTEE TO THE PLENARY MEETING

The following texts are submitted to the Plenary Meeting for **first reading**:

| **Source** | **Document** | **Title** |
|---|---|---|
| PLEN | 281 | Resolution PLEN/2 |
| | 284 | Resolution PLEN/3 |
| COM7 | 291 | Resolution COM7/17 |

Lucien BOURGEAT
Chairperson

**Annex**: 3 pages

DRAFT RESOLUTION PLEN/2

## PROVISIONAL APPLICATION OF THE CHANGES TO THE COMPOSITION OF THE RADIO REGULATIONS BOARD

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* that this Conference has decided to change the composition of the Radio Regulations Board, increasing the number of its members to 12;

*b)* that this Conference has decided that this change should be put into effect as soon as possible;

*c)* that this Conference has elected 12 members to the Radio Regulations Board,

*conscious of*

the need to have provisional arrangements for the meeting of the new Radio Regulations Board, until the entry into force of the amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), adopted by this Conference.

*resolves*

1 that the amendments to the Constitution and Convention relating to the number of members of the Radio Regulations Board (ADD 93A of the Constitution and SUP 139 of the Convention) shall be applied provisionally with effect from 1 February 1999;

2 that the members of the Radio Regulations Board elected at this Conference shall take up their duties as of that date.

RESOLUTION PLEN/3

## STATUS OF PALESTINE IN ITU

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*recalling*

*a)* the Charter of the United Nations and the Universal Declaration of Human Rights;

*b)* Resolution A/52/250 of the United Nations General Assembly relating to the participation of Palestine in the work of the United Nations;

*c)* Resolutions 6 and 32 of the Plenipotentiary Conference (Kyoto, 1994);

*d)* Resolution 18 of the World Telecommunication Development Conference (Valletta, 1998),

*considering*

*a)* that the basic instruments of the Union have as a purpose to strengthen peace and security in the world by means of international cooperation and better understanding among peoples;

*b)* that to achieve the above purpose, ITU needs to have a universal character,

*considering further*

that many, but not all, ITU Member States recognize Palestine as a State,

*resolves*

that pending any further change in the status of Palestine in ITU, the following shall apply:

1) the provisions of the Administrative Regulations, and related resolutions and recommendations, shall be applied to the Palestinian Authority in the same manner as they are applied to administrations as defined in No. 1002 of the Constitution, and the General Secretariat and the three Bureaux shall act accordingly, in particular in relation to the international access code, call signs and the processing of frequency notification assignments;

2) Palestine may participate in all ITU conferences, assemblies and meetings as an observer, with the rights that are attributed to an observer as defined in No. 1002 of the Convention, and in treaty-making conferences with the following additional rights:

   – the right to raise points of order related to the proceedings on Palestinian and Middle East issues, provided that the right to raise such a point of order shall not include the right to challenge the decision of the presiding officer;

   – the right to co-sponsor draft resolutions and decisions on Palestinian and Middle East issues; such draft resolutions and decisions shall only be put to vote upon request from a Member State;

3) the Palestinian delegation shall be seated immediately after Member States.

RESOLUTION COM7/17

## APPROVAL OF THE ACCOUNTS OF THE UNION FOR THE YEARS 1994 TO 1997

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* the provisions of No. 53 of the Constitution of the International Telecommunication Union (Geneva, 1992);

*b)* the report of the Council to the Plenipotentiary Conference in Document 23 relating to the financial management of the Union during the years 1994 to 1997 and the report of the Committee on Management of the Union (Finance) of this Conference in Document 265,

*resolves*

to give its final approval of the accounts of the Union for the years 1994 to 1997.

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE (PP-98)

Document 305-E
4 November 1998
Original: English

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

PLENARY MEETING

**Saudi Arabia (Kingdom of), Iran (Islamic Republic of), Morocco (Kingdom of), Syrian Arab Republic**

**ARS/IRN/MRC/ SYR/305/1 ADD**

DRAFT RESOLUTION

## REVIEW AND IMPROVEMENT OF THE MANAGEMENT, FUNCTIONING AND STRUCTURE OF THE INTERNATIONAL TELECOMMUNICATION UNION

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

*considering*

*a)* that recommendations of the ITU-2000 Group were adopted by this Conference and resulted in amendments to the Constitution and Convention;

*b)* [that these amendments will not come into force until [1.1.2003]];

*c)* the need to strengthen further ITU's role as the pre-eminent international body in developing the technical basis for establishment of the global information infrastructure and other future technologies;

*d)* that innovations in information and telecommunication technology, the emergence of new global services and the worldwide trend towards liberalization have led to an accelerating pace of change in the telecommunication environment;

*e)* the increasing importance of the role that Sector Members play in the work of the Union,

*recognizing*

*a)* the increasing pace of technical development and the continuing growth in the volume and complexity of the tasks to be performed by the Union;

*b)* that ITU must adapt to the rapidly changing telecommunication environment in order to respond effectively to the needs of its membership and maintain a position of leadership in world telecommunications;

*c)* that the Union through its Sectors must be able to respond to short-term requests, but that there is also a need for the Union to address the long-term implications of these changes;

*d)* that the scope and activities of the three Sectors are different and therefore may require different approaches,

*resolves to instruct the Directors of the Bureaux*

to seek advice from their Sector advisory groups on the further changes for improving the organization and working methods of their respective Sectors that are necessary to ensure that ITU is able to meet its objective as set forth in the Constitution and developed in the Strategic Plan,

*instructs the Secretary-General*

to carry out a similar exercise with regard to the General Secretariat, reporting to the Council in particular on the strengthening of the financial base of the Union and the management of human resources,

*resolves to invite the Council*

1 to establish an open working group to review the management, functioning and structure of the Union as well as to the rights and obligations of Member States and Sector Members, based on the reports of the Secretary General and the Sectors, and contributions from Member States and Sector Members, make recommendations accordingly, and prepare interim and final reports to Council;

2 to examine the recommendations of the working group and to adopt decisions, within its power, concerning their implementation;

3 to prepare draft texts for amendments to the Constitution and the Convention;

4 to consider and circulate an interim report for dissemination to the Member States and Sector Members for comments;

5 to consider and submit a report to the next Plenipotentiary Conference including its recommendations together with draft texts for amendments to the Constitution and the Convention,

*invites*

the conferences, assemblies, and advisory groups of the Sectors to implement such changes as appropriate, providing they are consistent with the current Constitution and Convention, and pending action by the next Plenipotentiary Conference.

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INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE (PP-98)

Document 306-E
5 November 1998
Original: English

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Note by the Secretary-General**

FOR INFORMATION

FINAL DAYS OF THE CONFERENCE

The Steering Committee has established a programme for the termination of the Conference on 6 November 1998. In this connection, attention is invited to the following:

## 1 Final Acts

Paper copies of the preliminary version of the Final Acts will be distributed in the pigeonholes to Heads and Deputy Heads of delegations on 6 November 1998 before the signing ceremony. A CD-ROM containing all the working documents of the Conference and the preliminary version of the Final Acts will also be distributed to each delegate on the same day.

NOTE - Delegates who leave the Conference before the signing ceremony are requested to inform the Delegate Registration Service to enable the Secretariat to dispatch their CD-ROM after the Conference.

## 2 Declarations concerning the Final Acts

When the last text to be included in the Final Acts of the Conference has been approved in second reading by the Plenary Meeting, a time limit of two hours will be set for the deposit of declarations/reservations concerning the Final Acts.

The declarations/reservations concerning the Final Acts are to be handed in to the Document Control Service (Office A.208B) for publication in a consolidated document.

The Plenary Meeting will take note (without debate) of the declarations/reservations concerning the Final Acts and fix a second deadline of one and a half hours for the deposit of additional declarations/reservations **having regard to the first set of declarations/reservations**.

A subsequent Plenary Meeting will take note (without debate) of the additional declarations/reservations.

## 3 Signing ceremony

Between the final adoption, in second reading, of the last texts of the Final Acts and the signing ceremony, a period of up to 24 hours is required:

- for the preparation and printing of the Final Acts, and
- for the deposit and publication of the declarations/reservations and additional declarations/reservations, as well as for the Plenary Meeting held to take note of them.

The time of the opening of the signing ceremony will therefore depend on when the last text is cleared in Plenary and will be notified to delegates in the usual manner (i.e. on the daily programme and on the notice board).

NOTE - Delegations (or members thereof) wishing to sign the Final Acts before the signing ceremony may do so by application to Office A.208A (Mrs. B. Bux).

Pekka TARJANNE
Secretary-General

UNION INTERNATIONALE DES TELECOMMUNICATIONS

# CONFERENCE DE PLENIPOTENTIAIRES (PP-98)

**Document 307-F**
**5 novembre 1998**
**Original: anglais**

MINNEAPOLIS, 12 OCTOBRE - 6 NOVEMBRE 1998

## NOTE DU SECRETAIRE GENERAL

## CÉRÉMONIE DE SIGNATURE

1 A la clôture de la dernière séance plénière, le Président annonce le moment auquel aura lieu la cérémonie de signature et de clôture de la Conférence.

2 La procédure suivie pour la cérémonie de signature est la suivante:

2.1 Avant le début de la cérémonie, les délégations sont invitées à prendre les dossiers contenant les feuillets à signer. Ces dossiers seront distribués à l'entrée de la Salle A.

2.2 Dans ces dossiers, les délégations trouveront:

a) un feuillet intitulé "ACTES FINALS" pour les signatures des Actes finals;

b) un feuillet intitulé "DÉCLARATIONS/RÉSERVES" pour les signatures des Déclarations et Réserves;

c) un feuillet rose sur lequel les signataires sont priés d'écrire leurs noms et prénoms (ou initiales) en lettres d'imprimerie dans l'ordre des signatures.

3 A l'ouverture de la cérémonie de signature, le Secrétaire de la plénière invite les délégations à signer les feuillets indiqués ci-dessus.

4 Après une dizaine de minutes, l'appel nominal des délégations habilitées à signer les Actes finals aura lieu et les délégations sont invitées à déposer les dossiers contenant les feuillets signés sur la table au bas de l'estrade.

5 A mesure que les signatures sont déposées, le nom de la délégation déposant ses signatures est annoncé.

6 A la fin de la cérémonie de signature, le nombre total des délégations ayant déposé leurs signatures est annoncé.

Pekka TARJANNE
Secrétaire général

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 308-E**
**5 November 1998**
**Original: English**

**PLENARY MEETING**

## NOTE BY THE CHAIRPERSONS OF COMMITTEE 5 AND COMMITTEE 6

Following consultations on draft Resolution COM5/5, it is proposed to adopt the provisions that follow and to cancel draft Resolution COM5/5.

**MOD CV280** *d)* observers representing ~~recognized operating agencies authorized in accordance with Article 19 of this Convention to participate in the radiocommunication study groups~~ Sector Members of the Radiocommunication Sector ~~and~~ duly authorized by the Member State concerned;

**ADD 369A** Representatives of Sector Members of the Radiocommunication Sector may, with the authorization of the chairman, make statements but shall not be authorized to participate in debates.

Mauricio BOSSA
Chairperson

Abderrazak BERRADA
Chairperson

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 309-E**
**6 November 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 7**

SUMMARY RECORD

OF THE

EIGHT MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Saturday, 24 October 1998, at 0945 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Financial limits and announcement of class of contribution - Report of the Chairperson of ad hoc Group 7/1 (continued) | DL/9 |

## 1 Financial limits and announcement of class of contribution - Report of the Chairperson of ad hoc Group 7/1 (continued) (Document DL/9)

1.1 The **Chairperson** invited the Committee to continue its consideration of Document DL/9, noting that once the action to be taken with respect to the announcement of class of contributions by Member States in the context of future plenipotentiary conferences had been determined it would be easier to decide upon the action to be taken at the end of the present Conference.

1.2 The **delegate of the Netherlands**, speaking on behalf of the CEPT administrations, said that the Union's financial system was not satisfactory at present. As things currently stood, the draft financial plan was adopted at the plenipotentiary conference although Member States only announced their class of contribution six months later. The European countries had no intention, generally speaking, of reducing their commitment to the Union, nor of departing from the principle of voluntary contributions where Member States were free to choose their class of contribution. However, it was important to increase transparency in the Union's financial system and to ensure that when the financial plan was drawn up, it was clear how much money was available, and how much each Member State would have to pay. Although ITU-2000 recommendation 22 was a step in the right direction, it did not go far enough. She considered that when Member States announced their class of contribution at plenipotentiary conferences, they should know the ceiling for the amount of the contributory unit. The CEPT administrations had therefore put forward option B in Document DL/9, which contained a number of steps to ensure that the financial system provided Member States and the Union itself with greater clarity and certainty.

1.3 The **delegate of Morocco** said that the principles of the free choice of class of contribution and the selection of the class of contribution at a plenipotentiary conference were closely related and should not be considered in isolation. He pointed out that they had been considered as a package by the ITU-2000 Group.

1.4 The **delegate of Spain**, having supported the comments of the delegate of the Netherlands, emphasized that Member States could not be expected to announce their class of contribution at a plenipotentiary conference unless the level of the amount of the contributory unit was known. Having noted that the wording of paragraph 4 of option A was ambiguous, he said that the present Conference should establish clear rules to be applied at the next plenipotentiary conference on the basis of option B and taking into account recommendations 22 and 23 of the ITU-2000 Group.

1.5 The **delegate of Australia** endorsed the views expressed by the delegate of the Netherlands. It was important for the Union to know the income available before preparing the financial plan, and for Member States to know the commitment they were making in selecting a particular class of contribution, particularly at a time when exchange rate fluctuations were making it difficult for a number of countries to meet existing commitments. In her view, however, neither of the options presented was completely satisfactory. In particular, option B did not firmly establish a ceiling for the amount of the contributory unit, so Member States could not be entirely sure of the maximum amount they would have to pay. Furthermore, if Member States were given an opportunity to change their class of contribution, there was a risk that many of them would decrease their class of contribution because of a fear that the level of the contributory unit might rise, thus leading to a reduction in the funds available for the financial plan.

1.6 The **delegate of Argentina**, having noted that the right of Member States to choose their class of contribution should be respected, expressed support for option B. He pointed out that changes to the Constitution and Convention would have to be introduced in order to implement any option. There appeared to be uncertainty with regard to how Member States could provisionally

indicate their class of contribution and he said that, in future, the draft budget for the next period should be circulated to governments by the Council, on the assumption that the amount of the contributory unit would be based on the total number of contributory units. Recalling No. 166 of the Constitution, he said that there were provisions for Member States to select a lower class of contribution if necessary. Lastly, he suggested that ITU-2000 recommendation 23 should be discussed once the Committee had selected an option.

1.7 The **delegate of France** said that the implications of any financial commitment to the Union should be completely clear to the Member State concerned, and it would therefore be preferable for Member States to announce their class of contribution at plenipotentiary conferences only if a ceiling for the amount of the contributory unit had already been established. The current practice followed in the Union should be altered, since it was important to know that the necessary resources were available before adopting any financial plan. Lastly, with regard to the comments by the delegate of Australia that the steps outlined in option B could lead to a gradual reduction in the funds available for the financial plan, he said that the Member States of ITU should show solidarity and commitment to the Union, and hoped that the general trend towards selecting a lower class of contribution would cease.

1.8 The **delegate of the United States** said that the establishment of a ceiling for the amount of the contributory unit would neither solve the Union's financial difficulties nor absolve governments of their responsibilities. A ceiling on total expenditure was, however, essential in the interests of financial responsibility and accountability. Having noted that the ITU-2000 Group had not reached agreement on the ceiling for the contributory unit, he said that, in future, the activities of the Union should be ranked by priority so that, if sufficient funds were not available, low priority activities could be stopped.

1.9 The **delegate of Denmark** fully supported the statement by the delegate of the Netherlands and the observations of Spain and France; so too did the **delegate of Norway**, stressing the importance of knowing what ITU's income would be before deciding on expenditure.

1.10 The **delegate of the Philippines** said that it was important to bear in mind the expansion in the membership of ITU when considering the question of financing. In particular, the role of the Sector Members had to be defined, including both their rights and obligations. With the spread of liberalization and privatization, Member States were facing budgetary constraints that severely limited their ability to make financial contributions. So it was timely to consider including some provision in the Constitution and Convention on the financial role of Sector Members, since they would be making a substantial contribution to the income on the basis of which the ceiling and the amount of the contributory unit were to be determined. It was essential for Member States to know the upper limit of the contributory unit before announcing their class of contribution. However, in a fast-changing environment it was not very helpful to refer to a zero-growth financial plan. In any event, the Committee's final decision should take account of the future obligations of Sector Members and whether their contributions would go towards the overall financial management of the Union or only to their particular Sector. Finally, she called for a study of the possible impact of Associate Member status on ITU's financial situation.

1.11 The **delegate of Senegal** considered that, while the two options placed before the Committee in Document DL/9 were sound, a third way was possible. On the international financial market there were two well-tried methods of raising funds, one involving the issue of shares, the other bonds. The former entailed an element of risk, the latter a degree of certainty. He therefore wished to suggest that ITU should consider offering a similar choice between two different contributory units, one variable in value, the other fixed. The value of the variable unit would be set

initially at the same level as the fixed unit, but at the following plenipotentiary conference its value would be recalculated. In his view, the flexibility so offered would help to solve the budgeting problem for both Member States and Sector Members, some of whom needed greater certainty, others less. It would also meet the concern expressed by the European countries about the importance of knowing in advance the extent of their financial commitment.

1.12 The **delegate of Finland** underlined the importance of knowing the upper limit of the contributory unit before making a decision on the class of contribution. He therefore strongly supported option B although, as had been pointed out, it did not establish exactly when the decision on the ceiling would be taken. In his view, paragraph 4 should be clarified to that end.

1.13 The **delegate of Malaysia** drew attention to the steep currency depreciation that had taken place in the South East Asian countries over the last twelve months. The result had been that his own country's contribution to ITU had practically doubled. Consequently he believed that before a decision was taken on the options presented in Document DL/9, the Committee should take up the question of a mechanism to deal with currency depreciation.

1.14 The **delegate of Canada** said that since one of his country's main concerns was to ensure some measure of control over expenditure, he welcomed the built-in mechanism for that purpose in option B. Member States would first provisionally indicate their class of contribution, and after the financial plan had been negotiated would be given the opportunity to adjust their choice of class. In addition, the proposal to invite the Council to monitor income and expenditure for each year introduced a further element of control. Discussions were also being held on linking financial and strategic planning, which was essentially a matter of establishing priorities, and the concept of operational planning was being explored. Thus a considerable effort was being made to ensure that future expenditure was more closely supervised. In general, he could go along with option B on the understanding that paragraphs 4, 5 and 6 would be clarified.

1.15 The **delegate of Morocco** said that the Arab countries had no rigid position in regard to the procedures to be followed at the plenipotentiary conference in deciding on the selection of a class of contribution and were ready to agree in principle to option B, with some modifications. As far as a ceiling was concerned, the ad hoc Group had recognized two main concerns. First, delegations at the plenipotentiary conference needed to know exactly what their financial commitment would be, and that would be determined in relation to the financial plan and the total number of contributory units selected. Secondly, there was a need to control expenditure, which could be achieved in one of two ways: either by maintaining the traditional ITU budget based on contributions by Member States - in which case the only possibility was to impose a ceiling on expenditure - or by following the ITU-2000 recommendations, which implied assigning a new function to the Council: that of annually monitoring the total expenditure of the Union, taking all sources of income into account. Finally, it was important to remind all participants that the plenipotentiary conference did not establish the budget - a task that fell within the purview of the Council - but was responsible for adopting the financial plan.

1.16 The **delegate of Japan**, while agreeing that the measures proposed in option B would enhance the predictability of contributions, pointed out that one of the purposes of ITU-2000 recommendation 22 was to strengthen the financial foundations of the Union. However, option B would in practice provide a strong incentive for Member States to lower their class of contribution, as indicated in paragraph 6. Accordingly, while recognizing that each delegation had a responsibility towards its national authorities, he believed that option B was not entirely satisfactory and would hesitate to approve it in its present form.

1.17 The **Chairperson** recalled that several countries, and in particular the CEPT administrations, had emphasized that they had no intention of reducing their contributions, and that a vibrant appeal for solidarity had been made.

1.18 The **delegate of the United Kingdom**, after endorsing the views expressed by the delegate of the Netherlands, said that the European countries were in agreement with those who had called for some form of control over expenditure. In the rapidly changing telecommunication environment, however, it was extremely difficult to establish a four-year expenditure ceiling in advance, thus it was necessary to delegate some degree of responsibility to the Council for setting limits on a year-by-year basis. In that context, the delegate of Morocco had drawn attention to the very important distinction between the responsibility of the plenipotentiary conference, which was to adopt the financial plan, and that of the Council, which was to establish the biennial budget.

1.19 The **delegate of Belgium** also associated himself with the views expressed by the delegate of the Netherlands. Option B was a most important proposal, reflecting the budgetary principles applied by national ministries of finance. It could be amended to take account of the various concerns that had been expressed.

1.20 The **delegate of South Africa** recalled that the ITU-2000 Group, when discussing recommendation 22, had agreed that the free choice of contributions should be maintained but that guidelines for the future were needed. In that connection, she endorsed the remarks of the delegate of Japan concerning the dual responsibilities of delegations: towards their national authorities and towards the Union. The ITU-2000 Group had also supported the principles of operational planning and controls on expenditure. At the same time, it was essential to ensure that there was no discrimination between the Sectors, and in particular that no decision was taken that might have an adverse effect on the efficient functioning of the Development Sector. Predictability was an important factor for the developing countries too, as was the stability of the Union. In conclusion, she associated herself with the observations of the delegate of Morocco and supported option B, which required further refinement.

1.21 The **delegate of Germany** also endorsed the measures outlined in option B, which contained a number of basic principles, although it needed to be further elaborated. He strongly supported the effort to devise a mechanism for controlling expenditure, but insisted that it should also deal with income, since it was essential to ensure that ITU made proper use of the financial resources it received. Some interesting remarks had been made about the possibility of novel forms of optional financing, but he considered that at the present stage the Committee should confine itself to option B, taking into account the observations made by delegates from the various regions, in particular the comments of the delegate of Morocco.

1.22 The **delegate of India** associated himself with the views expressed by the delegate of the Netherlands, as well as those of the United States and Morocco. His Government attached great significance to the role of the Council, but he wished to sound a note of caution. It was most important to avoid giving Member States an incentive to lower their class of contribution. The problem was that once a lower class of contribution had been announced at the provisional stage, national administrative procedures would make it very difficult to raise it again if the contributory unit came down.

1.23 The **delegate of China** reminded the Committee that one of the tasks of the Plenipotentiary Conference was to discuss the wider participation of Sector Members, and their corresponding responsibilities, within the Union. Their financial contribution was an important element in ITU's income, so when discussing the question of the contributory unit, both Member States and Sector Members should be taken into account. He therefore suggested that a provision relating to Sector

Members should be added to Document DL/9. With regard to the announcement by Member States of their class of contribution, they needed to be informed of three basic facts: total proposed expenditure, total anticipated income, and the value of the contributory unit. Without knowing in advance the value of the unit, Member States would be unable to decide which class of contribution they could afford. He therefore agreed that an upper limit should be set. However, the solution proposed in option B for that purpose appeared to him too complicated and difficult to apply. Consequently, option B should be simplified and the wording of paragraphs 4, 5 and 6 clarified.

1.24 The **delegate of Saudi Arabia** endorsed the principle of free choice of class of contribution and stressed the importance of the role of Council in establishing the budget. Generally speaking, the views of the Arab countries had been clearly set out by the delegate of Morocco. An important point had also been raised by the delegate of India, with whom he fully concurred: the mechanism for controlling expenditure should not discourage Member States from selecting a higher class of contribution. It was the joint responsibility of everyone to provide ITU with a sound financial basis, which called for a spirit of solidarity.

1.25 The **Chairperson** concluded that the majority of delegates wished to adhere to a system of free choice with regard to the number of contributory units. The topic of the present meeting was to decide how the contributions were to be announced. Option B before the Committee provided for a two-step process, in which a first, provisional announcement would be made on the basis of the current value of the contributory unit. Those announcements would allow the Council to draw up its financial plan and to determine the upper limit of the contributory unit. The financial plan would be adopted at the Plenipotentiary Conference, and the new value of the contributory unit would be announced. At that time, Member States would make a second, binding announcement of the number of units they wished to contribute. Details of deadlines and the provision of information to Member States remained to be worked out.

1.26 The **delegates of Poland, Bulgaria** and **Syria** expressed their support for option B. The **delegate of Bulgaria** recalled, however, the following concerns that had been expressed: that clear rules would be needed for application of the process; that the process might lead to a progressive decrease in income, which in turn might lead to the imposition of certain obligations in the future; that a ceiling on the contributory unit should be fixed in advance; and that better control of expenditure was needed.

1.27 The **delegate of the United States** emphasized the importance of minimizing uncertainties in ITU's budget and income. It should be remembered that cost recovery was not equivalent to income generation.

1.28 The **delegate of Pakistan** suggested that the Council should consult more widely with Member States when preparing the draft financial plan before the plenipotentiary conference. Furthermore, the Council should ensure that, in making across-the-board cuts in expenditure, Sectors that had less representation on the Council, such as the Development Sector, did not suffer. Although he realized that ITU faced financial constraints and that Member States were tending to reduce the number of contributory units, ITU must maintain its leading role in telecommunication. If ITU continued to ensure universal, non-discriminatory development of telecommunications throughout the world, thereby reassuring Member States that it was maintaining its credibility, contributions would increase.

1.29 The **delegate of Lebanon**, noting the difficulty ITU was having in ensuring its financial stability, said that even option B would not stop the trend of decreasing contributions from Member States. He concurred with the comments of the delegate of China that the procedure should be outlined more clearly.

1.30 The **delegate of Mali** stressed the importance of rapidly reaching a solution that reinforced the financial basis of ITU. He agreed with the delegates of Saudi Arabia and Morocco that Member States should be allowed a free choice of the class of contribution.

1.31 The **delegate of Canada** described the three sources of ordinary income of ITU: assessed contributions from Member States; assessed contributions from Sector Members; and other income such as support cost income, earmarked to cover the costs of technical cooperation projects executed by the Development Sector on behalf of agencies such as UNDP, and funds in trust.

1.32 The **delegate of Syria** said that unstable sources of income, such as funds in trust, should not be considered part of the budget.

1.33 The **Chairperson** said that unforeseen income allowed the Council flexibility in planning. The **Secretary** added that project support cost income varied, depending on the level of project delivery by the three Sectors of ITU. Further income was derived from interest, sales of publications, and cost recovery, which was currently limited to that from TELECOM, the Universal International Freephone Number (UIFN) registry and Global Mobile Personal Communications by Satellite (GMPCS) systems.

1.34 In response to a comment by the **Chairperson of Committee 6**, the **Chairperson** suggested that the ad hoc Group should attempt to clarify the wording of proposed consequential amendments to the Constitution and Convention, which would then be submitted for approval to Plenary.

1.35 It was so **agreed**.

**The meeting rose at 1235 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Corrigendum 1 to Document 310-E**
**5 March 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWELFTH PLENARY MEETING

Monday, 26 October 1998, at 0940 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 4.5 by the following text:

4.5 The **delegate of Syria** said that his delegation wished to voice a number of concerns relating to section 4 (part III) of the document, on implementation of the Strategic Plan for 1995-1999. With regard to paragraph 4.15, many countries, including Syria, thought it an exaggeration to claim that all efforts had been focused on the Sector's mission to ensure rational, equitable, efficient and economical use of the radio-frequency spectrum and the geostationary-satellite orbit. Referring to paragraph 4.35, he said that simply to attribute fellowships to LDCs while failing to allocate specific funds did not live up to ITU's mission, and the matter should be looked into. As for paragraph 4.39, it was strange that a text purporting to deal with development activities contained no reference to the Development Sector itself; such lapses must be avoided in future reports. And despite what was said in paragraph 4.54, efforts to improve the geographical and gender distributions had not benefited Africa and Asia. Section 5 of the report (part IV), dealing with the implementation of the decisions, resolutions and recommendations of the previous Plenipotentiary Conference, was lacking in detail and should be expanded in future reports. For example, details of action taken should have been given in the report relating to item 15, on the review of the rights and obligations of all Sector Members of the Union. Against item 21, on alternative calling procedures, no information had been provided at all, although there was a relevant report in Document 53, relating to Resolution 21 (Kyoto, 1994). In that connection, some 90 countries had declared that the procedures in question would be deemed illegal on their territories. When the Conference came to consider that document, his delegation would request the Director of TSB to provide a list of the countries which had objected on those grounds. With regard to item 22, which was dealt with in Document 54, Syria and many other countries had voiced numerous difficulties relating to the apportionment of revenues in providing international telecommunication services. With reference to item 32, on technical assistance to the Palestinian Authority, it was astonishing that the ITU

Secretariat could contemplate action based on bilateral agreement which Syria, for one, did not recognize. Lastly, in regard to recommendation 3, on favourable treatment for developing countries, he protested at the failure of all three Sectors to initiate any action, despite the wishes voiced at the previous Plenipotentiary Conference. He would wish to take the floor later on other matters relating to the document, and reiterated his delegation's hope that future reports by the Council would be much more comprehensive.

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 310-E**
**6 November 1998**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

TWELFTH PLENARY MEETING

Monday, 26 October 1998, at 0940 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Election of the Member States of the Council | 137(Rev.2), 160(Rev.1) |
| 2 | General policy statements (continued) | - |
| 3 | Status of Palestine in ITU | 106 + Corr.1, 175 |
| 4 | Report by the Chairperson of the Council on the activities of the Union 1995-1998 | 46 |
| 5 | Election of the Member States of the Council (resumed) | - |

## 1 Election of the Member States of the Council (Documents 137(Rev.2), 160(Rev.1))

1.1 The **Chairperson** invited delegations to elect the Member States of the Council and indicated the candidacies for Regions A, B, C, D and E. He reminded the meeting that 46 seats were to be filled: eight from Region A, eight from Region B, five from Region C, 13 from Region D and 12 from Region E. After outlining the appropriate election procedures, he said that the delegates of Bahrain, Barbados, Slovak Republic, Sweden and Zambia had agreed to act as tellers and announced the commencement of voting.

1.2 The **Secretary of the Plenary Meeting** called the roll of the 148 delegations having the right to vote, present or represented. After the votes had been cast, he indicated that the delegations of Andorra, Madagascar, Nicaragua and Peru had not cast their ballot and invited them to vote if they so wished.

1.3 The **delegate of Algeria**, raising a point of order, said that Document 160(Rev.1) indicated that the delegation of Nicaragua had given the delegation of Costa Rica a mandate to exercise its vote at the present Conference.

1.4 The **Chairperson** replied that, in accordance with No. 336 of the Convention, a delegation with the right to vote might give to another delegation with the right to vote a mandate to exercise its vote if it was unable to be present. As the delegation of Costa Rica did not currently have the right to vote, however, it could not vote for the delegation of Nicaragua.

1.5 The **delegate of Costa Rica**, pointing out that Document 137(Rev.2) contained a footnote indicating that Costa Rica's vote was subject to decision by the Plenary Meeting, expressed regret that hitherto no mention had been made of Costa Rica's voting rights in the Plenary Meeting.

1.6 The **Chairperson** said that as Costa Rica had not yet deposited instruments of ratification of the Constitution and Convention, it did not have the right to vote. Replying to a question by the **delegate of Italy**, he said that Costa Rica could be elected to the Council even though it did not have the right to vote.

1.7 Following a request for clarification by the **delegate of Algeria** with regard to the process of filling out a ballot paper that covered all Regions, a discussion ensued on the question of whether an operation which invalidated the vote for a single region meant that the whole ballot paper was void.

1.8 The **delegate of Mexico** said that, as the electronic system for counting votes was not covered by the Rules of Procedure, the question of invalid ballot papers remained unclear. In his opinion, only the vote for the region in question should be invalidated.

1.9 The **delegates of Morocco** and **Tanzania** considered that there was a need to review the whole voting procedure.

1.10 The **Chairperson** replied that if the ballot paper was incorrectly filled out for one of the regions, that did not invalidate the whole ballot paper: only an extraneous mark, such as writing, would do so. He invited the meeting to proceed with its agenda while the votes were counted.

## 2 General policy statements (continued)

2.1 **Mr. Frédéric Bola Ki-Khuabi, Head of the Delegation of the Democratic Republic of the Congo**, described the extreme difficulty of the situation in his country, in the aftermath of violence and armed conflict. Despite all the constraints on its participation, his country attached great importance to the present Conference and to the determining role of ITU in the new millennium. The Union would act either as a catalyst in achieving universal access to telecommunications and in bridging the gaps between the developed and developing countries, or as a great divider, in a world in which the richer countries would impose their technologies and regulatory procedures on the others. It was essential that ITU should act as a regulatory and standardizing authority in telecommunications, in order to check any expansionist activities which might emerge, and should encourage the training of engineers and managers for developing countries. He expressed appreciation of the ITU missions which had been sent to his country to assist his Government in establishing a coherent telecommunication structure after the conflict. The telecommunication sector had now improved, with increased liberalization, division of responsibility between the government and the private sector, and new telecommunication legislation. He welcomed the new elected officials of the Union, but expressed a note of concern that a complete change of elected officials every four years might affect the continuity and efficiency of the work of the Union.

2.2 **The Hon. Kunio D. Lemari, Minister for Transport and Communications, Marshall Islands**, said that, as a developing nation in an ever-changing, highly sophisticated telecommunication environment, his country alone could not easily meet its communication needs and therefore attached considerable importance to working with ITU. Communication problems were particularly acute in small, remote developing island communities like his own. Telecommunications were clearly emerging as a lifeline for economic development. In the tourist industry, for example, without new technologies such as the Internet, progress was slow. He expressed the hope that ITU would provide assistance, especially in upholding the principle of universal access, thereby avoiding marginalization of the least developed countries and narrowing the gap between the "haves" and the "have-nots". He pledged his Government's support for ITU in the new millennium.

2.3 **Mr. Guda Aboullahi, Director, Ministry of Communications, Nigeria**, said that the convergence of the media, the new information technologies and telecommunications had the potential for reducing the imbalances between developed and developing countries, and between rural and urban areas. But without vigilance those gaps could increase. It was therefore for ITU to provide leadership by adopting appropriate policies and strategic plans for equitable development of telecommunications worldwide. Following the trend towards globalization of the telecommunication environment, his country had adopted a policy of gradual liberalization in all sectors of the economy, including the telecommunication industry, and of developing a communication infrastructure that would lead to greater efficiency and improved customer services. Giving further details of recent telecommunication developments in his country, he said that the future of global telecommunications was promising but complex, and he appealed to all to establish realistic strategies, backed by adequate financial and human resources, to meet the needs of the 21st century.

## 3 Status of Palestine in ITU (Documents 106 + Corrigendum 1, 175)

3.1 The **delegate of Saudi Arabia**, speaking on behalf of the co-sponsors of Document 106, to which Pakistan, Mali and Nigeria were to be added, said that the purpose of the document was to uphold the principle of universality in ITU and of strengthening peace and security through communications. Palestine was recognized by the majority of Member States as a State, but only participated as an observer in ITU conferences. The Palestinian people were thereby deprived of the right to develop their telecommunications, a right supported by all international organizations and covenants, including ITU. The signatories thereby requested the Plenipotentiary Conference to accept Palestine as a full Member of the Union, so that Palestine could protect its telecommunication interests like all other Member States.

3.2 The **delegate of Israel** said that Document 175, together with Documents 115 and 116, set out Israel's position regarding the matters raised in Documents 106 and 113. Israel opposed any change in the status of the PLO/Palestine as an observer within ITU.

3.3 The **delegate of Saudi Arabia** said that the reference to the Interim Agreement in Document 175 was inappropriate and unacceptable as it contradicted the terms of reference and competence of the Conference as set out in the Constitution and Convention.

3.4 The **Chairperson** said that it was his intention to convene an informal group, at his invitation, to work on the issues raised in Documents 106 and 175.

## 4 Report by the Chairperson of the Council on the activities of the Union 1995-1998 (Document 46)

4.1 The **Chairperson of the Council** said that the Council would normally have presented a detailed report to the Plenipotentiary Conference on the activities of the Union in the preceding period. As there had been no opportunity for a preliminary draft of the report to be considered by the Council, the draft had been considered after the 1998 Council session by a small working group which he had chaired. The group had made some revisions to the text and the report was consequently submitted to the Conference as Document 46 by the Chairperson of the Council and not by the Council itself. It should be considered in conjunction with the Strategic Plan for 1999-2003. The activities of the Union could undoubtedly be improved in some areas, as could the working methods. The symmetry between the three Sectors might also be increased and there was room for further effort in the area of human resources management.

4.2 The **delegate of Syria** said that the report on four years of the Union's activities was one of the most important documents submitted to the Plenipotentiary Conference and, despite the confidence which the Council had in its Chairperson, should have come from the Council itself. It was unfortunate that the Council had not been able to consider the preliminary draft. In future, the report should be submitted by the Council and should include an analysis of all activities.

4.3 The **delegate of Morocco** said that because the Council had not been given an opportunity to consider a large number of reports prior to their submission to the Plenipotentiary Conference, the Plenipotentiary Conference consequently had to consider comments and changes which should have been considered by the Council. In particular, it had been left to the Chairperson of the Council to present the report on the Union's activities under his own responsibility. Furthermore,

many documents had been presented to the Conference by the Secretary-General, some of which were regarded by delegations as proposals. In that context, he drew attention to No. 320 of the Convention, which indicated that proposals could not be submitted by elected officials. The Conference should therefore address the situation as a matter of importance.

4.4 The **Chairperson** said that the Moroccan delegation's understanding of No. 320 of the Convention was correct. The Secretariat documents in question, however, were information reports and notes for discussion purposes, and contained no direct proposals. He invited the Plenary Meeting to consider Document 46.

4.5 The **delegate of Syria** said that his delegation wished to voice a number of concerns relating to section 4 (part III) of the document, on implementation of the Strategic Plan for 1995-1999. With regard to paragraph 4.15, many countries, including Syria, thought it an exaggeration to claim that all efforts had been focused on the Sector's mission to ensure rational, equitable, efficient and economical use of the radio-frequency spectrum and the geostationary-satellite orbit. Referring to paragraph 4.35, he said that simply to attribute fellowships to LDCs while failing to allocate specific funds did not live up to ITU's mission, and the matter should be looked into. As for paragraph 4.39, it was strange that a text purporting to deal with development activities contained no reference to the Development Sector itself; such lapses must be avoided in future reports. And despite what was said in paragraph 4.54, efforts to improve the geographical and gender distributions had not benefited Africa and Asia. Section 5 of the report (part IV), dealing with the implementation of the decisions, resolutions and recommendations of the previous Plenipotentiary Conference, was lacking in detail and should be expanded in future reports. For example, details of action taken should have been given in the report relating to item 15, on the review of the rights and obligations of all Sector Members of the Union. Against item 21, on alternative calling procedures, no information had been provided at all, although there was a relevant report in Document 53, relating to Resolution 21 (Kyoto, 1994). In that connection, some 90 countries had declared that the procedures in question would be deemed illegal on their territories. When the Conference came to consider that document, his delegation would request the Director of TSB to provide a list of the countries which had objected on those grounds. With regard to item 22, which was dealt with in Document 54, Syria and many other countries had voiced numerous difficulties relating to the apportionment of revenues in providing international telecommunication services. With reference to item 32, on technical assistance to the Palestinian Authority, it was astonishing that the ITU Secretariat could contemplate action based on an accord which Syria, for one, did not recognize. Lastly, in regard to recommendation 3, on favourable treatment for developing countries, he protested at the failure of all three Sectors to initiate any action, despite the wishes voiced at the previous Plenipotentiary Conference. He would wish to take the floor later on other matters relating to the document, and reiterated his delegation's hope that future reports by the Council would be much more comprehensive.

4.6 The **delegate of Saudi Arabia** endorsed the comments of the Moroccan and Syrian delegations. With particular reference to item 32 in part IV, he hoped that ITU would eschew any reference to outside bilateral agreements.

4.7 Subject to those observations, Document 46 was **approved**.

# 5 Election of the Member States of the Council (resumed)

**Announcement of polling results**

5.1 The votes having been counted, the **Chairperson** announced the polling results for each Region in turn.

**Region A**

5.2 Candidates: Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Ecuador, the United States, Mexico, Saint Lucia, Venezuela

| | |
|---|---|
| Entitled to vote: | 148 |
| Number of ballot papers: | 148 |
| Invalid ballots: | 0 |
| Number of valid ballots: | 148 |
| Abstentions: | 0 |

Number of votes obtained:

| | |
|---|---|
| Brazil | 115 |
| Argentina | 110 |
| United States | 110 |
| Mexico | 109 |
| Canada | 104 |
| Cuba | 97 |
| Venezuela | 92 |
| Saint Lucia | 89 |
| Colombia | 80 |
| Chile | 70 |
| Ecuador | 56 |
| Costa Rica | 44 |

5.3 **Brazil, Argentina, the United States, Mexico, Canada, Cuba, Venezuela and Saint Lucia were elected Member States of the Council for Region A.**

**Region B**

5.4 Candidates: Germany, Denmark, Spain, France, Italy, Portugal, United Kingdom, Switzerland

| | |
|---|---|
| Entitled to vote: | 148 |
| Number of ballot papers: | 148 |
| Invalid ballots: | 0 |
| Number of valid ballots: | 148 |
| Abstentions: | 2 |

Number of votes obtained:

| | |
|---|---|
| Portugal | 142 |
| France | 138 |
| Switzerland | 137 |
| Germany | 136 |
| Denmark | 133 |
| Spain | 133 |
| Italy | 133 |
| United Kingdom | 132 |

5.5 **Portugal, France, Switzerland, Germany, Denmark, Spain, Italy and the United Kingdom were elected Member States of the Council for Region B.**

**Region C**

5.6 Candidates: Belarus, Bulgaria, Poland, Czech Republic, Romania, Russia, Ukraine

| | |
|---|---|
| Entitled to vote: | 148 |
| Number of ballot papers: | 148 |
| Invalid ballots: | 0 |
| Number of valid ballots: | 148 |
| Abstentions: | 4 |

Number of votes obtained:

| | |
|---|---|
| Russia | 122 |
| Bulgaria | 119 |
| Poland | 104 |
| Czech Republic | 94 |
| Romania | 91 |
| Ukraine | 88 |
| Belarus | 56 |

5.7 **Russia, Bulgaria, Poland, the Czech Republic and Romania were elected Member States of the Council for Region C.**

**Region D**

5.8 Candidates: Algeria, Benin, Burkina Faso, Cameroon, Cape Verde, Côte d'Ivoire, Egypt, Ethiopia, Gabon, Ghana, Kenya, Mali, Morocco, Niger, Nigeria, Uganda, Senegal, Sudan, South Africa, Tanzania, Tunisia, Zimbabwe

| | |
|---|---|
| Entitled to vote: | 148 |
| Number of ballot papers: | 148 |
| Invalid ballots: | 2 |

Number of valid ballots: 146

Abstentions: 0

Number of votes obtained:

| | |
|---|---|
| South Africa | 119 |
| Kenya | 108 |
| Senegal | 105 |
| Morocco | 103 |
| Mali | 101 |
| Egypt | 100 |
| Cameroon | 94 |
| Gabon | 86 |
| Tunisia | 84 |
| Algeria | 79 |
| Burkina Faso | 78 |
| Côte d'Ivoire | 78 |
| Tanzania | 78 |
| Uganda | 75 |
| Zimbabwe | 69 |
| Cape Verde | 68 |
| Benin | 64 |
| Ghana | 61 |
| Niger | 59 |
| Sudan | 47 |
| Ethiopia | 46 |
| Nigeria | 33 |

5.9 **South Africa, Kenya, Senegal, Morocco, Mali, Egypt, Cameroon, Gabon, Tunisia, Algeria, Burkina Faso, Côte d'Ivoire and Tanzania were elected Member States of the Council for Region D.**

**Region E**

5.10 Candidates: Saudi Arabia, Australia, China, Republic of Korea, Fiji, India, Islamic Republic of Iran, Japan, Jordan, Kuwait, Lebanon, Malaysia, Pakistan, Philippines, Syria, Sri Lanka, Thailand, Viet Nam

Entitled to vote: 148

Number of ballot papers: 148

Invalid ballots: 0

Number of valid ballots: 148

Abstentions: 0

Number of votes obtained:

| | |
|---|---|
| Republic of Korea | 123 |
| Philippines | 123 |
| India | 122 |
| China | 120 |
| Australia | 116 |
| Japan | 114 |
| Thailand | 108 |
| Saudi Arabia | 99 |
| Viet Nam | 99 |
| Malaysia | 91 |
| Pakistan | 90 |
| Kuwait | 83 |
| Islamic Republic of Iran | 76 |
| Lebanon | 68 |
| Fiji | 65 |
| Syria | 65 |
| Jordan | 56 |
| Sri Lanka | 53 |

5.11 **The Republic of Korea, the Philippines, India, China, Australia, Japan, Thailand, Saudi Arabia, Viet Nam, Malaysia, Pakistan and Kuwait were elected Member States of the Council for Region E.**

5.12 The **Chairperson** announced that the election procedure was now complete, congratulated all elected Member States of the Council and thanked the countries which had provided tellers for the elections.

5.13 The **delegate of New Zealand** requested that the deadline, currently 28 October, for submission of candidacies for election to RRB be reconsidered at the next Steering Committee meeting. The **delegate of Syria** supported that request.

**The meeting rose at 1235 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

PLENIPOTENTIARY CONFERENCE (PP-98)

Document 311-E
5 November 1998

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

PLENARY MEETING

# DECLARATIONS AND RESERVATIONS

**made the end of the**

**Plenipotentiary Conference**

**of the International Telecommunication Union**

**(Minneapolis, 1998)***

The undersigned Plenipotentiaries confirm, through their signing of the present document, which forms part of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), that they have taken note of the following declarations and reservations made at the end of that Conference.

**1**

**Original:** English

**For the Socialist People's Libyan Arab Jamahiriya:**

The delegation of the Great Socialist People's Libyan Arab Jamahiriya to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any action it deems necessary to safeguard its national interests and telecommunication services, should any Member fail to comply with the provisions of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998). It also reserves for its Government the right to make any reservation it deems necessary prior to the ratification of these Final Acts should any provision conflict with the Constitution of the Great Socialist People's Libyan Arab Jamahiriya.

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* *Note by the General Secretariat* - The texts of the declarations and reservations are shown in the chronological order in which they were deposited.

*In the table of contents, these texts are grouped in the alphabetical order of the names of the Member States which made them.*

**2**

**Original:** English

**For the Republic of Suriname:**

The delegation of the Republic of Suriname to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), in signing the Final Acts of this Conference, declares, on behalf of its Government, that it reserves the right:

1 to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998), or the Annexes and Protocols attached thereto, or should reservations by other countries, or any failure to comply with the Constitution and Convention, jeopardize the proper operation of its telecommunication services;

2 to enter reservations regarding any provisions of the Constitution or Convention which may be opposed to its basic law.

**3**

**Original:** English

**For the Commonwealth of Dominica:**

The delegation of the Commonwealth of Dominica reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998), or the Annexes thereto, or should reservations by other countries jeopardize its interests.

**4**

**Original:** French

**For the Democratic Republic of the Congo:**

The delegation of the Democratic Republic of the Congo reserves for its Government the right:

1 to take any action it considers necessary to safeguards its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) or any Annexes and Protocols thereto;

2 to take any action it considers necessary to safeguard its interests should any reservations deposited or other measures taken by other Governments jeopardize the proper functioning of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union;

3 to reject any provisions of the said Convention and Constitution (Minneapolis, 1998), or Annexes and Protocols thereto, which might directly or indirectly affect its sovereignty.

**5**

**Original:** French

**For the Republic of Cape Verde:**

The delegation of Cape Verde to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1 to take such action as it may consider necessary should any Member of the Union fail in any way to comply with the instruments of the International Telecommunication Union as adopted in Minneapolis (1998) or should any reservations by such Members jeopardize the proper functioning of its telecommunication services;

2 not to accept any consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

**6**

**Original:** Russian/English

**For the Republic of Uzbekistan:**

The delegation of the Republic of Uzbekistan reserves for its Government the right:

1 to make any additional reservations it may consider necessary, before or during the deposit of its documents for the ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998);

2 to take any measures it may consider necessary and sufficient to safeguard its interests, should any reservations introduced by other States jeopardize the normal functioning of its telecommunication services, or give rise to the possibility of an increase in its contributory share in defraying Union expenditure.

**7**

**Original:** Spanish

**For the Republic of Panama:**

The delegation of the Republic of Panama reserves for its Government the right to take any action it considers necessary to safeguard its interests should any present or future Members fail to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998) or the Annexes and Protocols thereto, or should any reservations made by other Members jeopardize the proper functioning of its telecommunication services.

It also expresses reservations with respect to any provision contained in the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998) which may conflict with the current legislation of the Republic of Panama or may in any way affect its sovereign right to regulate its telecommunication services.

**8**

**Original:** Spanish

**For Costa Rica:**

The delegation of Costa Rica to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998):

1 reserves for its Government the right:

a) to take any action it considers necessary to safeguard its national interests and its telecommunication services, should other Members fail to comply with the provisions of the Final Acts of this Conference (Minneapolis, 1998);

b) to enter any reservations it deems necessary prior to ratification of the Final Acts of this Conference (Minneapolis, 1998), in respect of any provisions of the Final Acts which may contravene the Constitution of Costa Rica.

2 declares that Costa Rica shall be bound by the instruments of the International Telecommunication Union, comprising the Constitution, Convention, Administrative Regulations and amendments or modifications thereto, only in so far as their application does not contravene the provisions of its Constitution, its legislation or international law.

**9**

**Original:** English

**For the Republic of Maldives:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Maldives reserves for its Government the right to take such action which it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the Constitution and the Convention of the International Telecommunication Union (as amended by the Plenipotentiary Conference, Minneapolis, 1998), or the Annexes and Protocols attached thereto or should reservation by any Member of the Union jeopardize the Republic of Maldives' telecommunication services and affect its sovereignty.

**10**

**Original:** Spanish

**For the Eastern Republic of Uruguay:**

In signing the Final Acts, the delegation of the Eastern Republic of Uruguay declares, on behalf of its Government, that it reserves the right to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the Constitution and the Convention of the International Telecommunication Union or the Annexes and Protocols thereto, or should reservations by other Members jeopardize the proper functioning of its telecommunication services.

**11**

**Original:** Russian

**For the Kyrgyz Republic:**

The delegation of the Kyrgyz Republic reserves for its Government the right to make any statement or reservation when ratifying the instrument amending the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), and the right to take any action it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of the telecommunication services of the Kyrgyz Republic or lead to an increase in its annual contribution to defraying the expenses of the Union.

**12**

**Original:** French

**For Burkina Faso:**

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegation of Burkina Faso reserves for its Government the right to take any action it deems necessary to safeguard the interests of Burkina Faso:

1 should any Member in any way fail to comply with the provisions of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) and/or their respective Annexes;

2 should any Members deliberately refuse to pay their share of the Union's expenses;

3 should reservations made by other Members be likely to jeopardize the technical and/or commercial operation of its telecommunication services.

The delegation of Burkina Faso further reserves for its Government the right to make any declaration or reservation at the time of ratifying the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998).

**13**

**Original:** English

**For the Republic of Yemen:**

The delegation of the Republic of Yemen reserves for its Government the right to take any action it may deem necessary to protect its interests should any other Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or of the Final Acts of this Conference (Minneapolis, 1998), or should the reservations made by any such Member jeopardize its telecommunication services or entail an increase in its contributory share in defraying the expenditure of the Union.

**14**

**Original:** English

**For the Republic of Zimbabwe:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Zimbabwe declares that it reserves for its Government the right to take any measures it considers or deems necessary and appropriate to safeguard its interests should any Member State fail to comply with or abide by the provisions of the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998) or the protocols, annexes or regulations attached thereto or should reservations by other Member States jeopardize or appear likely to jeopardize the operation of its telecommunication services.

**15**

**Original:** French

**For Portugal:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of Portugal declares on behalf of its Government:

a) that it accepts no consequence of the reservations made by other Governments which might entail an increase in its contribution to defraying the expenditure of the Union;

b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;

c) that it also reserves for its Government the right to express additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

**16**

**Original:** French

**For the Gabonese Republic:**

The delegation of the Gabonese Republic reserves for its Government the right:

1 to take any action necessary to protect its interests should any Member States fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the amending instruments adopted by the Plenipotentiary Conference (Kyoto, 1994, and Minneapolis, 1998), or should reservations by other Member States be likely to jeopardize the operation of its telecommunication services;

2 to accept or not to accept any financial consequences that may result from such reservations;

3 to make any further reservations it may consider necessary up to the time of depositing its instruments of ratification.

**17**

**Original:** French

**For the Republic of Mozambique:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of Mozambique declares on behalf of its Government:

a) that it accepts no consequence of the reservations made by other governments which might entail an increase in its contribution towards defraying the expenditure of the Union;

b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share towards defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;

c) that it also reserves for its Government the right to express specific reservations additional to the aforesaid Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

**18**

**Original:** English

**For Thailand:**

The delegation of Thailand reserves the right of its Government to take action that it deems necessary to safeguard its interests should any Member State fail, in any way, to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Kyoto Plenipotentiary Conference, 1994 and the Minneapolis Plenipotentiary Conference, 1998, their Annexes and Protocols attached thereto, or should any reservation made by any Member State jeopardize its telecommunication services or lead to an increase in its share towards defraying the expenses of the Union.

**19**

**Original:** French

**For the Republic of Mali:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Mali reserves for its Government the sovereign right to take whatever measures or actions may be necessary to safeguard its rights and national interests in the event that certain Members of the Union should fail in any way to comply with the provisions of the said Acts, or directly or indirectly jeopardize the interests of its telecommunication services or put the security of its national sovereignty at risk.

**20**

**Original:** English

**For Malaysia:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of Malaysia reserves for its Government the right to take such actions as it may deem necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should any Members fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), or its Annexes attached thereto, or should the consequences of reservations by other Members jeopardize its telecommunication services.

The delegation of Malaysia further reserves the right of its Government to make such additional reservations as may be necessary to the Final Acts adopted by the present Conference up to the time of deposit of the appropriate instrument of ratification.

**21**

**Original:** English

**For Ukraine:**

The delegation of Ukraine reserves for its Government the right to make any statement or reservation when ratifying the amendments of the Constitution and of the Convention of the International Telecommunication Union (Minneapolis, 1998) and the right to take any action it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of its telecommunication services or lead to an increase in its annual contribution to defraying the expenses of the Union.

**22**

**Original:** English

**For the Kingdom of Swaziland:**

In signing these Final Acts, the delegation of the Kingdom of Swaziland reserves the right of its Government to take any action it deems necessary to safeguard its interests in the event of Members failing in any way to comply with the provisions of the Convention and the Constitution of the International Telecommunication Union (Minneapolis, 1998), or the Annexes and Regulations annexed thereto or should reservations by other countries jeopardize its telecommunication services, or lead to an increase in Swaziland's share in defraying the expenses of the Union.

**23**

**Original:** English

**For the Republic of Singapore:**

The delegation of the Republic of Singapore reserves for its Government the right to take any action which it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Minneapolis Plenipotentiary Conference, 1998, and the Annexes and Protocols attached thereto, or should reservation by any Member of the Union jeopardize the Republic of Singapore's telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union.

**24**

**Original:** English

**For the Republic of Poland:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) the delegation of the Republic of Poland declares on behalf of its Government:

1 that it accepts no consequence of the reservations made by other governments which might entail an increase in its contribution to defraying the expenditure of the Union;

2 that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interest should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provision of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;

3 that it also reserves for its Government the right to express specific reservations additional to the aforesaid Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

**25**

**Original:** English

**For the Kingdom of Tonga:**

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegation of the Kingdom of Tonga declares that it reserves for its Government the right:

a) to take any measures it may deem necessary, in conformity with its domestic law and with international law, to safeguard its national interests should any other Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or should any actions or reservations by representatives of other States affect its national sovereignty or its national telecommunications or lead to an increase in its contributory share towards defraying the expenses of the Union;

b) to make, under the Vienna Convention on the Law of Treaties of 1969, reservations to the above-mentioned Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) at any time it considers proper between the date of signature and the date of their ratification or approval and not to be bound by any provision of these Final Acts or of the Constitution and the Convention of the International Telecommunication Union restricting its sovereign right to make reservations.

**26**

**Original:** French

**For the Republic of Burundi:**

The delegation of the Republic of Burundi reserves for its Government the right:

1 to take any measures it considers necessary to safeguard its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) or the Annexes and Protocols thereto, or should reservations by other countries jeopardize its telecommunications services;

2 to accept or not to accept any measure which might lead into an increase in its contributory share.

**27**

**Original:** English

**For the Republic of Bulgaria:**

The delegation of the Republic of Bulgaria to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1 to take any action it considers necessary to safeguard its interests should any Member State of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conferences of the International Telecommunication Union (Kyoto, 1994 and Minneapolis, 1998), or should the consequences of reservations made by other countries jeopardize Bulgarian telecommunication services;

2 not to support any financial measures which may entail an unjustified increase in the share of its contribution to defraying the expenses of the Union;

3 to make any statement or reservation when ratifying the amendments to the Constitution and the Convention of the ITU (Geneva, 1992) adopted by the Plenipotentiary Conference of the Union (Minneapolis, 1998).

**28**

**Original:** English

**For the People's Republic of China:**

The delegation of the People's Republic of China in signing this Final Acts reserves for its Government the right to take such actions as they may consider necessary to safeguard their interests, should any Member States fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), or the Annexes thereto, or should reservations by other countries jeopardize their interests.

**29**

**Original:** English

**For the Republic of San Marino:**

In signing the Final Protocol of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) the delegation of the Republic of San Marino reserves for its Government the right to take all necessary measures which it will deem necessary so as to protect its interests in the event that any Member of the Union fail to attain to the provisions of the Constitution and the Convention of its Annexes, Additional Protocols and Administrative Regulations.

The same rights are also reserved to the Government of the Republic of San Marino towards reservations made by other Members which might interfere with, limit or jeopardize the correct functioning of the telecommunications services of the Republic of San Marino.

**30**

**Original:** French

**For the Republic of Benin:**

The delegation of the Republic of Benin to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any action it deems necessary to protect its interests should certain Members fail to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union, or should reservations by other Members jeopardize the operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

**31**

**Original:** English

**For Italy:**

The delegation of Italy reserves for its Government the right to take any action which it might consider necessary to safeguard its interest should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or its Annexes or Protocols attached thereto, or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or, finally, should reservations by other countries jeopardize its telecommunication services.

**32**

**Original:** English

**For the Commonwealth of the Bahamas:**

The delegation of the Commonwealth of the Bahamas, on behalf of its Government, reserves the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994) and the Minneapolis Plenipotentiary Conference (1998) or an instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

**33**

**Original:** French

**For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the Republic of Cameroon, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the State of Kuwait, Malta, the Kingdom of Morocco, the Islamic Republic of Mauritania, the Sultanate of Oman, the Islamic Republic of Pakistan, the Syrian Arab Republic, Tunisia and the Republic of Yemen:**

The delegations of the above-mentioned countries reserve for their Governments the right to take any action they may deem necessary to safeguard their interests should any Member State fail to comply with the provisions of the Constitution, the Convention or the Administrative Regulations.

The delegations of the above-mentioned countries have agreed to the transfer of certain provisions of the Convention to a new instrument entitled "Rules of procedure of conferences and other meetings of the International Telecommunication Union", provided that the provisions of this new instrument are binding on all Member States and that any revision thereof by a conference enters into force only after the signature of the Final Acts of the conference which adopted them.

The delegations of the above-mentioned countries consider that their access to the common resources of the radio-frequency spectrum and orbits can only be safeguarded by planning which ensures equitable access for all Member States. Under no circumstances can they accept that existing entries in their names in the plans in Appendices 30 and 30A to the Radio Regulations, whether in respect of their implementation or of future modifications thereto to meet their legitimate requirements, should be affected by commercial systems.

**34**

**Original:** French

**For the People's Democratic Republic of Algeria:**

The delegation of the People's Democratic Republic of Algeria to the Plenipotentiary Conference (Minneapolis, 1998) considers that the conditions under which many issues were addressed by the Conference and subsequent decisions were taken were not such as to ensure the practical participation of a large number of delegations and to safeguard the interests of all Members of the Union.

The delegation of Algeria to this Conference therefore reserves for its country and in particular for its Government the right to take such action as they deem necessary to protect the rights and interests of the People's Democratic Republic of Algeria, should these be jeopardized by any of this Conference's decisions.

**35**

**Original:** English

**For the Republic of the Gambia:**

The delegation of the Republic of the Gambia reserves for its Government the right to take any action it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998).

**36**

**Original:** English

**For the Republic of Moldova:**

The delegation of the Republic of Moldova reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the amendments of the Constitution and the Convention of the International Telecommunication Union adopted by the Plenipotentiary Conference (Minneapolis, 1998), or should reservations by other countries jeopardize in any way its interests.

**37**

**Original:** English

**For the Hashemite Kingdom of Jordan:**

In the name of God, most compassionate, most merciful,

the delegation of the Hashemite Kingdom of Jordan, on signing the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), reserves for its Government the right:

1 to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Member States fail in any way to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998), or the Annexes or the Protocols and Regulations attached thereto;

2 to protect its interests should certain Member States not share in defraying the expenses of the Union or should the reservations by other Member States jeopardize the telecommunication services of the Hashemite Kingdom of Jordan;

3 not to be bound by any provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), which may directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Hashemite Kingdom of Jordan; and

4 to make any other reservation or statement until such time as the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) are ratified.

**38**

**Original:** French

**For the Togolese Republic:**

In signing these Final Acts, the delegation of the Togolese Republic reserves for its Government the right to take whatever action may be necessary to safeguard its interests should any Member States fail to comply with the provisions of these Final Acts and of the Convention and Constitution of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), and should reservations by other countries jeopardize its interests.

**39**

**Original:** English

**For the Islamic Republic of Iran:**

In the name of Allah, most compassionate, most merciful,

the delegation of the Islamic Republic of Iran, on signing the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1 to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Member fail in any way to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998), or the Annexes or the Protocols and Regulations attached thereto;

2 to protect its interests should certain Member States not share in defraying the expenses of the Union or should the reservations by other Member States jeopardize the telecommunication services of the Islamic Republic of Iran;

3 not to be bound by any provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), which may directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Islamic Republic of Iran;

4 to make any other reservation or statement until such time as the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) are ratified.

**40**

**Original:** English

**For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the State of Bahrain, the Islamic Federal Republic of the Comoros, the United Arab Emirates, the Islamic Republic of Iran, the State of Kuwait, Lebanon, the Islamic Republic of Mauritania, the Sultanate of Oman, the Islamic Republic of Pakistan, the Syrian Arab Republic, Tunisia and the Republic of Yemen:**

The above-mentioned delegations to the Plenipotentiary Conference (Minneapolis, 1998) declare that the signature and possible ratification by their respective Governments of the Final Acts of this Conference, should not be valid for the ITU Member under the name "Israel", and in no way whatsoever imply its recognition by these Governments.

**41**

**Original:** English

**For the Republic of Fiji:**

The delegation of the Republic of Fiji reserves the right of its Government to take any action as it may consider necessary to safeguard its interests should any Member State fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto Plenipotentiary Conference, 1994 and adopted by the Minneapolis Plenipotentiary Conference, 1998 or the Annexes or the Protocols attached thereto, or should reservations by other Member States jeopardize its interests.

**42**

**Original:** English

**For Lebanon, the Sultanate of Oman and the State of Qatar:**

The above-mentioned delegation to the Plenipotentiary Conference ITU (Minneapolis, 1998) declares that its Government reserves the right to take any measures it considers necessary to safeguard its interests should non-compliance with, or reservations to the provisions of this Constitution, the Convention or their Annexes or the Protocol attached thereto by other Members in any way jeopardize its telecommunication services; and

the above-mentioned delegation to the Plenipotentiary Conference ITU (Minneapolis, 1998) declare that their Government reserves the right to take any action it deems necessary to safeguard its interests should any Members of the ITU Union not share in defraying the expenses of the ITU Union, or should they fail in any way to comply with the provisions of the Constitution and Convention of the ITU (Minneapolis, 1998), or its Annexes or the Protocol attached thereto, or should reservations by other countries be liable to cause and increase in its contributory share in defraying ITU Union expenses or jeopardize its telecommunication services, or should any other action taken or intend to be taken by any person, natural or juridical directly or indirectly affect its sovereignty.

The above-mentioned delegation further reserves for its Governments the right to make any other declaration or reservation until and up to the time that this Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998) are ratified by its Government.

**43**

**Original:** English

**For the Kingdom of Saudi Arabia, the State of Bahrain, the United Arab Emirates, the State of Kuwait and the Sultanate of Oman:**

The above-mentioned delegations to the Plenipotentiary Conference (Minneapolis, 1998) declare that their Governments reserve the right to take such action as they may consider necessary to safeguard their interests should any Member not share in defraying the expenses of the Union, or should they fail in any way to comply with the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or the Resolutions attached thereto, or should reservations made by any Member jeopardize their telecommunication services.

**44**

**Original:** French

**For Austria, Belgium and Luxembourg:**

The delegations of the above-mentioned countries declare that they maintain the declarations and reservations made or reconfirmed at the end of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) and that these declarations and reservations likewise apply to the instruments adopted by the Plenipotentiary Conference (Minneapolis, 1998) amending the Constitution and the Convention.

**45**

**Original:** English

**For the Republic of South Africa:**

The delegation of the Republic of South Africa reserves its Government's right:

1 to take any such action as it may consider necessary to safeguard its interests, should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), or should reservations by such Members directly or indirectly affect the operations of its telecommunication services or its sovereignty;

2 further, the delegation of the Republic of South Africa reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by the Republic of South Africa of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998).

**46**

**Original:** English

**For the Republic of Uganda:**

The delegation of the Republic of Uganda in signing the Final Acts reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) or the Annexes thereto, or should reservations by other countries jeopardize its interests.

**47**

**Original:** English

**For the Republic of Kenya:**

The delegation of the Republic of Kenya reserves for its Government the right to take such action as it may consider necessary and/or appropriate to safeguard and protect its interests should any Member fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998) and/or any other instruments associated therewith. The declaration further affirms that the Government of the Republic of Kenya does not accept responsibility for the consequences arising thereof out of any reservations made by other Members of the Union.

**48**

**Original:** Spanish

**For Spain:**

**I**

The Spanish delegation declares, on behalf of its Government, that it does not accept any declaration or reservation expressed by other Governments which might imply an increase in its financial obligations.

**II**

The Spanish delegation reserves for the Kingdom of Spain the right, under the Vienna Convention on the Law of Treaties of 23 May 1969, to express reservations to the Final Acts adopted by the present conference up to the time of deposit of the appropriate instrument of ratification.

**49**

**Original:** English

**For the Socialist Republic of Viet Nam:**

On behalf of the Government of the Socialist Republic of Viet Nam, the Vietnamese delegation attending the ITU Plenipotentiary Conference (Minneapolis, 1998) declares:

1 to maintain the reservations made at the Nairobi Plenipotentiary Conference (1982) and reaffirmed at the Nice (1989), Geneva (1992) and Kyoto (1994) Plenipotentiary Conferences;

2 to reserve the right of its Government to take any action which it may deem necessary to safeguard its interests, should any other State Members in any way fail to comply with the provisions of the Constitution, Convention, Administrative Regulations as well as the Appendices and Annexes of the International Telecommunication Union, or should reservations by other State Members jeopardize the telecommunication services or the sovereignty of the S.R. Viet Nam;

3 to reserve also the right of its Government to make any additional declarations and reservations prior to the deposit of the instrument of ratification of the amended Constitution and the Convention in case necessary.

**50**

**Original:** Spanish

**For the Republic of Colombia:**

On signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Colombia:

1 states that it reserves for its Government the right:

a) to take any action consistent with its domestic law and with international law that it may deem necessary to safeguard its national interests should any other Members fail to comply with the provisions contained in the Final Acts (Minneapolis, 1998), or should any reservations by representatives of other States jeopardize the telecommunication services of the Republic of Colombia or its full sovereign rights;

b) to accept or not to accept, in whole or in part, any amendments made to the Constitution, the Convention or any other international instruments of the International Telecommunication Union;

c) to make reservations to the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), pursuant to the Vienna Convention on the Law of Treaties of 1969, at any time it sees fit between the date of signature and the date of possible ratification of the international instruments constituting those Final Acts. Accordingly, it shall not be bound by any rules restricting the sovereign right to make reservations, solely up to the time of signing the Final Acts of conferences and other meetings of the Union;

2 reaffirms, in their essence, Reservations Nos. 40 and 79 made at the World Administrative Radio Conference (Geneva, 1979), in particular with respect to the new provisions amending the Constitution, the Convention and other documents of the Final Acts (Minneapolis, 1998);

3 declares that the Republic of Colombia considers itself bound by the instruments of the International Telecommunication Union, including the provisions amending the Constitution, the Convention, the Protocols and the Administrative Regulations, only in so far as it has expressly and duly consented to be bound by each of the aforesaid international instruments, and subject to completion of the applicable constitutional procedures. Accordingly, it does not agree to be bound by any presumed or tacit consent;

4 declares that, under its Constitution, its Government is unable to give provisional effect to the international instruments which constitute the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) and other instruments of the Union, owing to the content and nature of such instruments;

5 declares that the amendments introduced in Article 44 of the Constitution, and elsewhere in the Constitution and the Convention of ITU, consisting of incorporating within such provisions relating to the geostationary-satellite orbit, material pertaining to other satellite orbits, have been accepted in the sense that prevailed during the deliberations - that is, that such amendments must fully maintain the scope of the provisions of Article 44 of the Constitution as currently in force, to the effect that the geostationary-satellite orbit is a limited natural resource whose use must be based on the principle that different countries or groups of countries must have equitable access to the orbit and the frequencies, taking into account the special needs of the developing countries and the geographical situation of particular countries. The same consideration applies to the other provisions with respect to the geostationary-satellite orbit contained in the Constitution and the Convention as currently in force.

**51**

**Original:** French

**For the Republic of Cameroon:**

The delegation of Cameroon to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), signs these Final Acts in the spirit of consensus which has always characterized the work of the Union. Nevertheless, it reserves for its Government the right:

1 to take all appropriate measures to safeguard its interests should these be jeopardized by any Member's failure to comply with certain provisions of the basic instrument, the regulations or the annexes and protocols thereto;

2 to make reservations regarding any provisions of the instruments of the Union which may be contrary to the laws of Cameroon;

3 to accept no consequences arising from reservations that might result in an increase in Cameroon's contributory share towards defraying the expenses of the Union.

**52**

**Original:** English

**For the Republic of Hungary:**

The delegation of the Republic of Hungary reserves for its Government the right not to accept any financial measure liable to lead to unjustified increases in its contributory share in defraying the expenses of the Union, the right to take any action as it may deem necessary to safeguard its interests if certain Members of the Union fail to comply with the provisions of the Constitution, the Convention or Regulations, or if they jeopardize the proper operation of its telecommunication services, and the right to make specific reservations and statements prior to ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

**53**

**Original:** English

**For Greece:**

In signing the Final Acts of the sixteenth Plenipotentiary Conferences of the International Telecommunication Union (ITU) (Minneapolis, 1998), the delegation of Greece declares that:

1 it reserves for its Government the right:

a) to take any action consistent with its national legislation and with international law that it may consider or deem necessary or useful to safeguard and protect its sovereignty and its sovereign and inalienable rights and legitimate interests should any Member State(s) of ITU fail in any manner to comply with or apply the provisions of these Final Acts and/or the instruments of ITU (Constitution and/or Convention and their annexes and the optional protocol attached thereto and/or the Administrative Regulations), or should the acts of other States or any public or private entity or third party, in general, affect its national sovereignty and interests;

b) to make, under the Vienna Convention on the Law of Treaties of 1969, any reservations to the above-mentioned Final Acts at any time it sees fit between the date of their signature and the date of their ratification and not to be bound by any provision of the said Final Acts and/or the instruments of ITU restricting in any way its sovereign right to make such reservations;

2 each and every declaration made by its Government in signing the Final Acts of the fourteenth (Additional) Plenipotentiary Conference (Geneva, 1992) (Nos. 50 and 73), the fifteenth Plenipotentiary Conference (Kyoto, 1994) (Nos. 73, 92 and 94) and the World Radiocommunication Conference (Geneva, 1997) (Nos. 19, 26 and 91) remain intact and completely valid.

**54**

**Original:** English

**For the Republic of Zambia:**

The delegation of the Republic of Zambia to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any such action as it may consider necessary to safeguard its interests, should any Member State or Sector Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) or should reservations by other Members directly or indirectly affect the operation of its telecommunication services.

**55**

**Original:** English

**For the Islamic Republic of Pakistan:**

The delegation of the Islamic Republic of Pakistan, in signing the Final Acts of this conference, reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the instrument amending the Constitution and Convention (Geneva, 1992) as adopted by the Minneapolis Plenipotentiary Conference (1998), or the Annexes attached thereto, or should reservations by other Members jeopardize its telecommunication services, its national security or its sovereignty or lead to an increase in its contributory share in defraying the expenses of the Union.

**56**

**Original:** English

**For the Kingdom of Lesotho:**

The delegation of the Kingdom of Lesotho hereby declares on behalf of the Government of Lesotho:

1 that it will not accept any consequences resulting from any reservation made by any country, and reserves the right to take any action it deems fit;

2 that it reserves the right to take such action as it may consider necessary to protect its interests should any other country not observe the provisions of the Constitution and Convention of ITU (Geneva, 1992) as amended by the Plenipotentiary Conferences of Kyoto (1994) and Minneapolis (1998) respectively, or the Annexes and Protocols attached thereto, or the Administrative Regulations, or the Rules of Procedure of Conferences and other meetings of ITU, and/or should reservations by other countries jeopardize its telecommunication services.

**57**

**Original:** Spanish

**For Mexico:**

The Mexican delegation, in signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), reserves for its Government the right:

1 to take whatever measures it considers necessary to protect and safeguard its sovereign rights should other Member States fail to comply with or to apply the provisions contained in the Union's basic instruments, resolutions, decisions, recommendations and annexes making up the Final Acts of this conference;

2 to express reservations to these Final Acts up to the date of their ratification, in accordance with the Vienna Convention on the Law of Treaties of 1969;

3 not to accept financial consequences that might imply an increase in the contributory unit; nor to accept that, as a result of the application of decisions adopted by the present conference, additional charges for services or products should be established that are inequitable or disproportional.

Further, the Government of Mexico maintains and reaffirms, as if they were repeated here in full, the reservations it made at the time of signing the Final Acts of the Plenipotentiary Conference (Geneva, 1992) and the Plenipotentiary Conference (Kyoto, 1994), and the reservations it made upon the adoption and revision of the Administrative Regulations.

**58**

**Original:** English

**For the Czech Republic:**

The delegation of the Czech Republic reserves the right of its Government to take any action as it may deem necessary to safeguard its interests should any Member State not share in defraying the expenses of the Union or should any Member State fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union or its Annexes or the Protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) or, finally, should reservations by other countries jeopardize its telecommunication services.

**59**

**Original:** English

**For Brunei Darussalam:**

The delegation of Brunei Darussalam reserves for its Government the right to take any action that it deems necessary to safeguard its interests should any country fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994) as amended by the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) or the Annexes or Protocols attached thereto, or should reservations made by other countries adversely affect the interests of Brunei Darussalam or lead to an increase in its share towards defraying the expenses of the Union.

The delegation of Brunei Darussalam further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by Brunei Darussalam of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994) and its amendments (Minneapolis, 1998).

**60**

**Original:** English

**For the Republic of Slovenia:**

The delegation of the Republic of Slovenia reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member State not share in defraying the expenses of the Union or should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto (1994) and Minneapolis (1998) instruments or their Annexes or Protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) attached thereto, or should reservations by other countries be liable to cause an increase in its contributory shares in defraying the Union expenses, or, finally, should reservations by other countries jeopardize its telecommunication services.

**61**

**Original:** English

**For Ghana:**

The delegation of the Republic of Ghana, in signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), reserves for its Government the right to take any measures it may consider necessary to safeguard its interests should any Member of the Union fail to comply with the requirements of the Final Acts, or the Annexes or Protocols attached thereto, or should reservations by other countries jeopardize the efficient operation of its telecommunication services.

The delegation of the Republic of Ghana also reserves for its Government the right, if necessary, to make further reservations to the present Final Acts.

**62**

**Original:** English

**For the Slovak Republic:**

The delegation of the Slovak Republic reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member State not share in defraying the expenses of the Union or should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto (1994) and Minneapolis (1998) instruments or their Annexes or Protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), attached thereto, or should reservations by other countries be liable to cause an increase in its contributory shares in defraying Union expenses, or, finally, should reservations by other countries jeopardize its telecommunication services.

**63**

**Original:** French, English, Spanish

**For the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, Finland, France, Greece, Ireland, Italy, Luxembourg, the Kingdom of the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland and Sweden:**

The delegations of the Member States of the European Union declare that the Member States of the European Union will apply the instruments adopted by the Plenipotentiary Conference (Minneapolis, 1998) in accordance with their obligations under the Treaty establishing the European Economic Community

**64**

**Original:** English

**For Denmark, the Republic of Estonia, Finland, Ireland, Iceland, Italy, the Republic of Latvia, the Principality of Liechtenstein, the Kingdom of the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland, Sweden and the Confederation of Switzerland:**

The delegations of the above-mentioned Member States formally declare, with regard to Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Kyoto (1994) and the Minneapolis (1998) instruments, that they maintain the reservations made on behalf of their Governments when signing the Administrative Regulations mentioned in Article 4.

**65**

**Original:** English

**For the Republic of Cyprus, Denmark, the Republic of Estonia, Finland, Greece, Ireland, Iceland, Italy, the Republic of Latvia, Malta, Norway, the Kingdom of the Netherlands, Romania, Sweden and Turkey:**

At the time of signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998):

1 the delegations of the above-mentioned countries declare on behalf of their respective Governments that they accept no consequences of any reservations which would lead to an increase in the shares they contribute to defraying the expenses of the Union;

2 the delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests should certain Member States not share in defraying the expenses of the Union, or should any Member fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto instruments (1994) and as amended by the Minneapolis instruments (1998), or the Annexes or Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

**66**

**Original:** English

**For the Federal Republic of Germany, the Republic of Cyprus, Denmark, the Republic of Estonia, Finland, Ireland, Iceland, Italy, the Republic of Latvia, the Principality of Liechtenstein, Malta, Norway, the Kingdom of the Netherlands, Romania, the United Kingdom of Great Britain and Northern Ireland and the Confederation of Switzerland:**

At the time of signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegations of the above-mentioned countries formally declare that they maintain the declarations and reservations made by their countries when signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) and the Final Acts of the Plenipotentiary Conference (Kyoto 1994).

**67**

**Original:** English

**For Guyana:**

The delegation of Guyana reserves on behalf of its Government, the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992), as adopted by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or any instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

**68**

**Original:** English

**For Barbados:**

The delegation of Barbados reserves on behalf of its Government, the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992), as adopted by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or any instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

**69**

**Original:** French

**For the Republic of the Niger:**

The delegation of Niger to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1 to take such action as it may consider necessary should any Member States or Sector Members fail in any way to comply with the instruments of the International Telecommunication Union as adopted at Minneapolis (October-November 1998) or should any reservations by Member States jeopardize the operation of its telecommunication services;

2 not to accept any consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

**70**

**Original:** English

**For the Syrian Arab Republic:**

The delegation of the Syrian Arab Republic declares that its Government reserves the right to take such action as it may consider necessary to protect its interests should a Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or should the reservations made by such Members, now or in the future, when acceding to or ratifying the above-mentioned instruments, jeopardize Syria's telecommunication services or lead to an increase in Syria's share in defraying the expenses of the Union.

**71**

**Original:** English

**For the United Republic of Tanzania:**

The delegation of the United Republic of Tanzania to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any action it may deem necessary to safeguard its interests in the event of any Members failing in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), or any instrument attached thereto, or should reservations by other Members jeopardize its telecommunication services or lead to an increase in its contributory share towards defraying the expenses of the Union.

**72**

**Original:** English

**For the Republic of Botswana:**

The delegation of the Republic of Botswana hereby declares on behalf of the Government of the Republic of Botswana that it:

1 reserves the right to take such action as it may consider necessary to protect its interests should any other country not observe the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), and any amendments made thereto by the respective Plenipotentiary Conferences (Kyoto, 1994, and Minneapolis, 1998), and/or any other instruments associated therewith;

2 will not accept any consequences resulting from any reservation made by any country, and reserves the right to take any action it deems fit.

**73**

**Original:** Spanish

**For the Republic of Venezuela:**

The delegation of the Republic of Venezuela reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should any other present or future Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) or the Annexes or Protocols thereto, or should reservations by other Members jeopardize the efficient operation of its telecommunication services.

Furthermore, it expresses its reservations with respect to all articles of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998) relating to arbitration as a means of settling disputes, in conformity with the international policy of the Government of Venezuela in that regard.

**74**

**Original:** English

**For Turkey:**

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegation of the Republic of Turkey reserves for its Government the right to take any action as it may consider necessary to safeguard its interests, should any Member State, in any way, fail to comply with the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992, as amended by the Plenipotentiary Conference, Kyoto, 1994, and as further amended by the Plenipotentiary Conference, Minneapolis, 1998), or the Annexes or Protocols thereto, or should any reservation made by any Member State jeopardize the proper operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

**75**

**Original:** English

**For the Republic of the Philippines:**

The delegation of the Republic of the Philippines reserves for its Government the right to take any action it deems necessary and sufficient consistent with its national law to safeguard its interests, should reservations made by representatives of other Member States jeopardize its telecommunication services or prejudice its rights as a sovereign country.

The Philippine delegation further reserves for its Government the right to make any declaration or reservation and/or take other appropriate action, as may be necessary, prior to the deposit of the instrument of ratification of the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998).

**76**

**Original:** English

**For Malta:**

The delegation of Malta reserves for its Government the right to make additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

77

**Original:** English

**For the State of Israel:**

1 The delegation of the State of Israel hereby reserves for its Government the right:

a) to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services, should they be affected by the decisions or resolutions of this conference or by the reservations made by other delegations;

b) to take any action to avail itself of its rights to safeguard its interests should any Member State fail to comply with the requirements of the ITU Constitution and Convention (Minneapolis, 1998), or the annexes and protocols attached thereto;

c) to take any other action in accordance with its legal system.

2 Regarding the process by which Document 284 was adopted by the conference, the delegation of the State of Israel, on behalf of its Government, protests the following matters:

a) a specific request on the part of the delegation of the State of Israel for a legal opinion from the secretariat regarding the competence of the conference to vote on Document 284, in accordance with No. 405 of the Constitution, was ignored, although this request was seconded by the delegation of the United States of America;

b) a specific request on the part of the delegation of the State of Israel for a roll-call vote on the matter of competence referred to in "a)" above, seconded by the delegation of the United States of America in accordance with No. 420 of the Constitution, was ignored;

c) the conference took no vote whatsoever on the question of the competence of the conference to vote on Document 284, although such a vote was requested as specified in "b)"above;

d) the secret ballot taken on Document 284 itself is invalid, since it was requested by only three delegations, and not the five required by No. 422 of the Constitution.

3 The delegation of the State of Israel, on behalf of its Government, protests the violation of No. 193 of the Constitution, entitled "Special Arrangements", which is inherent in Document 284.

4 The delegation of the State of Israel, on behalf of its Government, protests the inclusion of the "*considering further*" paragraph of the resolution, which is contrary to international law and practice, does not reflect a factual legal situation, and is thus misleading and inappropriate.

5 The delegation of the State of Israel, on behalf of its Government, strongly objects to the words "the Palestine delegation" in Part 3 of the resolution. Instead, the words "the PLO" should be inserted. This correction reflects the phrase under "*resolves*", which states that "pending any further change in the status of Palestine in ITU, the following shall apply". The status quo can only be preserved, in accordance with the express intent of the resolution, if the PLO continues to be classified as an observer and not a delegation, as the last term refers exclusively to Member States.

6 The delegation of the State of Israel, on behalf of its Government, protests the general non-compliance of the conference with the constitutional procedures for the amendment of the Constitution and Convention of ITU which result from Document 284, both procedurally and substantively.

7 The delegation of the State of Israel, on behalf of its Government, reserves its sovereign right to interpret and apply the Interim Agreement of 25 September 1995 and the Wye River Memorandum of 23 October 1998, in accordance with its understanding of those agreements, with regard to the implementation of telecommunication issues between the Israeli side and the Palestinian side.

8 The delegation of the State of Israel, on behalf of its Government, reserves its sovereign right to interpret and apply Document 284 in accordance with its understanding of this resolution and in accordance with paragraph 1 above.

**78**

**Original:** Spanish

**For Ecuador:**

The delegation of Ecuador, in signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), reserves for its Government the right to take any measures it may deem necessary, pursuant to its sovereign right and under national and international law, should its interests be jeopardized in any way by any act on the part of other States in regard to the application of the provisions of the instruments of the International Telecommunication Union.

**79**

**Original:** French

**For the Republic of Côte d'Ivoire:**

The delegation of the Republic of Côte d'Ivoire reserves for its Government the right:

a) to take any action it considers necessary to safeguard its interests should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998);

b) to reject the consequences of any reservations made to the Final Acts of the present Plenipotentiary Conference (Minneapolis, 1998) by other Member States which might give rise to an increase in its contributory share in defraying the expenses of the Union or which might jeopardize the proper functioning of its telecommunication services;

c) to make reservations or reject any amendments made by the present conference to the Constitution and the Convention of the Union which might jeopardize the proper functioning of its telecommunication services or directly or indirectly affect its sovereignty;

d) to make reservations with respect to any other instrument adopted by this conference.

**80**

**Original:** English

**For the People's Republic of Bangladesh:**

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the People's Republic of Bangladesh reserves for its Government the right to take any steps which it may consider necessary to safeguard its interests should any Member or Members of the Union fail in any way to comply with the provisions of these Final Acts, of the Constitution and the Convention of the International Telecommunication Union or of the annexes or protocols attached thereto, or should the reservations made by other countries jeopardize the proper technical and/or commercial operation of its telecommunication services or lead to any increase in its share towards defraying the expenses of the Union.

**81**

**Original:** Spanish

**For Cuba:**

In signing the Final Acts of the ITU Plenipotentiary Conference (Minneapolis, 1998), the delegation of the Republic of Cuba declares that:

- In view of the continuing interventionist practice by the Government of the United States of America of setting up radio and television broadcasting stations directed towards Cuban territory for political and destabilizing purposes, in open violation of the provisions and principles which govern telecommunications throughout the world, especially those aimed at facilitating international cooperation and economic and social development between peoples, and to the detriment of the normal operation and development of Cuba's own radiocommunication services, the Cuban Administration reserves the right to take any steps it may deem necessary.

  The consequences of any action which the Cuban Administration might see fit to take on account of the underhand behaviour of the Government of the United States of America will be the sole responsibility of that Government.
- It in no way recognizes the notification, registration or use of frequencies by the Government of the United States of America in that part of Cuban territory in the province of Guantánamo which the United States is occupying by force, contrary to the express will of the people and the Government of Cuba.
- It does not accept the Optional Protocol on the settlement of disputes relating to this Constitution, Convention and Administrative Regulations.

– It reserves for its Government the right to take whatever measures it considers necessary to protect its interests should any other Member countries in any way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), with the Administrative Regulations or with the Rules of Procedure of conferences and other meetings of ITU, or should reservations by other Members in any way jeopardize Cuba's telecommunication services or lead to an increase in its contribution towards defraying the expenses of the Union. The delegation of Cuba likewise reserves for its Government the right to make any further declaration or reservation which may be necessary at the time of depositing its instrument of ratification of the Constitution and the Convention of ITU (Minneapolis, 1998).

**82**

**Original:** English

**For Canada:**

The delegation of Canada reserves for its Government the right to make any statements or reservations when depositing its instruments of ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

**83**

**Original:** English

**For New Zealand:**

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the New Zealand delegation reserves for its Government the right to take such measures as it might deem necessary to safeguard its interests if any other country should in any way fail to respect the conditions specified in the Final Acts or if the reservations made by any other country should be prejudicial or detrimental to New Zealand's interests. In addition, New Zealand reserves the right to make appropriate specific reservations and statements prior to ratification of the Final Acts.

**84**

**Original:** English

**For the Federal Republic of Germany:**

1 The delegation of the Federal Republic of Germany reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Member States not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of the 1998 Minneapolis instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the 1994 Kyoto instruments, or should reservations by other countries be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

2 The delegation of the Federal Republic of Germany declares with regard to Article 4 of the Constitution of the International Telecommunication Union (Geneva, 1992) that it maintains the reservations made on behalf of the Federal Republic of Germany when signing the Administrative Regulations mentioned in Article 4.

**85**

**Original:** French

**For the Islamic Federal Republic of the Comoros:**

The delegation of the Islamic Federal Republic of the Comoros reserves for its Government the right to take any steps necessary to safeguard its interests:

1 should any Member fail, in any way whatever, to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Minneapolis, 1998), or the annexes or protocols thereto;

2 should any reservations made, or other steps taken, by other Governments jeopardize the proper functioning of the country's telecommunication services, lead to an increase in its contributory share towards defraying the Union's expenses or, directly or indirectly, undermine its sovereignty.

**86**

**Original:** French

**For the Republic of Senegal:**

In signing the Final Acts of this Plenipotentiary Conference, held at Minneapolis from 12 October to 6 November 1998, the delegation of the Republic of Senegal declares on behalf of its Government that it accepts no consequences arising from reservations made by other governments which result in an increase in its contributory share towards defraying the expenses of the Union.

The Republic of Senegal reserves the right to take any action it deems necessary to safeguard its interests should any Member States, including Sector Members under their jurisdiction, fail to comply with the provisions contained in the instruments amending the Constitution and the Convention (Minneapolis, 1998), as adopted by the conference, or should reservations by other countries tend to jeopardize the proper operation of its telecommunication services.

Senegal reiterates and incorporates by reference all declarations or reservations made at world administrative conferences and world radiocommunication conferences prior to signature of these Final Acts.

Senegal does not by its signature or by any subsequent ratification of the amendments to the Constitution and the Convention adopted by the Plenipotentiary Conference (Minneapolis, 1998) consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall Senegal be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete revisions, adopted subsequent to the date of signature of these Final Acts, unless it has specifically notified the International Telecommunication Union of its consent to be bound.

**87**

**Original:** English

**For the Republic of India:**

1 In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of India does not accept any financial implications for its Government, resulting from any reservations that might be made by any Member on matters pertaining to the finances of the Union.

2 The delegation of the Republic of India further reserves the right of its Government to take any action it deems necessary to safeguard and protect its interests in the event of any Member failing in any way to comply with one or more provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the Administrative Regulations.

**88**

**Original:** English

**For Papua New Guinea:**

The delegation of Papua New Guinea reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto, or should reservations by any Member of the Union jeopardize Papua New Guinea's telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union.

**89**

**Original:** English

**For the Republic of Mauritius:**

The delegation of the Republic of Mauritius, in signing the Final Acts of this conference, reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the instrument amending the Constitution and Convention (Geneva, 1992) as adopted by the Plenipotentiary Conference (Minneapolis, 1998) or the annexes attached thereto, or should reservations by other Members jeopardize its telecommunication services, national interests, security or sovereignty or lead to an increase in its contributory share in defraying the expenses of the Union.

**90**

**Original:** English

**For the United States of America:**

The United States of America refers to Article 32, Section 16, of the Convention of the International Telecommunication Union (Geneva, 1992), and notes that in considering the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the United States of America may find it necessary to make additional declarations or reservations. Accordingly, the United States of America reserves the right to make additional declarations or reservations at the time of deposit of its instruments of ratification of the amendments to the Constitution and the Convention (Geneva, 1992) adopted by the Plenipotentiary Conference (Minneapolis, 1998).

The United States of America reiterates and incorporates by reference all reservations and declarations made at world administrative conferences and world radiocommunication conferences prior to signature of these Final Acts.

The United States of America does not by signature or by any subsequent ratification of the amendments to the Constitution and Convention adopted by the Plenipotentiary Conference (Minneapolis, 1998) consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall the United States of America be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete, adopted subsequent to the date of signature of these Final Acts, without specific notification to the International Telecommunication Union by the United States of America of its consent to be bound.

**91**

**Original:** English

**For the United States of America:**

The United States of America will make all reasonable efforts to comply with the cost-recovery procedures contained in Resolutions [COM5/21] and [PLEN/4], but declares its right not to do so in cases involving satellite networks or systems that transmit government telecommunications as defined under No. 1014 of the Annex to the Constitution of the International Telecommunication Union (Geneva, 1992).

**92**

**Original:** English

**For the United States of America:**

The United States of America refers to Resolution [PLEN/3] and notes its concern about the action taken by this conference in that regard. The United States of America reiterates its view that Resolution [PLEN/3] raises legal concerns, particularly in regard to its consistency with provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992). Furthermore, the United States of America notes its regret that political issues were allowed to interfere with the technical work of this conference.

**93**

**Original:** French

**For France:**

**I**

The French delegation reserves for its Government the right to take any action that it may deem necessary to safeguard its interests in the event that certain Member States do not assume their share in defraying the expenses of the Union or fail in any manner to comply with the provisions of the amendments adopted by this Plenipotentiary Conference (Minneapolis, 1998) to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations made by other countries jeopardize the operation of France's telecommunication services or entail an increase in its contributory share towards defraying the expenses of the Union.

**II**

The French delegation formally declares that, with respect to France, the provisional or definitive application of the amendments to the Administrative Regulations of the Union as defined in Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Kyoto instruments (1994) and by the Minneapolis instruments (1998), shall be understood as being to the extent authorized under national law.

**94**

**Original:** English

**For Australia:**

The delegation of Australia declares that it reserves for its Government the right to make any statements or reservations in depositing its instruments of ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

**95**

**Original:** Russian

**For the Republic of Armenia, the Republic of Belarus, the Republic of Kazakstan and the Russian Federation:**

The delegations of the above-mentioned countries reserve for their respective Governments the right to make any statement or reservation when ratifying the instruments amending the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), and the right to take any action they may consider necessary to safeguard their interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of the telecommunication services of the above-mentioned countries or lead to an increase in their annual contribution to defraying the expenses of the Union.

**96**

**Original:** English

**For Japan:**

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), subject to formal ratification, the delegation of Japan reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member State fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the annexes thereto, or should reservations by other countries jeopardize its interests in any way.

**97**

**Original:** English

**For the Federal Republic of Germany, the Republic of India, Japan and the United Kingdom of Great Britain and Northern Ireland:**

The delegations of the above-mentioned countries consider that Resolution PLEN/12 concerning internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU Sector has significant implications for the management of the Union. These implications were not considered by the Plenipotentiary Conference and the above-mentioned countries do not consider that the Secretary-General and the Directors of the Bureaux are bound by that resolution.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

Document 312-E
6 November 1998

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

## ADDITIONAL DECLARATIONS AND RESERVATIONS

**98**

**Original:** English

**For the State of Israel:**

1 The declarations made by certain delegations in No. 40 of the Final Acts, is in flagrant contradiction with the principles and purposes of the International Telecommunication Union, and is therefore devoid of any legal validity.

2 The delegation of the State of Israel, on behalf of its Government, wishes to put on record that it rejects outright these declarations which politicize and undermine the work of the ITU. The delegation of the State of Israel will proceed on the assumption that they have no bearing whatsoever with respect to the rights and duties of any Member State of the ITU.

3 The delegation of the State of Israel, on behalf of its Government will, in so far as concerns the substance of the matter, adopt towards the Members whose delegations have made the above-mentioned declaration, an attitude of complete reciprocity.

4 The delegation of the State of Israel reserves for its Government the right to take such action as it may deem necessary to safeguard its interest, should certain Member States not share in defraying the expenses of the Union or should they fail in any other way to comply with the provisions of the 1998 Minneapolis instruments amending the Constitution and the Convention of the ITU (Geneva, 1992) as amended by the 1994 Kyoto instruments, or should reservations by other Member States be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

5 The delegation of the State of Israel, on behalf of its Government, does not by signature or by any subsequent ratification of the amendments to the Constitution and Convention adopted by this Conference consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall the State of Israel be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete, adopted subsequent to the date of signature of these Final Acts, without specific notification to the ITU by the State of Israel of its consent to be bound.

6 Furthermore, after noting various other declarations deposited, the delegation of the State of Israel reserves for its Government the right to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services, should they be affected by the decisions of this Conference or by the reservations made by other delegations.

**99**

**Original:** French

**For the Islamic Republic of Mauritania:**

After taking note of Document 311, the delegation of the Islamic Republic of Mauritania reserves for its Government the right:

1 to take any measure it deems necessary to safeguard its national interests should any Member States fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), or should reservations by other Member States not be in accordance with its chief concern, namely to operate its telecommunication network in as satisfactory manner as possible;

2 to accept or not to accept any financial implications arising from the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) or from reservations by other Member States.

The delegation of Mauritania further declares that the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and any amendment made by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998) to those instruments shall be subject to ratification by the competent national institutions.

The delegation of Mauritania requests that the name of Mauritania be deleted from Declaration No. 40.

**100**

**Original:** English

**For the Republic of Namibia:**

The delegation of the Republic of Namibia, after having considered the declarations contained in Conference Document 311, in signing the Minneapolis 1998 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union, reserves the right for the Government of the Republic of Namibia to take any measures it considers appropriate to safeguard its interest.

The Namibian delegation further reserves for the Government of the Republic of Namibia the right to make any statements and reservations when depositing its instrument of ratification for the Final Acts of the Minneapolis 1998 Plenipotentiary Conference of the International Telecommunication Union.

**101**

**Original:** English

**For the United States of America:**

The United States of America refers to declarations made by various Members reserving their right to take such action as they may consider necessary to safeguard their interests with respect to application of provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments thereto. The United States of America reserves the right to take whatever measures it deems necessary to safeguard U.S. interests in response to such actions.

**102**

**Original:** English

**For the United States of America:**

The United States of America, noting Statement 81 entered by the delegation of Cuba, recalls its right to broadcast to Cuba on appropriate frequencies free of jamming or other wrongful interference and reserves it rights with respect to existing interference and any future interference by Cuba with U.S. broadcasting. Furthermore, the United States of America notes that its presence in Guantanamo is by virtue of an international agreement presently in force and that the United States of America reserves the right to meet its radiocommunication requirements there as it has in the past.

**103**

**Original:** English

**For the Federal Democratic Republic of Ethiopia:**

The delegation of the Federal Democratic Republic of Ethiopia, having considered the declarations contained in Conference Document 311, in signing the Minneapolis 1998 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union, reserves the right of the Government of the Federal Democratic Republic of Ethiopia to take any measures it considers appropriate to safeguard its interests.

The Ethiopian delegation further reserves for the Government the right to make any statements and reservations when depositing its instrument of ratification for the Final Acts of the Minneapolis 1998 Plenipotentiary Conference of the International Telecommunication Union.

**104**

**Original:** English

**For the Republic of Cyprus:**

The delegation of the Republic of Cyprus after having consider the declarations contained in Conference Document 311, reserves for its Government the right to take any action it deems necessary to safeguard its interests should any Members of the Union not share in defraying the expenses of the Union, or should they fail in any way to comply with the Constitution and Convention (Geneva, 1992), and/or Annexes and Protocols thereof, as amended by the Kyoto 1994 instrument and by the Minneapolis 1998 instrument, or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or jeopardize its telecommunication service, or should any other action taken or intended to be taken by any person, physical or juridical directly or indirectly affect its sovereignty.

The delegation of the Republic of Cyprus further reserves for its Government the right to make any other declaration or reservations until and up to the time that the Minneapolis 1998 instrument amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and the Kyoto 1994 instrument is ratified by the Republic of Cyprus.

**105**

**Original:** English

**For the Federal Republic of Nigeria:**

After having taken note of Document 311, the delegation of the Federal Republic of Nigeria to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), in signing the Final Acts of this Conference, reserves for its Government, the right:

1 to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provision of the Constitution and the Convention of the International Telecommunication Union (Minneapolis, 1998), or the Annexes or should reservations by other Members, or any failure jeopardize the proper operation of its telecommunication services;

2 not to accept responsibility for consequences arising thereof out of any reservation made by other Members likely to lead to an increase in its contributory share in defraying Union expenditure.

**106**

**Original:** English

**For the Republic of Korea:**

The delegation of the Republic of Korea after having considered the declarations and reservations contained in Conference Document 311, in signing the Minneapolis 1998 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union, reserves the right for the Government of the Republic of Korea to take any action as it may consider necessary to safeguard its interests should these declarations and reservations jeopardize its interests in any way.

**107**

**Original:** English

**For the Kingdom of Bhutan:**

Acknowledging Document 311 and in signing the Final Acts of the Plenipotentiary Conference of the ITU Geneva 1992 and rectified by the Plenipotentiary Conference (Minneapolis, 1998), the delegation of the Kingdom of Bhutan reserves for its Royal Government the right to take any action which it deems necessary to take to safeguard its national interests should any Member of the Union fail in any way to comply with the Constitution and the Convention of the Minneapolis 1998 Plenipotentiary Conference or the Annexes and Protocols attached thereto or should reservation by any Member of the Union jeopardize the Kingdom of Bhutan's telecommunication services and affect its sovereign rights.

**108**

**Original:** English

**For the Federative Republic of Brazil:**

Having considered the declarations contained in Document 311, the delegation of Brazil, in accordance with the provisions of the Brazilian Constitution, hereby declares that the signature of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) is subject to ratification by the National Congress.

**109**

**Original:** Spanish

**For Chile:**

Having taken note of Document 311, the delegation of Chile, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), declares that it reserves for its Government the right to make whatever reservations may be necessary, prior to the ratification of the said Final Acts, to safeguard its national interests should any of the provisions thereof conflict with its legislation.

**110**

**Original:** English

**For the Lao People's Democratic Republic:**

The delegation of the Lao People's Democratic Republic, having considered the declarations contained in Document 311, reserves the right of its Government to take any action it may consider necessary to safeguard its interests should any Member State fail, in any way, to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Kyoto Plenipotentiary Conference, 1994, and the Minneapolis Plenipotentiary Conference, 1998, their Annexes and Protocols attached thereto, or should any reservation made by any Member State jeopardize its telecommunication services or lead to an increase in its contribution towards defraying the expenses of the ITU.

**111**

**Original:** English

**For the Federal Republic of Germany, Austria, Belgium, Denmark, the Republic of Estonia, the United States of America, Finland, France, Greece, Ireland, Iceland, Italy, Japan, the Principality of Liechtenstein, Luxembourg, Malta, Norway, the Kingdom of the Netherlands, the Republic of Poland, Portugal, the Slovak Republic, the Czech Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden and the Confederation of Switzerland:**

The delegations of the above-mentioned States referring to the declaration made by the Republic of Colombia (No. 50), in as much as this and any similar statement refers to the Bogota Declaration of 3 December 1976 by equatorial countries and to the claims of those countries to exercise sovereign rights over segments of the geostationary-satellite orbit, consider that the claims in question cannot be recognized by this Conference.

Further, the above-mentioned delegations wish to affirm or reaffirm the declaration made by a number of delegations (No. 92) at the Plenipotentiary Conference (Kyoto, 1994) and declarations at conferences referred to therein as if these declarations were here repeated in full.

The above-mentioned delegations also wish to state that the reference in Article 44 of the Constitution to the "geographical situation of particular countries" does not imply a recognition of claim to any preferential rights to the geostationary-satellite orbit.

**112**

**Original:** English

**For the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, the Republic of Estonia, Finland, France, Greece, Ireland, Italy, the Principality of Liechtenstein, Luxembourg, Norway, the Kingdom of the Netherlands, Portugal, the Slovak Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden, the Confederation of Switzerland and Turkey:**

The delegations of the above-mentioned States, referring to Declaration No. 91 made by the United States of America, do not accept that any distinction should be made between government and other satellite networks and reserve the right to take any appropriate action in respect of any financial implications resulting from that Declaration.

113

**Original:** English

**For the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, the Republic of Estonia, Finland, France, Greece, Ireland, Italy, Luxembourg, Norway, the Kingdom of the Netherlands, the Republic of Poland, Portugal, the Slovak Republic, the Czech Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden and Turkey:**

The delegations of the above-mentioned States, referring to Declaration No. 33 made by a number of countries, consider that entries in the Plans of Appendices 30 and 30A of the Radio Regulations refer to administrations and that no distinction shall be made between commercial and other systems.

114

**Original:** Russian

**For the Republic of Kazakstan, the Russian Federation and Ukraine:**

Having regard to the declaration made in Document 311 with respect to the application of those parts of Resolutions [COM5/21] and [PLEN/4] that deal with satellite networks or systems that transmit government telecommunications, the delegations of the Republic of Kazakstan, the Russian Federation and Ukraine reserve for their respective Governments the right to determine the degree of application of the said resolutions with respect to their analogue systems and networks if the universality of application of the said resolutions is infringed.

115

**Original:** French

**For the Republic of Haiti:**

Having examined the declarations and reservations contained in Document 311 of the conference, the delegation of the Republic of Haiti, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), reserves for its Government the right to take any action which it may deem necessary to safeguard its interests should any other present or future Members fail to comply with the provisions of the Constitution and the Convention of the Union, and the annexes and protocols thereto, or should reservations made by other Member States jeopardize the operation of its telecommunication services.

The delegation also expresses reservations regarding any provision of the Constitution or the Convention of the International Telecommunication Union (Minneapolis, 1998) which may be contrary to the current legislation of the Republic of Haiti or which may in any way affect its sovereign right to regulate its telecommunications.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 314-E**
**5 November 1998**
**Original: French**

**PLENARY MEETING**

## NOTE BY THE CHAIRPERSON OF COMMITTEE 4 (EDITORIAL)

I am pleased to submit herewith to the Plenary Meeting those texts and provisions which, in the Final Acts of this Plenipotentiary Conference, must accompany the amendments to the Constitution and the Convention and the decisions and resolutions that have been adopted.

These texts are submitted to the Plenary Meeting for approval. Attention is drawn to the square brackets that appear in Part II of the instruments amending the Constitution and the Convention, which relate to the date of entry into force of those amending instruments. The Plenary Meeting is invited to make a decision in this regard pursuant to No. 229 of the Constitution and No. 524 of the Convention.

Lucien BOURGEAT
Chairperson

INSTRUMENT AMENDING THE CONSTITUTION
OF THE INTERNATIONAL
TELECOMMUNICATION UNION
(GENEVA, 1992)

**as amended by the**
**Plenipotentiary Conference (Kyoto, 1994)**

**(Amendments adopted by the Plenipotentiary Conference (Minneapolis, 1998))**

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# CONSTITUTION OF THE INTERNATIONAL TELECOMMUNICATION UNION*

## PART I. Foreword

By virtue of and in implementation of the provisions of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), in particular those in Article 55 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) has adopted the following amendments to the said Constitution:

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* In accordance with Resolution PLEN/1 of the Plenipotentiary Conference (Minneapolis, 1998) on inclusion of gender perspective in the work of ITU, the language used in the texts of the basic instruments of the Union (Constitution and Convention) is to be considered gender neutral).

## PART II. Date of Entry into Force

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on [...] between Member States being at that time parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present amending instrument.

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**IN WITNESS WHEREOF**, the respective Plenipotentiaries have signed the original of the present instrument amending the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

Done at Minneapolis, [...] November 1998

INSTRUMENT AMENDING THE CONVENTION
OF THE INTERNATIONAL
TELECOMMUNICATION UNION
(GENEVA, 1992)

**as amended by the**
**Plenipotentiary Conference (Kyoto, 1994)**

**(Amendments adopted by the Plenipotentiary Conference (Minneapolis, 1998))**

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# CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION*

## PART I. Foreword

By virtue of and in implementation of the provisions of the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) has adopted the following amendments to the said Convention:

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* In accordance with Resolution PLEN/1 of the Plenipotentiary Conference (Minneapolis, 1998) on inclusion of gender perspective in the work of ITU, the language used in the texts of the basic instruments of the Union (Constitution and Convention) is to be considered gender neutral).

## PART II. Date of Entry into Force

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on [...] between Member States being at that time parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present amending instrument.

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**IN WITNESS WHEREOF**, the respective Plenipotentiaries have signed the original of the present instrument amending the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

Done at Minneapolis, [...] November 1998

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 315-E**
**6 November 1998**
**Original: English**

**COMMITTEE 7**

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Monday, 26 October 1998, at 1440 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Recommendation 9/1 of the ITU-2000 Group | 41; DT/30 |
| 2 | Recommendation 9/4 of the ITU-2000 Group | 13, 69; DT/30 |
| 3 | Recommendation 10 of the ITU-2000 Group | 41; DT/30 |
| 4 | Recommendation 12 of the ITU-2000 Group | 13; DT/30 |
| 5 | Recommendation 20 of the ITU-2000 Group | 9(Add.1), 20, 21, 32, 66, 70, 85; DT/30 |

## 1 Recommendation 9/1 of the ITU-2000 Group (Documents 41; DT/30)

1.1 The **Chairperson** said that the Committee had before it several ITU-2000 Group recommendations connected with the management of the Union. First, he invited participants to take up recommendation 9/1 (Document DT/30).

1.2 The **Secretary**, having observed that recommendation 9/1 was directed towards retaining the free choice of financial contributions, said that the Committee was also required to state its views on the ITU-2000 Group's comments on the recommendation. The point at issue was whether or not guidelines should be developed, adopted by the Council and applied on a voluntary basis by Member States and Sector Members when selecting their class of contribution. As no consensus had been reached in that respect, the ITU-2000 Group's notes on the recommendation were open to interpretation.

1.3 The **Chairperson** reminded the Committee that the previous week it had approved the principle of retaining the system of free choice of financial contributions. What it now had to do was take a decision on whether guidelines should be developed.

1.4 The **Secretary** said that the establishment of guidelines would not entail making any changes to the Constitution or Convention. If the idea was accepted, it would have to be decided what form the guidelines should take and whether the Secretary-General should be authorized to act on his own initiative, for example in requesting certain Member States to review the level of their contributory unit in the light of specific criteria.

1.5 The **delegate of the United States** said that he was very much in favour of the system of free choice of financial contributions, which had worked very well thus far. Hewas therefore opposed to the idea of establishing guidelines, even for application on a voluntary basis.

1.6 The **delegate of Argentina**, referring to his Administration's proposal ARG/41/1 (Document 41), said that he too was in favour of retaining the free choice of financial contributions which, overall, had produced far more positive than negative results. Furthermore, no alternative had been proposed to the Conference.

1.7 The **Chairperson**, observing once again recalling that the system of free choice of financial contributions had been adopted in principle, suggested that the Committee should take note of the ITU-2000 Group's comments and should not establish guidelines; it might simply wish to request the Council to study further the financial base of the Union.

1.8 It was so **agreed**.

## 2 Recommendation 9/4 of the ITU-2000 Group (Documents 13, 69; DT/30)

2.1 The **Chairperson** invited the Committee to take up recommendation 9/4 (Document DT/30).

2.2 The **Secretary** said that, under recommendation 9/4, financial contributions from Sector Members were to be identified for the Sector for which they were intended, taking into account that a share of those contributions would be used to cover General Secretariat costs which were both directly and indirectly attributable to the Sector concerned. The corresponding amendment to the Convention (No. 480A) was to be found under Chapter IV, Article 33 (Document 13).

2.3 The **Chairperson** said that recommendation 9/4, if approved in principle by the Committee, would be transmitted to Committee 6.

2.4 The **delegate of Senegal**, echoing the views expressed by his delegation on a number of occasions at the 1997 and 1998 Council sessions, stressed how important it was for ITU to have a sound financial base. Given that the cardinal principles which should guide the Union were its intergovernmental character and solidarity between the Sectors, recommendation 9/4 caused him some concern. While the trend in most organizations and companies was towards knocking down walls and making exchanges easier, recommendation 9/4 might well have the effect of compartmentalizing the Sectors. It would be a pity to end up with three ITUs, each with their own purposes and goals, managing their own expenditure and not taking part in the others' activities. The way in which classes of contribution were selected already meant that not all the Sectors were on the same footing: for two of them the minimum contribution was 1/2 unit whereas for the third it was 1/16 unit. That amounted to an admission by the Plenipotentiary Conference that Sector Members did not have the same degree of interest in all the Sectors, a state of affairs which might well be aggravated if recommendation 9/4 was adopted. While his delegation was not radically opposed to the recommendation, it considered that doors should be opened between the Sectors in order to facilitate communication and cooperation between them. His delegation, which had submitted a proposal (SEN/69/1, Document 69), reserved the right to take the floor at the appropriate time to discuss proposals aimed at supplementing recommendation 9/4 and enabling the Sectors to work together.

2.5 The **delegate of Cameroon** supported the statement by the delegate of Senegal. Given that the level of contributions from Member States was declining and the Union's activities were expanding, the important question arose as to what would happen to a Sector whose expenditure could not be met out of Members' contributions, if contributions from Sector Members were to be used first and foremost to finance the activities of the Sector for which they were intended. That was not a purely hypothetical question, for in some areas the contributions from Sector Members were already insufficient to meet the level of expenditure.

2.6 The **Chairperson** took note of the concern expressed by the two previous speakers. However, it was to be hoped that Sector Members would increase their contributions if they knew which activities they would be financing. He suggested that the Committee should adopt recommendation 9/4 in principle, for submission to Committee 6, bearing in mind the concerns expressed.

2.7 It was so **agreed**.

## 3 Recommendation 10 of the ITU-2000 Group (Documents 41; DT/30)

3.1 The **Chairperson** invited the Committee to take up Recommendation 10 (Document DT/30).

3.2 The **Secretary** said that the ITU-2000 Group recommended that the current ratio between the amount of the contributory unit payable by Member States and that payable by Sector Members should be examined by the Plenipotentiary Conference in the light of the Union's future financial structure. At present, the amount of the contribution per unit payable by Sector Members was set at one-fifth of the contributory unit for Member States, and the ITU-2000 Group was not proposing to alter that ratio under the current structure of the Union's budget.

3.3 The **delegate of the United States** emphasized that Sector Members contributed to ITU activities because it was in their interest to do so. The current ratio of one-fifth of the contributory unit for Member States was perfectly appropriate. On that basis, a Sector Member belonging to all three Sectors, as was desirable, would pay a slightly lower contribution than a Member State enjoying full membership of ITU with all the attendant advantages and privileges. Furthermore, Sector Members brought many benefits to ITU over and above their financial contributions.

3.4 The **delegate of Saudi Arabia** considered that more rights should go hand in hand with more obligations. The current trend was towards privatization of telecommunications and a greater role for private bodies. It was therefore logical for those bodies to enjoy more rights and have more obligations within ITU. Accordingly, the current ratio between the contributory unit for Member States and that for Sector Members should be reviewed so as to strike a balance between rights and obligations and lighten the burden on Member States.

3.5 The **delegate of France** endorsed that view. While he was not unappreciative of the arguments put forward by the United States delegate, he considered it essential for Sector Members to be asked to make an extra financial effort as they acquired greater rights. That end could be achieved with or without changing the one-fifth ratio. In any event, careful thought would have to be given to the financial plan, and the issue of the one-fifth ratio ought to be taken up from scratch. Perhaps further study should be given to the Argentine proposals ARG/41/2 and ARG/41/3.

3.6 The **delegate of China** supported recommendation 10.

3.7 The **Secretary** observed that no formal proposal to change the ratio of one-fifth had been submitted. The Conference might perhaps wish to recommend that the Council should study the matter in the light of the changing telecommunication situation. He suggested that the Committee's discussion should be reflected in a draft resolution to be taken up at a subsequent meeting.

3.8 The **Chairperson** suggested that the discussion should be based on proposals ARG/41/2 and ARG/41/3 (Document 41). Proposal ARG/41/3 contained a draft resolution relating to the contributions of Sector Members to defraying expenses.

3.9 The **delegate of Argentina**, after emphasizing that a very important step had been taken in granting Sector Members the status of associates, recalled that Resolution 15 of the Kyoto Plenipotentiary Conference acknowledged the need to enhance their rights. Any change made to the system of contributions should be well-balanced and should not be imposed but, rather, adopted on a rational basis. A study should be conducted, with the participation of Sector Members, for the purpose of proposing reasonable changes; that would not be incompatible with the idea of a draft resolution inviting the Council to undertake such a study. The realistic approach adopted by the ITU-2000 Group and expressed in paragraph 39 of Document 13 was that all parties had an interest in ensuring that ITU adopted structural reforms resulting in a better balance between the private sector's contribution to the Union's finances - proportionate to the benefits they derived from the organization - and that of Member States, without Sector Members being "milked" to make up financial shortfalls. He supported recommendation 10 and could agree to proceed as suggested.

3.10 The **delegate of Lesotho** said that the method of contribution should take into account Member States' level of development as well as Sector Members' financial possibilities. The idea should perhaps be considered of setting the same level of contribution for both categories of Member. The contributory amounts should be set at a reasonable level so as to attract young and developing countries.

3.11 The **delegate of Senegal** said that he shared the concerns expressed by the delegate of Lesotho. It would not be in the interest of Member States to impose unduly restrictive obligations on Sector Members. Observing that Resolution 39 (Kyoto, 1994) was aimed essentially at strengthening the financial base of the Union, he said that it was fair to increase rights and obligations. However, large Sector Members should not be the only ones to be taken into account; in a small country like Senegal, the existing Sector Member would certainly not have been able to make any contribution at all had a higher level been set. That having been said, he was not opposed to the idea of conducting a study on strengthening the financial base of the Union, along the lines proposed by the Argentine delegate.

3.12 The **delegate of Pakistan** considered that the ratio between Members States' contributions and those of Sector Members should be reviewed. As more and more Sector Members joined ITU, the organization's workload would increase. When the Sector Members came to participate fully in ITU activities, the difference between the two categories of Member in terms of workload would shrink; the Argentine proposal therefore deserved consideration. However, while the ratio between the different contributions should be improved, it was just as important to provide for some flexibility in setting the amounts payable by the various Sector Members, having regard to their economic situation.

3.13 The **delegate of Canada** said that the recommendations by the ITU-2000 Group provided a framework for the study of changes to be made in the rights and obligations of entities other than Member States as well as for studies on strengthening the Union's financial base. One of the main objectives should be to encourage the widest possible participation by Sector Members in ITU activities. The level of contributions should not be set so high as to discourage such participation. Any draft resolution prepared by the Committee should reflect a balanced approach.

3.14 The **delegate of Japan** endorsed the comments by the Canadian delegate and supported the proposal to invite the Council to study the ratio between the contributions of Member States and those of Sector Members. In order to allay the fears of some delegates concerning the amount of Sector Members' contributions, he suggested that the following sentence should be included in the draft resolution: "In the course of the study by the Council, the opportunity for Sector Members to express their views should be ensured and the Council should pay due attention to their views".

3.15 The **delegate of Morocco** said that there was an urgent need for ITU to review the ratio between Member States' and Sector Members' contributions, having regard to the changing situation and the growing role of the private sector. The review, which should be based on the Argentine proposals, should be carried out on a basis that was reasonable and acceptable to all parties.

3.16 The **delegate of the Philippines** joined other delegations in calling for a review of the ratio between Members States' and Sector Members' contributions. It was important to bear in mind that the objective was to encourage Sector Members to participate in ITU activities and that a balance must be struck between rights and obligations so that any increase in the level of contributions for those Members would be accompanied by the granting of further rights.

3.17 At the request of the **Chairperson**, the **delegate of Argentina** said that he would prepare a draft resolution on recommendation 10 of the ITU-2000 Group with the assistance of other delegations. The **Chairperson** drew attention to the Japanese delegate's suggestion that the private sector should be consulted in the course of the study on the ratio of contributions.

## 4 Recommendation 12 of the ITU-2000 Group (Documents 13; DT/30)

4.1 The **Chairperson** invited the Committee to consider recommendation 12 of the ITU-2000 Group (Document DT/30), which was the subject of a draft amendment to the Convention, namely, MOD 484 (Document 13).

4.2 The **Secretary** explained that the recommendation had three objectives: to ensure that the pricing policy for publications was conducive to the widest possible distribution of ITU documents, pursuant to Resolution 66 (Kyoto, 1994); to provide for revenues, after deduction of production, marketing and sales costs, to be credited to the Sector having developed the products or services; and to promote the adoption of a policy to make the price of publications as affordable as possible, particularly in developing countries.

4.3 The **Chairperson** said that it would be logical for the Committee, after adopting the ITU-2000 Group's recommendation 9/4 in principle, to approve recommendation 12 for transmittal to Committee 6.

4.4 The **delegate of Tonga** deplored the fact that the concern expressed in the second paragraph of recommendation 12, namely, to secure the widest possible distribution of publications, particularly in developing countries, was not reflected in provision MOD 484.

4.5 The **delegate of Trinidad and Tobago** endorsed that comment and drew attention to the fact that the cost recovery policy (first paragraph) and the widest possible distribution of publications (second paragraph) were incompatible.

4.6 The **delegate of Egypt** said that the recommendation was not clear and that the pricing policy for publications needed to be spelt out.

4.7 The **Chairperson** noted that recommendation 12 had received no support.

4.8 The **Secretary** observed that Kyoto Resolution 66 instructed the Secretary-General to ensure that prices for all forms of Union publications were reasonable in order to stimulate their wide distribution. In that context, the administrations of the least developed countries currently benefited from an 80% discount. Committee 7 would be reviewing the pricing policy as part of its work on general management matters and, in doing so, it would need to take account of the concerns expressed by the delegations of Tonga and Egypt. It should be borne in mind that MOD 484 concerned products and services subject to cost recovery and not only sales of publications, and also that it was in line with the other recommendations of the ITU-2000 Group.

4.9 The **delegate of Canada**, speaking as co-Chairperson of Committee 7 in charge of general management matters, confirmed that a revised version of Resolution 66 would be submitted to the next meeting of Committee 7 devoted to general management matters.

4.10 The **Chairperson** said that recommendation 12 and the revised version of Resolution 66 should be considered together.

4.11 The **delegate of Trinidad and Tobago** pressed for the contradiction between the first and second paragraphs of recommendation 12 to which he had referred earlier to be resolved on that occasion.

4.12 The **delegate of Saudi Arabia** said that, as he understood it, the second paragraph of recommendation 12 was intended to reassure the developing countries by stating that their possibilities would be taken into account. However, the text was not clear and it would be useful to know what changes had been made to Resolution 66.

4.13 The **delegate of Tanzania** said that the underlying principle of recommendation 12 was Resolution 66; the recommendation should therefore be retained but reworded to remove any contradiction between its two paragraphs.

4.14 The **delegate of Finland** suggested that the second paragraph of the recommendation should be altered to read: "However, in order to ensure the widest possible distribution of publications, especially in developing countries, a policy should be adopted on the availability of the documents in the least developed countries".

4.15 The **Chairperson** suggested that the co-Chairperson of Committee 7 for general management matters should be requested to take account of all the comments made in connection with recommendation 12 when Resolution 66 was taken up.

4.16 It was so **agreed**.

## 5 Recommendation 20 of the ITU-2000 Group (Documents 9 (Addendum 1), 20, 21, 32, 66, 70, 85; DT/30)

5.1 The **Chairperson** invited the Committee to take up recommendation 20 of the ITU-2000 Group (Document DT/30), taking into account proposals CAN/9/5, 6 and 19, MLI/20/36, AUS/21/1, EUR/32/226 and 227, IRN/66/9, APT/70/13 and KEN/85/3. The recommendation was that the Council should implement the most extensive possible use of cost recovery for products and services, and should consider additional opportunities for cost recovery that might prove promising. The question of cost recovery would also be discussed in the context of Document 51 relating to the incorporation of cost recovery in the Financial Regulations of the Union.

5.2 The **Secretary** observed that the question of satellite network filings (Document 67) was being considered in Committee 5. Accordingly, Committee 7 need concern itself only with the amendments to be made to the Financial Regulations of the Union. It would need to decide whether it wished to open a general discussion on cost recovery, without entering into the details of specific products or services, or whether the matter should be referred to Committee 5.

5.3 The **delegate of Malaysia** considered that proposals CAN/9/5, 6 and 19 as well as proposal APT/70/13 should be considered in conjunction with Document 67 as part of Committee 5's work.

5.4 The **delegate of the Islamic Republic of Iran** asked for proposal IRN/66/9 to be considered by Committee 5 together with Document 67.

5.5 The **delegate of Australia** said that, strictly speaking, proposals CAN/9/5, 6 and 19, AUS/21/1, EUR/32/226 and 227 and APT/70/13 did not deal with cost recovery and therefore should not be discussed in connection with recommendation 20 of the ITU-2000 Group.

5.6 The **delegate of the United States** considered that the question of cost recovery did come within the purview of Committee 7.

5.7 The **delegate of Mali** suggested that recommendation 20 should be considered in conjunction with Document 51.

5.8 The **delegate of Pakistan** said that he was in favour of applying the principle of cost recovery to certain products and services, which needed to be defined on the basis of precise criteria. In that connection, the general principle set out in paragraph 2.3 of the *resolves* section of Resolution 39 (Kyoto, 1994) should be borne in mind.

5.9 The **delegate of Saudi Arabia**, after agreeing with the view that recommendation 20 related to the work of Committee 7, suggested that the Committee should first approve its underlying principle before proceeding to discuss any details.

5.10 The **delegate of Tonga** expressed concern at the part of the recommendation which called for the Council to study additional opportunities for cost recovery. While he was in favour of applying that principle to products and services, he had reservations in respect of its extension to other activities of the Union. Furthermore, he considered that recommendation 20 should fully reflect all country proposals.

5.11 The **delegate of Switzerland** endorsed the principle of recommendation 20 and suggested that the detailed discussion of the activities to which cost recovery should be applied should take place in the Council.

5.12 The **delegate of Algeria** endorsed the comments by the delegates of Saudi Arabia and Switzerland.

5.13 The **delegate of the United States** supported the principle of cost recovery but considered it essential that clear criteria should be laid down for its application to the Union's different services.

5.14 The **Chairperson** suggested that the Committee should continue its consideration of recommendation 20 at a subsequent meeting.

5.15 It was so **agreed**.

**The meeting rose at 1750 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 316-E**
**28 November 1998**
**Original: French**

**COMMITTEE 6**

SUMMARY RECORD

OF THE

EIGHTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Monday, 26 October 1998, at 1435 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Second detailed consideration of proposals relating to the Constitution (continued) | 20, 25, 32; DT/23(Rev.1); DL/14 |

## 1 Second detailed consideration of proposals relating to the Constitution (continued) (Documents 20, 25, 32; DT/23(Rev.1); DL/14)

**ARTICLE 1 (CS) (continued)**

**Provision 11 (continued)**

1.1 The **Chairperson** reminded the Committee that during the discussion of Document DT/23 provision 11 of the Constitution had been left pending. He invited the delegate of Luxembourg to introduce his proposal for the final text.

1.2 The **delegate of Luxembourg**, after observing that provision 11 had given rise to very lengthy discussions, read out the following text: "... and registration of radio-frequency assignments and, for space services, of any associated orbital position in the geostationary-satellite orbit or of any associated characteristics of satellites in other orbits in order to avoid ...".

1.3 The text of provision 11, as proposed by the delegate of Luxembourg, was **approved**.

1.4 The **Chairperson** invited the Committee to take Document DT/23(Rev.1) as the basis for its further consideration of the proposals relating to the Constitution.

**ARTICLE 14 (CS) (continued)**

**Provision MOD 100 (continued)**

1.5 The **delegate of Japan** proposed that the square brackets round provision 100 should be deleted.

1.6 It was so **agreed**.

**ARTICLE 19 (CS)**

**Provision MOD 116**

1.7 In the absence of any guidelines from Committee 5 concerning TSAG, the **Chairperson** suggested that the Committee should approve the provision subject to the Plenary's deciding otherwise.

1.8 It was so **agreed**.

**Provision ADD 132A**

1.9 The **Chairperson**, after stating that BDT wished to have an advisory board rather than an advisory group, suggested that the provision should be kept between square brackets pending a decision on the subject by ITU-D.

1.10 It was so **agreed**.

**ARTICLE 23 (CS)**

**MOD title, provision MOD 144**

1.11 The **Chairperson** suggested that both texts should be kept between square brackets, since they concerned the telecommunication development advisory group.

1.12 It was so **agreed**.

**Provision 148**

1.13 The **delegate of Canada**, after observing that discriminatory language was used in several places in the Constitution, acknowledged that it would be difficult to change the wording of provision 148 without changing its substance. She also noted that the problems in question varied according to the language version.

1.14 The **Chairperson** observed that the French- and Spanish-language versions of the constitutional instruments would need to be completely recast, which might raise many problems. He suggested that a footnote should be inserted at the beginning of the Constitution and the Convention to the effect that the language used in the texts was gender-neutral and hence could not be considered discriminatory.

1.15 It was **agreed** that the Canadian delegation should prepare a footnote along those lines.

1.16 The **delegate of Canada**, supported by the **delegate of South Africa**, expressed the hope that non-discriminatory language would be used in future in all the basic texts.

1.17 The **delegate of the United Kingdom** observed that the question of gender equality was taken up in a draft resolution (Document 147), to which reference might be made in the footnote to be inserted at the beginning of the Constitution and the Convention.

1.18 It was so **agreed**.

**Provision MOD 151**

1.19 It was **agreed** to delete the square brackets round the provision.

**ARTICLE 28 (CS)**

1.20 It was **agreed** to leave Article 28 between square brackets pending the outcome of the work of Committee 7.

**ARTICLE 32 (CS)**

1.21 It was **agreed** to leave Article 32 between square brackets.

**ARTICLE 34 (CS)**

**Title**

1.22 The **delegate of Russia** observed that provisions 180 to 183 did not all relate to the stoppage of telecommunications. To the best of his recollection, it had not been decided to include all those provisions in Article 34.

1.23 The **Chairperson** acknowledged that the title of Article 34, on which no decision had been taken, should be placed between square brackets. It was quite true that not all the provisions related to the stoppage of telecommunications.

1.24 The **delegate of Greece** suggested that the title of the article might be amended to read: "Interruption of telecommunications".

**Provisions MOD 180, MOD 181**

1.25 The **delegate of Greece** proposed that provision 180 should be deleted and that provision 181 should be amended to read: "Member States reserve the right to cut off any private communication which may appear dangerous to their security or contrary to their laws, to public order or to decency".

1.26 The **delegate of Israel** said that if provision 180 were deleted, the notification procedure should be transferred to provision 181.

**Provision MOD 184**

1.27 The **delegate of Greece** proposed that provision 184 should be amended to read: "Member States agree to take all appropriate measures to ensure the secrecy of international telecommunications". Provision 185 would then have to be amended to read: "Nevertheless, Member States reserve the right to communicate the aforementioned telecommunications to their competent authorities in order to ensure the application of their national laws ...".

1.28 The **Chairperson** noted that the provisions were important ones and invited the delegate of Greece to submit a text to the secretariat.

**Provision ADD 189A**

1.29 The **delegate of Mali**, introducing his Administration's proposal (MLI/20/18), said that the words "or operational" should be added after "technical". The provision related in particular to the harm caused by call back.

1.30 The **delegate of Syria** supported the proposal.

1.31 The **Chairperson** asked what was covered by the term "technical harm".

1.32 The **delegate of Saudi Arabia** asked why the technical harm caused to national telecommunication installations was not mentioned in the proposal.

1.33 The **delegate of the United States** asked whether there was any relationship between the proposal and Article 45 of the Constitution.

1.34 The **delegate of Spain** considered that the proposal duplicated Article 6 of the Constitution.

1.35 The **delegate of the Netherlands** said that that comment applied also to provision 199 of the Constitution.

1.36 The **delegate of Greece** asked whether Mali's proposal was concerned with any types of harm other than those contemplated in Articles 6 and 40 of the Constitution. He would also welcome clarification on the precise meaning of the words "under the control of other Member States".

1.37 The **delegate of Mali** said that the harm caused, for example, by call back was not covered by Article 45. Installations under the control of other Member States were those on the national territory of States and therefore subject to those States' national legislation.

1.38 At the suggestion of the **Chairperson**, it was **agreed** to postpone further consideration of the proposal by Mali pending the availability of a text amended in the light of the comments made.

**Provision MOD 190**

1.39 The **delegate of Mali**, introducing his Administration's proposal (MLI/20/19), said that its purpose was to give more weight to the provision by inserting the words "and assist" in the text.

1.40 The **delegates of Côte d'Ivoire** and **Syria** supported the proposal.

1.41 The **delegate of the United States** asked whether the "assistance" in question would be obligatory for Member States.

1.42 The **delegate of Mali** said that if provisions of the Constitution and the Convention were flouted, Member States ought to act together in order to put an end to such infringements.

1.43 The **delegate of Syria** asked what was the exact meaning of the words "and assist".

1.44 The **Chairperson** invited the delegations of the United States and Mali to hold consultations on the matter, and suggested that the provision should be left between square brackets pending the preparation of a final version of Mali's proposal.

1.45 It was so **agreed**.

**Provision MOD 193**

1.46 It was **agreed** to leave the provision between square brackets pending Committee 5's decision.

**ARTICLE 44 (CS)**

**MOD title**

1.47 The amendment was **approved**.

**Provision MOD 196**

1.48 The **delegate of Spain** proposed that the same wording should be used as in provision 11, by replacing the words "were applicable" with "for space services".

1.49 The **delegate of Russia** cautioned against any hasty amendment of those provisions, which were the result of several years of negotiations.

1.50 The **delegate of Colombia** observed that provision 11 concerned orbital positions associated with space services whereas Article 44 dealt with general principles and use of resources. In his view, it was not necessary to mention space services in Article 44.

1.51 The **Chairperson** said that the orbit as such did not come within the purview of ITU, which dealt with use of the frequency spectrum. It was therefore only in connection with space services that reference was made to the orbit.

1.52 The **delegate of Turkey**, supported by the **delegate of Colombia**, said that he was prepared to accept the deletion of the words "where applicable", on condition that they were not replaced by the phrase "for space services".

1.53 The **delegate of Spain** concurred with that view.

1.54 The **delegate of Greece** observed that under international space law, the geostationary orbit was considered to be a limited natural resource. Any reference to the characteristics of other orbits in the text under consideration might lead to confusion. If the Committee wished the proposal to cover all orbital positions, it could - as had been done at WRC-97 - insert a footnote referring to the rules of international space law, to the effect that the geographical situation of certain countries did not give them any preferential rights with regard to use of the geostationary orbit.

1.55 The **delegate of Luxembourg** said that during the consultations it had been decided to add the words "where applicable" in order to make provision 196 apply to both terrestrial and space services. With regard to other orbits, it had become very difficult to share frequencies for non-geostationary satellite systems; accordingly, the non-geostationary orbit could also be regarded as a limited natural resource. The **delegate of France** endorsed those comments.

1.56 The **delegate of Russia** considered that the phrase "where applicable" made the text more precise.

1.57 The **delegate of the United Kingdom** said that he was in favour of the text of provision 196 as it stood in Document DT/23(Rev.1).

1.58 The **Chairperson**, observing that the Constitution did not define space services, suggested that the words "where applicable" should be kept in provision 196.

1.59 The **delegate of Spain** said that he was willing to accept the proposed text provided that its meaning was clear in the different language versions.

1.60 The **Chairperson** said that the French- and Spanish-language versions of provision 196 would be reviewed in order to remove any ambiguities. He invited the delegate of Greece to submit his proposal in writing to the secretariat.

1.61 The **delegate of Saudi Arabia** proposed that the word "both" should be replaced by "these resources" in the English-language version of the provision.

1.62 It was so **agreed**.

1.63 It was **agreed** to leave provision 196, as amended by the delegation of Saudi Arabia, between square brackets.

**ARTICLE 54 (CS)**

1.64 The **Chairperson** said that the ad hoc Group which had been asked to propose a text for Article 54 had almost finished its work; however, a few points still had to be settled. He therefore suggested that the second consideration of the article should be postponed to a subsequent meeting.

1.65 It was so **agreed**.

**ARTICLE 55 (CS)**

1.66 The **Chairperson** said that the two matters which had been left pending from earlier discussions were the Arab Group's proposal (Document 25) concerning the article as a whole and the text which the Canadian delegation was to submit for provision 224 (Document DL/14) in order to take account of the comments made in connection with the original Canadian proposal on the subject.

1.67 The **delegate of Syria** said that the authors of Document 25, all of which were developing countries, were proposing that Article 55 of the Constitution should set out the procedure for amending the Constitution and the Convention. If the proposal was accepted, Article 42 of the Convention would be deleted. The authors had been motivated by the desire to underline the single nature of the Union's basic instruments and to trim the text without affecting the substance.

1.68 The **delegates of Spain, the United Kingdom** and **Russia** observed that the additional Plenipotentiary Conference (Geneva, 1992) had decided to provide the Union with two separate instruments - the Constitution and the Convention - for the specific purpose of making the former more stable and the latter more flexible. It was therefore quite normal for there to be two separate amendment procedures and, in any event, it would not be logical for the procedure for amending an instrument to be set out in a different instrument.

1.69 The **delegates of the Netherlands, France, Germany, Denmark, Greece, Portugal, China** and **Lesotho** said that they were in favour of having two separate articles, one in the Constitution and one in the Convention.

1.70 The **delegate of Syria** said that he had not been convinced by the arguments put forward against the proposal in Document 25; however, he was prepared to withdraw it.

1.71 It was **agreed** that each of the two instruments should comprise an article relating to the amendment procedure.

**Provision MOD 224**

1.72 The **delegate of Canada**, introducing Document DL/14, said that the original Canadian proposal relating to provision 224 had given rise to a very lengthy debate. The purpose of the proposed new text was to take account of all the comments made; in some cases, however, the views which had been expressed were irreconcilable.

1.73 The **delegate of Mexico** considered that the deletion of the phrase "in order to ensure its timely transmission to, and consideration by, all the Members of the Union" altogether deprived the provision of its flexibility, particularly as the deadline had also been shortened, making it even more difficult for States to comply with the rule.

1.74 The **delegate of Spain** agreed that the Conference should adopt provisions that States were able to apply. Provision 224 should contemplate a two- or three-month period for the Secretary-General to communicate to Member States the proposed amendments received by him; however, as long a time-limit as possible, or perhaps even no time-limit at all, should be set for Member States to submit amendments to the Plenipotentiary Conference.

1.75 The **delegate of the United Kingdom** supported the text proposed for provision 224 in Document DL/14, observing that it constituted but the first part of a process that continued under provision 225, which allowed States to propose modifications to amendments submitted in accordance with provision 224.

1.76 The **delegate of France** considered that the text in Document DL/14 accurately reflected the concerns expressed during the discussion of provision 224. She observed that a six-month deadline seemed to be the rule in other international organizations.

1.77 The **delegates of the United States, Tanzania** and **Turkey** supported the text proposed by Canada in Document DL/14.

1.78 The **delegate of Syria** requested the Chairperson to confirm that adoption of the text under consideration would not prevent Member States from submitting amendments at any time during a Plenipotentiary Conference.

1.79 The **delegate of Israel** expressed her disagreement with that interpretation.

1.80 The **delegate of Spain** said that the text in Document DL/14 would be acceptable only if the deadline it set related to the submission of proposed amendments to the Secretary-General for circulation to Member States, without affecting Member States' right to propose amendments to the Plenipotentiary Conference.

1.81 The **delegates of Saudi Arabia** and **South Africa** endorsed the Spanish delegate's interpretation.

1.82 The **Chairperson** expressed the view that that interpretation only held for the original text. The amended version of provision 224 proposed in Document DL/14 made it compulsory for the Secretary-General to refuse any proposed amendment which reached him less than six months before the opening date set for the Plenipotentiary Conference, neither would the Conference itself be able to examine such proposals. Member States that were unable to meet the deadline would have to resort to provision 225, with the result that other Member States would not have an opportunity to study the proposals in question before the Conference opened.

1.83 The **delegate of Syria** said that it would be quite wrong to limit the power vested in the Plenipotentiary Conference to take up any proposal submitted to it. He therefore reserved the right to revert to the matter in the Plenary.

1.84 The **delegates of Spain** and **Mexico** also reserved that right.

1.85 The **delegate of Greece** said that provision 225 dealt with the right to propose modifications to amendments proposed by other Member States. The recourse it offered did not settle the issue of whether or not provision 224 still entitled States to propose their own amendments at any time.

1.86 The **Chairperson** noted that there were two clearly divergent schools of thought on the matter. Accordingly, he suggested that the Committee should not prolong a discussion which in any event would be resumed in the Plenary, to which he suggested referring the full text of provision 224 as set out in Document DT/23(Rev.1).

1.87 It was so **agreed**.

**Provision MOD 238**

1.88 As the date in the provision could not be changed, it was **agreed** not to approve proposal MLI/20/21 by Mali.

1.89 The **delegate of Spain**, supported by the **delegate of Mexico**, referred to proposal EUR/32/8, pointing out that the term "Member States" could not be used retroactively in provision 238 because the Constitution and the Convention which had entered into force on 1 July 1994 had been ratified by "Members" and not by "Member States".

1.90 The **delegate of Saudi Arabia**, agreeing with the view expressed by the Spanish delegate, wondered why the replacement of "Members" by "Member States" in other provisions of the Constitution adopted at Geneva had not given rise to any difficulty.

1.91 The **delegate of Paraguay** said that, in the interest of consistency and in order to avoid any confusion, the term "Member States" should be used; it was clearly defined in No. 1001A which was proposed for inclusion in the annex to the Constitution.

1.92 The **delegate of Syria**, supported by the **delegate of Kuwait**, endorsed the comments by the delegate of Spain and proposed that an explanatory footnote should be added to provision 238 in order to avoid any possible confusion.

1.93 The **delegate of Turkey** suggested that the footnote should refer to No. 1001A proposed for the annex, which spelt out the meaning of "Member States" quite clearly. If it was decided not to use the term "Member States" in provision 238, it would be only logical to do likewise for provision 236.

1.94 The **delegates of Saudi Arabia, Greece** and **Germany** said that they were opposed to the inclusion of a footnote in an international treaty.

1.95 The **delegate of Greece** proposed that the term "Member States" should be replaced by the term "States Parties", which was already used in the preamble to the Constitution.

1.96 The **delegate of the United Kingdom** said that if provision 238 was not amended it would not appear in the Final Acts of the Conference, which were to contain only those provisions to which changes had been made and which would supplement the instrument of amendment adopted in Kyoto and the Constitution/Convention adopted in Geneva. As had already been done in the case of the Radio Regulations, those three texts should be published in a single volume which, while not

carrying the weight of an international treaty, would give the reader an overview of the provisions of the Constitution and Convention and the amendments made to them.

1.97 The **delegates of Argentina, Germany, Greece** and **Spain** supported the idea of publishing the Constitution, the Convention and the amendments to both in a single volume, it being understood that that publication would have no official standing.

1.98 The **Chairperson** suggested that the secretariat should be asked to prepare such a document, which would contain footnotes explaining that the amendments adopted in Kyoto were applicable between "Members" and that those adopted in Minneapolis were applicable between "Member States". It would thus be possible to draw a distinction between the provisions of the Constitution and the Convention adopted in Geneva and the amendments made to them at the Kyoto and Minneapolis Conferences. Furthermore, only those provisions which had been deleted, amended or added would appear in the Final Acts of the Conference.

1.99 It was so **agreed**.

1.100 The **Chairperson** said that the Committee had completed its second detailed consideration of proposals relating to the Constitution.

**The meeting rose at 1730 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 317-E**
**28 November 1998**
**Original: English**

**COMMITTEE 6**

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Tuesday, 27 October 1998, at 0935 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Approval of the summary records of the first and second meetings | 143 + Corr.1, 148 |
| 2 | Second detailed consideration of proposals relating to the Convention | DT/23(Rev.1); DL/18 |

## 1 Approval of the summary records of the first and second meetings (Documents 143 + Corrigendum 1, 148)

1.1 The **delegate of France** said that she would submit a correction to § 2.10 of Document 143 to the secretariat in writing.

1.2 On that understanding, the summary records of the first and second meetings were **approved** (Document 143 + Corrigendum 1 and Document 148).

## 2 Second detailed consideration of proposals relating to the Convention (Document DT/23(Rev.1); DL/18)

2.1 The **Chairperson** invited the Committee to undertake a second examination of proposals relating to the Convention on the basis of Document DT/23(Rev.1), drawing particular attention to provisions left pending. He said that a footnote referring to the draft resolution on gender issues (Document 147) would be added to the title, as had been done in the case of the Constitution.

### ARTICLE 2 (CV)

2.2 The **Chairperson** noted that provisions 12A to 22 were all pending, awaiting the results of the work of Committee 5 on election procedures.

### ARTICLE 3 (CV)

2.3 The **Chairperson** said that provisions 23 to 29 should be placed in square brackets in the English text to bring it into line with the other language versions. Those provisions were to be reviewed in the light of the recommendations of Committee 5.

**Provision 50**

2.4 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**Provision (MOD) 57**

2.5 It was **agreed** to delete the square brackets around that provision.

**Provisions 61, ADD 63B, MOD 69**

2.6 It was **agreed** to retain the square brackets, pending the results of work by Committee 7.

### ARTICLE 5 (CV)

**Provision (MOD) 84**

2.7 It was **agreed** to remove the square brackets.

**Provisions 86, ADD 86A, ADD 87A**

2.8 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**Provisions MOD 97, (MOD) 99**

2.9 It was **agreed** to delete the square brackets and retain the original text.

**Provision ADD 102A**

2.10 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**Provision (MOD) 105**

2.11 It was **agreed** to remove the square brackets.

**ARTICLE 6 (CV)**

**Provision MOD 109**

2.12 It was **agreed** to remove the square brackets.

**ARTICLE 7 (CV)**

**Provision MOD 117**

2.13 **Approved.**

**Provision MOD 118**

2.14 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**ARTICLE 8 (CV)**

**Provision MOD 131**

2.15 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**Provision MOD 134**

2.16 The **Chairperson** recalled that the provision had been approved subject to editorial amendment by the delegates of Mali and the United Kingdom.

2.17 The **delegate of the United Kingdom**, supported by the **delegate of Mali**, proposed replacing "suitable measures" by "practical measures". The attention of Committee 7 should be drawn to the fact that measures other than the exchange of documentation or provision of reports could have financial implications. For example, the granting of fellowships would have a financial impact on the Union's budget.

2.18 The **delegates of Greece** and **China** endorsed those remarks.

2.19 The **delegate of Mali** said that the time had come to move from fine words to practical measures to enable the developing countries to play an active part in standardization and radiocommunication work. He cited the example of a workshop held in Mali for all African countries, in which a BR expert had presented a helpful introduction to the workings of WRC-97. Another aim of his proposal had been to facilitate access to information and raise the awareness of the authorities of developing countries. Such measures could be implemented at small financial cost. There was a great deal to be gained by providing the potential market in the developing countries with the expertise needed to take decisions and contribute to the development of telecommunications.

2.20 The **Chairperson** considered that the financial implications would have to be clarified. In his view, fellowships should be covered by ITU-D's budget. The question of financial implications arose, however, in connection with the view that ITU-R should take measures to cater to the developing countries' need for information and assistance with regional meetings.

2.21 The **delegate of the United Kingdom** suggested that preparatory regional meetings prior to radiocommunication assemblies should fall, not within the purview of the radiocommunication assembly under Article 8 of the Convention, but rather that of the Director of BR under Article 12, inasmuch as assistance for WRCs was already covered by No. 166. He suggested that the Chairperson should reflect the discussion in his report and that the matter should be left to the Plenary for decision.

2.22 The **Chairperson** suggested that the square brackets enclosing MOD 134 should be retained, pending further consultations between the delegates of Mali, the United Kingdom, China and Greece.

2.23 It was so **agreed**.

**Provision 136**

2.24 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**Provision ADD 137A**

2.25 The **Chairperson** invited the Committee to consider Document DL/18.

2.26 The **delegate of Canada** explained that Document DL/18 addressed only matters relating to RAG, and not to TSAG. She had held informal discussions with some CITEL countries, the CEPT countries, Japan and Syria, which had resulted in very divergent views. With regard to proposal ADD 137A, some wanted to keep the text that was shown in square brackets, while others were adamant that it should be deleted.

2.27 The **Chairperson** invited the Committee to comment on the replacement of "delegate authority on" by "assign".

2.28 The **delegate of Greece** considered "delegate" and "assign" to be equivalent. If the proposal was to transfer power from the radiocommunication assembly to an advisory group, that intention should be explicitly stated. Otherwise, he would suggest the use of "address" instead of "assign".

2.29 The **delegate of France** said that, in his view, there was a slight difference in meaning between "delegate" and "assign", but an even greater one between "assign" and "address". He would endorse the proposal of "assign", it being closer to the original "delegate". With reservations, the **delegate of Greece** concurred.

2.30 The **Chairperson**, noting the general approval of "assign", invited the Committee to discuss whether to delete or retain the text in square brackets in ADD 137A, in Document DL/18.

2.31 The **delegate of the United Kingdom**, supported by the **delegates of Spain**, **Russia** and **Argentina**, was of the view that to retain the text in square brackets would make for confusion, because RAG might be asked for advice on matters that fell largely within the terms of reference of a study group. It was open to interpretation whether the text referred to a single study group or to study group matters in general. In any event, the radiocommunication assembly would be making the decision, and it was quite capable of deciding whether a matter was one for a study group or for RAG. Nothing would be lost by deleting the text in square brackets.

2.32 The **delegate of the United States** said that the text in square brackets should be retained, precisely because the radiocommunication assembly had to take account of the competence of study groups and to avoid duplication of work between them and RAG.

2.33 The **Chairperson** observed that "specific matters" were not "Questions" and therefore not necessarily within the competence of any study group. He drew attention to the disparity between the English and French texts, considering the French "questions spécifiques" to be open to misinterpretation, while the English "specific matters" was not, and asked the delegate of France to suggest a word that would be more in line with the English. The **delegate of France** suggested the French word "sujets".

2.34 The **delegate of Spain** considered the words "for advice" in square brackets to be redundant, as advisory groups always advised. The words should be deleted.

2.35 The **delegate of Brazil** said that the words "for advice" should be retained, in order to make it abundantly clear that RAG was an advisory body.

2.36 The **Chairperson** said that the proposed text sought to resolve the question of whether RAG was advisory to the Bureau or to the Sector. In his personal view, the phrase "for advice" was an elegant way of indicating that RAG was mainly advisory to the Bureau, but that from time to time it might be advisory to the radiocommunication assembly.

2.37 The **delegate of the United States** endorsed that view. The formulation "for advice" confirmed that RAG was an advisory body not authorized to carry out other activities. Her delegation thus favoured retaining the formulation in order to avoid any confusion.

2.38 The **delegate of Argentina** noted that, although it might be implicitly understood that the sole function of RAG was to advise, none of the provisions contained an explicit statement to that effect. He remained convinced that RAG's function was to advise the Sector, and that that advice was to be channelled through the Bureau. Little progress would be made until the question of the body to which RAG was subordinate had been resolved.

2.39 The **delegate of France** said that, in a spirit of compromise, the administrations submitting proposal EUR/32/69 had agreed to replace the term "delegate authority on" by the term "assign". The addition of the words "for advice" impaired that compromise, and constituted a step that his delegation was not yet ready to take.

2.40 The **delegate of Mexico** said that there appeared to be no consensus yet on the question of whether RAG worked in a purely advisory capacity. He therefore wanted the words "for advice" to be retained.

2.41 The **delegate of the United Kingdom**, supported by the **delegates of Denmark** and **Greece**, endorsed the remarks by the delegate of France, and pointed out that Article 8 dealt with the radiocommunication assembly, whereas RAG was dealt with in Article 10A. Consequently there was no need to include the words "for advice" in ADD 137A.

2.42 The **delegate of Cuba** said that the debate hinged on the differing views regarding to whom RAG was to address advice. In Document DT/23(Rev.1), under Article 10A (CV), provision ADD 147H stated that the role of RAG was to "advise the Director of the Radiocommunication Bureau"; but ADD 137A in Document DL/18 related to the assembly. At no time had the advisory role of RAG been explicitly spelled out. The words "for advice" should thus be retained.

2.43 The **delegate of Portugal** favoured deletion of the phrase, for the reasons given by the delegates of France, Spain and the United Kingdom.

2.44 The **delegate of Ecuador** reiterated his delegation's position, which was that RAG's role was to advise the whole Sector through the Director. He thus favoured retention of the words "for advice".

2.45 The **delegates of the Netherlands** and **Norway** supported the deletion of the words "for advice".

2.46 The **delegate of Russia** said that a compromise, whereby RAG was seen as advisory to the Director and the Bureau but a role vis-à-vis the Sector was also acknowledged, had been achieved in ADD 137A. Deletion of the words "for advice" would confirm that compromise, while their retention would merely state the obvious - namely, that the role of an advisory group was to advise. It should also be borne in mind that RAG's work could be impeded, since under the current system it could report to the assembly only once every two years, while under the proposed new arrangements the assembly would meet only once every three years. The words "for advice" should thus be deleted.

2.47 The **Chairperson** pointed out that if the purpose for which a radiocommunication assembly had assigned a matter to RAG were not spelled out in some way, it might be inferred that RAG was entitled to take decisions or even to make recommendations. He asked whether there was any objection to retaining the two phrases enclosed in square brackets.

2.48 The **delegate of the United Kingdom** said that he would prefer to see both phrases deleted.

2.49 The **delegate of the Islamic Republic of Iran** said that both the formulations in square brackets should be retained.

2.50 The **Chairperson** suggested that the square brackets should be retained and provision ADD 137A transmitted to the Plenary as it stood.

2.51 It was so **agreed**.

## ARTICLE 10A (CV)

### Provision ADD 147G

2.52 The **Chairperson** invited the Committee to consider the phrase "adopt its own working procedures", enclosed in square brackets in ADD 147G (Document DL/18).

2.53 The **delegate of Greece** said that the rules of procedure of specialized agencies of the United Nations customarily applied to subordinate bodies of those agencies. The general Rules of Procedure of ITU should, *mutatis mutandis*, apply to all other bodies of the Union. The words "adopt its own working procedures" should not be approved.

2.54 The **Chairperson** confirmed that the Rules of Procedure of conferences and other meetings set forth in Article 32 of the Convention applied to all meetings of ITU, although Sectors could follow specific procedures provided that they are compatible with the Constitution and the Convention. For example, working methods for ITU-R study groups had been approved by the radiocommunication assembly. The point at issue was whether RAG's rules of procedure would be defined by the assembly, by the Group itself, or by the Director of BR.

2.55 The **delegate of France** endorsed the comments by the delegate of Greece. He urged the Committee to reconsider a formulation already proposed by the CEPT countries (EUR/32/78), namely, to "adopt suitable working procedures".

2.56 The **delegate of the Islamic Republic of Iran** shared the concerns expressed by the delegates of Greece and France, and proposed adding some formulation such as "... on matters as requested by the Director", at the end of the phrase in square brackets.

2.57 The **delegate of Spain**, supported by the **delegate of China**, said that working procedures for RAG were already covered by Resolution ITU-R 3-1, and RAG was able to organize its work within the framework of that Resolution. Consequently, the words "adopt its own working procedures" should be deleted.

2.58 The **delegate of the United Kingdom** proposed replacing the term "procedures" by the term "methods". He also noted that ADD 147G consisted of two different provisions that might benefit from being separated. A perusal of Resolution ITU-R 3-1 would reveal that no working methods had been established for RAG, the assembly having deemed such a measure to be unnecessary. Consequently, he favoured approval of the words "adopt its own working methods" and the division of ADD 147G into two separate clauses.

2.59 The **delegates of the United States** and **Canada** supported the delegate of the United Kingdom.

2.60 The **Chairperson** said that if he heard no objection he would take it that the Committee wished to replace the word "procedures" by "methods".

2.61 It was so **agreed**.

2.62 The **delegate of Spain** said that, read in isolation, the proposal seemed to imply that RAG could adopt working methods different from those adopted by the radiocommunication assembly in Resolution ITU-R 1-2. He proposed adding some such formulation as "compatible with the working methods adopted by the radiocommunication assembly", at the end of the phrase in square brackets. The **delegate of Argentina** favoured such an addition.

2.63 The **delegate of Greece** endorsed the proposal by the delegate of Spain, which placed the matter in its proper institutional context, and also supported the United Kingdom proposal to divide ADD 147G into two separate clauses.

2.64 The **Chairperson** said that if he heard no objection he would take it that the Committee wished to amend ADD 147G by adding the words "compatible with the working methods adopted by the radiocommunication assembly" at the end of the phrase in square brackets, to retain the words "for the Director of the Radiocommunication Bureau" in the second part of ADD 147G, and to make the second part a separate provision.

2.65 It was so **agreed**.

**Provision ADD 147H**

2.66 The **delegate of Canada**, referring to Document DL/18, said that there were those who felt strongly that the report should be submitted through the Director, and others who felt equally strongly that it should not. She hoped that there would be no major opposition to removing the square brackets.

2.67 The **delegate of the United Kingdom** preferred not to include the words.

2.68 The **delegate of the Islamic Republic of Iran** said that the report of RAG should be submitted directly to the Director of the Bureau, not to the radiocommunication assembly.

2.69 The **Chairperson** said that, if he heard no objection, the square brackets would be retained and the text transmitted to the Plenary.

2.70 It was so **agreed**.

**Provisions MOD 149, MOD 151, MOD 177, MOD 180**

2.71 The **Chairperson**, inviting the Committee to resume discussion of Document DT/23(Rev.1), noted that proposals in respect of MOD 149, No. 155 and MOD 180 had been referred to Committee 5.

2.72 MOD 151 and MOD 177 were **approved**.

**Placement of text of Article 10A**

2.73 The **Chairperson** noted that no consensus had been reached on where to place the text of new Article 10A. The recommendation of the ITU-2000 Group, to place Article 10A after Article 10, was supported by the delegates of France and Poland. India, supported by a number of countries, had proposed that Article 10A should follow Article 11, while some CITEL countries represented by the delegates of Mexico and Ecuador would prefer Article 10A to be placed after Article 12.

2.74 The **delegate of Colombia** said that the positioning of the Article was linked to the debate on ADD 137A, ADD 147G and ADD 147H: namely, the function of RAG and whether it was to advise the Sector or the Director of BR. If RAG was to advise the Director, then logically new Article 10A should appear after Article 12, which dealt with the Radiocommunication Bureau. If, on the other hand, RAG was to advise the Sector, then new Article 10A should follow Article 10. A decision on the working methods of RAG would therefore determine the position of the new Article in the Convention.

2.75 Following a request by the **delegate of Russia**, the **Chairperson** suggested that the matter should be referred to the Plenary.

2.76 It was so **agreed**.

**ARTICLE 13 (CV)**

2.77 The **Chairperson** noted that the proposals for MOD 187 and ADD 191A had been referred to Committee 5.

**Provision 190**

2.78 The **delegate of China** proposed that the text of No. 190, which related to ITU-T, should be aligned with the text of MOD 134, relating to ITU-R. She queried whether it was necessary to await a decision from Committee 7 before discussing the point; it would be preferable to align the relevant texts in all three Sectors.

2.79 The **delegate of the United Kingdom** recalled that it had been agreed to leave the text of MOD 134 in square brackets pending further consultations. Those consultations had taken place and it was proposed to leave MOD 134 unchanged and to create a new provision 175C which would read as follows: "provide practical measures to facilitate the participation of developing countries in the Radiocommunication Sector study groups".

2.80 The **delegate of Argentina** supported the Chinese proposal to align the texts of Nos. 190 and 134. Further, he supported the addition of a new provision 175C as proposed by the delegate of the United Kingdom.

2.81 The **delegate of Mali** endorsed the proposal by China to align the appropriate texts in all three Sectors.

2.82 The **Chairperson** suggested that Nos. 134 and 190 should be approved without change; that a new provision 175C should be added, as proposed by the delegate of the United Kingdom; and that similar wording should be added to Article 15 regarding TSB, thus aligning the texts relating to the three Sectors.

2.83 It was so **agreed**.

**ARTICLE 13A (CV)**

2.84 The **Chairperson** noted that ADD 191H, ADD 191I, MOD 192 and ADD 213A had been referred to Committee 5 for consideration, and that the text of MOD 204 should remain as proposed by the ITU-2000 Group in Document 13. Following requests for clarification by the **delegate of the Republic of Korea** concerning proposals KOR/40/3 and KOR/40/5 and from the **delegate of Brazil** concerning proposal IAP/59/82, he said that he would look into the matter and report back to the Committee at a subsequent meeting.

**ARTICLE 17 (CV)**

2.85 The **Chairperson** noted that ADD 215A and ADD 215B had been referred to Committee 5 for consideration.

**ARTICLE 18 (CV)**

2.86 The **Chairperson** noted that Committee 5 was still considering the wording of the title for Article 18, MOD 224 was pending the outcome of discussions between the delegates of Mali and the United Kingdom, MOD 227 to ADD 227A, ADD 233A to ADD 233C, ADD 241A and ADD 247A had been referred to Committee 5, and ADD 248A had been referred to Committee 7. He said that (MOD) 244 should remain as proposed by the ITU-2000 Group in Document 13.

**Provision ADD 248B**

2.87 The **delegate of the United States** said that she wished to make a small amendment to the proposal by inserting the word "final" before "decision-making" in the second line.

2.88 The **delegate of Japan** recalled that the Asia-Pacific countries had submitted a proposal in Document 70 (APT/70/124) and she enquired whether that proposal had been taken into account. The **delegate of the Islamic Republic of Iran** supported that request, recalling that the Iranian proposal (IRN/66/101) which appeared in Document 66 mirrored the proposal by the Asia-Pacific countries. The **Chairperson** said that he would look into the matter and that discussion of ADD 248B would be taken up again at a subsequent meeting.

**ARTICLE 21 (CV)**

**Provisions 250, 251**

2.89 **Approved**.

**ARTICLES 23-35 (CV)**

2.90 The **Chairperson** noted that Chapters II (Articles 23-31) and III (Article 32) would be considered separately since it was proposed that most of those articles should be transferred to a separate legal instrument. Articles 33 and 35 (Chapter IV) were being held in abeyance pending conclusions by Committee 7.

**ARTICLE 42 (CV)**

**Provision MOD 519**

2.91 The **Chairperson** suggested that MOD 519 should be referred to the Plenary for consideration.

2.92 It was so **agreed**.

**The meeting rose as 1230 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 318-E**
**25 November 1998**
**Original: English**

**COMMITTEE 3**

SUMMARY RECORD

OF THE

SECOND AND LAST MEETING OF COMMITTEE 3

(BUDGET CONTROL)

Monday, 2 November 1998, at 1205 hours

**Chairperson:** Mr. A. UNTILA (Moldova)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Approval of the summary record of the first meeting of Committee 3 | 132 |
| 2 | Draft report of Committee 3 to the Plenary Meeting | DT/55 |

## 1 Approval of the summary record of the first meeting of Committee 3 (Document 132)

1.1 The summary record of the first meeting of Committee 3 (Document 132) was **approved**.

## 2 Draft report of Committee 3 to the Plenary Meeting (Document DT/55)

2.1 The **Chairperson** invited the Committee to consider Document DT/55 containing the draft report of the Committee to the Plenary.

**Sections 1-5**

2.2 Sections 1-5 were **approved**.

**Section 6**

2.3 Section 6 was **approved** on the understanding that it would be deleted before the final version of the report was submitted to the Plenary if the secretariat considered it unnecessary to submit the report to the next session of the Council.

**The meeting rose at 1220 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
A. UNTILA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 319-E**
**25 November 1998**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 2**

SUMMARY RECORD

OF THE

SECOND AND LAST MEETING OF COMMITTEE 2
(CREDENTIALS)

Friday, 30 October 1998, at 1150 hours

**Chairperson:** Ms. K. HECETA (Philippines)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Approval of the summary record of the first meeting of Committee 2 | 133 |
| 2 | Draft report by Committee 2 to the Plenary Meeting | DT/39 |

## 1 Approval of the summary record of the first meeting of Committee 2 (Document 133)

1.1 The summary record of the first meeting of Committee 2 was **approved**.

## 2 Draft report by Committee 2 to the Plenary Meeting (Document DT/39)

2.1 The **Secretary**, introducing Document DT/39, said that there were some amendments to be made to it. In paragraph 3 (Transfer of powers), the words "and Andorra to Spain" should be added. In the French version Burundi should be added in paragraph 1 of the annex, having been omitted by mistake from the list of credentials deposited by countries having the right to vote and found to be in order. Zambia should also be added to the list in all three versions. In paragraph 2 of the annex, the asterisk after Nigeria should be deleted, together with the footnote it referred to. In paragraph 4 of the annex, Zambia should be deleted from the list of delegations participating in the Conference which had not deposited credentials.

2.2 The **delegate of Spain** confirmed that the delegation of the Principality of Andorra had in fact authorized the delegation of Spain to exercise its right to vote in the elections to the Radio Regulations Board.

2.3 The **delegate of Greece**, after drawing attention to some formal amendments to be made to the list of countries in paragraph 1 of the annex to Document DT/39, said that to his knowledge the credentials deposited by the delegation of the Former Yugoslav Republic of Macedonia were not in order. He invited the Chairperson to request the delegation to regularize its situation, so that it could sign the Final Acts of the Conference.

2.4 The **Chairperson** said that she would endeavour to deal with the matter. If that should not prove possible, the report to the Plenary would mention the problem. She drew the Committee's attention to paragraph 5 of Document DT/39, in which the Committee recommended that the Plenary authorize the Chairperson of Committee 2 to verify the credentials received after the date of the report and to submit her conclusions in that respect to the Plenary Meeting.

2.5 The draft report by Committee 2 to the Plenary Meeting, as amended, was **approved**.

**The meeting rose at 1210 hours.**

The Secretary
W. KIRSCH

The Chairperson
K. HECETA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 320-E**
**28 November 1998**
**Original: French**

**COMMITTEE 6**

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Tuesday, 27 October 1998, at 1425 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Second detailed consideration of proposals relating to the Convention (continued) | DT/23(Rev.1) |
| 2 | Consideration of the draft text relating to the Rules of Procedure and other provisions regarding conferences and meetings | 32, 35 |
| 3 | Report by the Chairperson of Committee 5 to Committee 6 and consideration of the corresponding provisions of the Constitution | 110 |

# 1 Second detailed consideration of proposals relating to the Convention (continued) (Document DT/23(Rev.1))

1.1 The **Chairperson** invited the Committee to continue considering the proposals relating to the Convention on the basis of Document DT/23(Rev.1).

**Provision ADD 145*bis***

1.2 The **delegate of Switzerland** pointed out, with regard to European proposal EUR/32/228 concerning the Radio Regulations Board (RRB), that it was proposed to add a new provision in Article 10 of the Convention, indicating that an administration was entitled, at its own cost, to appear at a meeting of the RRB in order to present its case to the Board in those instances where it had a specific interest in the Board's decision.

1.3 The **delegate of Saudi Arabia** observed that the additional provision in question could be of benefit to countries situated close to the Union's headquarters, but that it would be much more difficult for other countries to take advantage of that opportunity. In view of the multilateral nature of the cases presented, such countries might be placed at a disadvantage as a result of not being able to defend their points of view before the Board. He also pointed out that, if RRB meetings were open to administrations, they would no longer be RRB meetings.

1.4 The **Chairperson**, as a former member of the IFRB, the H.L.C. and the Voluntary Group of Experts, explained that the IFRB had examined each case submitted to it and formulated its findings on those cases. Those tasks were now divided between the Radio Regulations Board and the Radiocommunication Bureau. The RRB adopted Rules of Procedure, taking account of observations by administrations, while the Bureau formulated findings on the basis of those Rules of Procedure. If an administration was not satisfied with the BR's findings, it could refer the matter to the RRB which was then required, where appropriate, to review its Rules of Procedure so that the BR could modify its findings. In addition, the Voluntary Group of Experts had concluded that the IFRB could in no case be considered as an arbiter between administrations. Nos. 94 to 97 of the Constitution defined the duties of the RRB and No. 100 described the obligations of administrations with regard to the Board.

1.5 The **delegate of Luxembourg**, speaking as a former member of the IFRB and the RRB, added that the European proposal was not intended to open RRB meetings to all administrations, but to enable an administration, in exceptional circumstances, to present its case in more detail within a specific time frame. The Board would lay down clear guidelines on that subject and would limit the speaking time of administrations. To that end, he suggested that provision be made for administrations to be given the opportunity to appear in a meeting without participating therein.

1.6 The **delegate of South Africa** said that, while her country's delegation favoured transparency and efficiency in the Union's work, it had some difficulty in supporting the proposal set out in Document 32 since, as had been emphasized by the delegate of Saudi Arabia, it would be very difficult for some countries to defray travel expenses, especially if their speaking time was limited to a few dozen minutes. While she understood the thinking behind the provision, she felt that it should be amended if it was to be of benefit for the Union as a whole.

1.7 The **delegate of Colombia**, noting that the RRB did not study specific cases, requested an explanation concerning the arguments that an administration might put forward at that type of meeting.

1.8 The **delegate of Switzerland** said that the issue for an administration was not to defend its interests but to provide information to the RRB, an independent body confronted with increasingly complex cases. In all likelihood, such cases would arise infrequently.

1.9 The **delegate of the Netherlands** pointed out that the European proposal had been designed to cover exceptional cases, in a spirit of transparency and openness.

1.10 The **delegate of France** shared the views expressed by the delegates of Luxembourg and the Netherlands.

1.11 The **delegate of Cuba** observed that, in complex cases, personal contact could prove more useful than reading a document. However, the European proposal was unacceptable in its current wording.

1.12 The **delegate of Saudi Arabia**, noting the vital importance of the issue, observed that administrations submitted questions to the RRB in writing in a dated exchange of correspondence; that correspondence was transmitted for information to the administrations concerned. He did not see, therefore, why the Union should revert to an oral procedure with no official status, particularly in respect of such sensitive questions.

1.13 The **Chairperson**, noting the difference of opinion on the subject, suggested placing No. 145*bis* between square brackets and invited the delegations of Switzerland, Saudi Arabia and South Africa to draw up a compromise text if possible.

1.14 It was so **agreed**.

**Provision MOD 180**

1.15 The **delegate of Brazil** said that the text of No. 180 had been amended in the French version of Document DT/23(Rev.1) in accordance with proposal IAP/59/60, and that the English and Spanish versions should therefore be brought into line with the French version.

1.16 It was so **agreed**.

**Provision MOD 204**

1.17 The **delegate of Brazil** suggested that No. 204 should be amended along the same lines as No. 180.

1.18 The **delegate of the United Kingdom** observed that Nos. 180 and 204 were not parallel provisions, one for the Radiocommunication Sector, the other for the Standardization Sector. No. 180 concerned the activity of the Radiocommunication Sector, which included conferences, whereas No. 204 dealt with standardization assemblies. That difference should therefore be taken into account. The **delegate of Denmark** endorsed the remarks made by the delegate of the United Kingdom.

1.19 The **delegate of Turkey** noted that Members of the Standardization Sector were also members of the assemblies. The report on Sector activity was therefore submitted to them not for information, but for action.

1.20 The **delegate of Brazil** withdrew his proposal for the amendment of No. 204.

**Provision MOD 224**

1.21 The **Chairperson** said that, as the delegations of Mali and the United Kingdom had agreed on the wording of No. 224, as set out in Document DT/23(Rev.1), the Committee could delete the square brackets.

1.22 It was so **agreed**.

## 2 Consideration of the draft text relating to the Rules of Procedure and other provisions regarding conferences and meetings (Documents 32, 35)

2.1 The **Secretary-General**, introducing Document 35, said that Annex A contained a review of the sequence of events aimed at establishing rules of procedure for conferences and meetings of the Union, and that Annex B contained the draft Rules of Procedure and the provisions of the Constitution and the Convention to be modified accordingly. He pointed out that the text of Annex B was the outcome of a lengthy process initiated by the Additional Plenipotentiary Conference (Geneva, 1992), in its Resolution 12, and continued by the Kyoto Plenipotentiary Conference in its Resolution 8. The draft Rules of Procedure respected the three aims of simplifying and streamlining the Convention; allowing easier revision and more rapid entry into force of the Rules of Procedure of conferences and meetings and amendments thereto without the need to go through a process of ratification or accession; and, finally, separating procedural provisions from provisions with international treaty status. As had been verified by the Legal Affairs Unit of the Union, virtually all the United Nations specialized agencies and the United Nations itself had adopted rules distinct from the constituent instrument of the organization. The principle of transposing rules of procedure to a document separate from the basic instruments had never been called into question, but it had been necessary to establish a legal instrument which took account of two apparently contradictory requirements: affording considerable flexibility with regard to the use of rules of procedure and the possibility of amending them, on the one hand, and offering legal guarantees, on the other. The draft Rules of Procedure contained specific provisions concerning the adoption and entry into force of amendments, which strengthened legal stability without being inflexible. In conclusion, after pointing out that the draft rules were based for the most part on Article 32 of the Convention, he drew attention to the fact that Annex B had been approved by the Council at its 1997 session, although the question of the wording and precise textual position of provisions relating to reservations in the Convention had not been settled.

2.2 The **Chairperson**, in view of the complexity of the problem and the large number of provisions dealt with, suggested that the Committee should proceed in four stages by deciding first on the principle of establishing a new instrument to which the Convention provisions concerning procedures governing conferences and other meetings of the Union would be transferred; secondly on the European proposal (Document 32, Part 3) regarding the inclusion in the new instrument, if it was adopted, of Convention provisions other than the Rules of Procedure; thirdly on the Spanish proposal relating to reservations (Document 7); and lastly on the establishment of an ad hoc group which would draw up a final text for consideration by the Committee.

2.3 The **delegates of South Africa** and **Canada** supported the establishment of a new instrument.

2.4 The **delegate of Japan** said that she was also in favour of establishing a new instrument but considered that the provisions relating to reservations and the right to vote, which were fundamental, should be retained in the text of the Convention. The **delegates of Botswana** and **the Islamic Republic of Iran** endorsed the statement by the delegate of Japan.

2.5 The **delegate of the United States** said that she would prefer the provisions governing conferences and meetings of the Union to be maintained in the Convention. She would nevertheless support the Japanese statement if the Committee decided to opt for the establishment of a new instrument.

2.6 The **delegate of Denmark**, speaking on behalf of 35 European countries, expressed support for the establishment of a separate instrument containing the Rules of Procedure of conferences and other meetings and for the maintenance in the Convention of the provisions relating to reservations. CEPT proposed that the general provisions regarding conferences and assemblies should also be moved to the new instrument. The **delegates of Spain** and **Portugal** endorsed the statement by the delegate of Japan.

2.7 The **delegate of Saudi Arabia** said that he was not convinced of the justification for elaborating a new instrument setting out procedures in respect of conferences and other meetings of the Union, and he wondered whether the aim was not to make it possible for such procedures to be amended by bodies other than plenipotentiary conferences, whereas in fact the nature of the problems dealt with by such meetings, in particular WRCs, required that everything relating to them should be agreed by all the parties.

2.8 The **Chairperson** noted that most speakers were in favour of drawing up a separate instrument and that no objection had been raised to the maintenance in the Convention of the provisions relating to reservations and the right to vote. He suggested, therefore, that the Committee should work on that basis in order to determine how all or some of the provisions of Chapter II (proposals by European countries in Document 32) and Chapter III (Note by the Secretary-General in Document 35) of the Convention would be transferred to the separate instrument.

2.9 It was so **agreed**.

2.10 The **delegate of Portugal**, introducing proposals EUR/32/175 to 221, explained that their purpose was to include in the new instrument, in addition to the Rules of Procedure (Chapter III, Article 32 of the Convention), the general provisions regarding conferences and assemblies (Chapter II, Articles 23 to 30 of the Convention). However, the provisions concerning admission to conferences and assemblies and the credentials of representatives would be maintained in the Convention. The European countries also proposed that amendments and revisions to that instrument should be governed by the same rules as were applied for the same purpose in the Convention. Finally, the new instrument to be created would enter into force at the time of signature of the Final Acts, unless the Conference decided otherwise.

2.11 The **delegate of Canada** observed that some of the articles dealt with in the European proposal, which concerned world radiocommunication conferences and assemblies, were currently under review. It would be preferable, in her view, to defer to the next Plenipotentiary Conference the question of transferring to the new instrument of provisions other than the Rules of Procedure. The **delegates of the United States** and **Saudi Arabia** endorsed that view.

2.12 The **delegate of Greece** considered that the separate instrument to be created should contain all the provisions of the Constitution and the Convention that were procedural in nature. In addition, it should govern all meetings of the collective bodies of the Union, even if each body could subsequently, where necessary, define its working methods in more detail within the framework of that instrument. Lastly, the instrument in question, and subsequent amendments thereto, could be adopted in the form of resolutions by plenipotentiary conferences, in order to obviate the inflexibilities inherent in the law of treaties.

2.13 The **delegate of Paraguay** said that the creation of a separate instrument was also justified by the theoretical and orthodox distinction between primary rules which dealt with substantive matters and were found in conventions and treaties, and secondary rules which concerned the implementing arrangements for substantive rules and were required to be flexible and adaptable to changes in the law.

2.14 The **Chairperson**, after consulting the delegations of Portugal, the United States and Canada, proposed setting up an ad hoc group to consider which provisions - including Articles 23 to 30 - of the Convention should appear in the new instrument. The ad hoc group would prepare routine working papers to be examined subsequently by the Committee, which would also have to decide whether the instrument would be adopted as a resolution or in some other form.

2.15 It was so **agreed**.

2.16 The **delegate of Spain** said that proposal (E/7/1) put forward by his country in Document 7 consisted of a draft Article 32A which would make it possible to maintain the provisions relating to reservations in the Convention. However, in the light of the observations and comments it had received concerning that text, the Spanish delegation planned to amend it and submit it to the Committee for consideration following completion of the work of the ad hoc group.

## 3 Report by the Chairperson of Committee 5 to Committee 6 and consideration of the corresponding provisions of the Constitution (Document 110)

3.1 The **Chairperson** invited delegations to refer to Document 110 and to comment first on the recommendations of the ITU-2000 Group considered by Committee 5, before going on to review the corresponding provisions of the Constitution and the Convention.

**Recommendation 2**

3.2 No comments were made.

**Recommendation 4**

3.3 The **delegate of the Philippines** said that Committee 5 was in fact requesting Committee 6 to reformulate the last sentence of recommendation 4 so as to indicate that the case for exception referred to by some members in the course of the Committee 5 debates was not the only case where international organizations were entitled to address a WRC. He proposed, therefore, that the last sentence of recommendation 4 should be supplemented by the following phrase: "subject to certain exceptions, as appropriate, such as", which would be followed by the case referred to in Committee 5.

3.4 The **Chairperson** suggested that the problem should be settled when the provisions relating to that recommendation were considered.

3.5 It was so **agreed**.

**Recommendation 5**

3.6 The **delegates of Mexico, the United States, Spain** and **Greece** considered that it was inappropriate, from the standpoint of international law, to replace the term "jurisdiction" by "sovereignty".

3.7 The **delegate of Cuba**, supported by the **delegate of China**, proposed referring the text to the Plenary with the two terms between square brackets.

3.8 The **Chairperson** suggested that the solution proposed by the Cuban delegation should be adopted but that it should be pointed out to the Plenary that Committee 6 considered that the correct term from the legal standpoint was "jurisdiction".

3.9 The **delegate of Greece** considered the footnote concerning recommendation 5 to be totally absurd from the standpoint of international space law. All entities, except perhaps international organizations operating satellite systems, necessarily came under the jurisdiction of a State and all objects in space therefore had to be registered by States, which were responsible for any damage that might be caused by objects belonging to those entities.

3.10 The **Chairperson** said that intergovernmental organizations operating satellite systems had their frequency assignments recorded by a State on behalf of the organization concerned, which could therefore be held liable. It was clear that other regional organizations which were not intergovernmental organizations did not come under the jurisdiction of any State in particular. Such entities were, however, being encouraged to play a greater part in the activities of the Union, in accordance with Article 19 of the Convention currently in force.

3.11 The **delegate of Sweden**, referring to the footnote concerning recommendation 5, proposed avoiding any reference to the jurisdiction of States by means of the following wording: "Entities listed in No. 231 of the Convention would continue to follow ...". The **Chairperson** said that Committee 6 was not authorized to amend the report from Committee 5.

**Recommendation 6**

3.12 As the recommendation had been approved by Committee 5, it would be taken into account in the work of Committee 6.

**Recommendation 13**

3.13 As no consensus had emerged within Committee 5 with regard to the recommendation, Committee 6 could take no action on it.

**Recommendations 15 and 17**

3.14 As Committee 5 had not yet completed its consideration of the recommendations, Committee 6 could take no action on them.

**Recommendation 26**

3.15 As Committee 5 had approved the recommendation, it would be taken into account in the work of Committee 6.

3.16 The **Chairperson** invited the Committee to consider the provisions of the Constitution which it had set aside pending the results of the work of Committee 5.

**Provision 28A**

3.17 It was **agreed** not to adopt the proposal by the Administration of Senegal (Document 69) for the deletion of No. 28A and Nos. 28B and 28C, as it was at variance with the recommendations of Committee 5.

3.18 The **delegates of the United States** and **Kuwait** withdrew their proposals (USA/15/5, KWT/19/16), which were identical in substance with the recommendation by the ITU-2000 Group, and supported the latter recommendation.

3.19 It was **agreed** not to adopt the proposal by the Administration of India (IND/77/10), the wording of which differed slightly from the wording proposed by the ITU-2000 Group.

3.20 It was **agreed** to delete the square brackets around No. 28A.

**Provision 28B**

3.21 The **delegate of Ecuador**, introducing the proposal by CITEL (IAP/59/10) reproduced in Document 59(Rev.1), said that Sector Members could in no case assume the chairmanship or vice-chairmanship of radiocommunication conferences, the decisions of which had treaty status. He therefore suggested that the text proposed by the ITU-2000 Group should be amended to read: "they may provide chairmen and vice-chairmen of Sector assemblies, world telecommunication development conferences and Sector meetings".

3.22 The **Chairperson**, speaking as the former Chairman of the ITU-2000 Group, acknowledged that the Group had overlooked that problem and endorsed the CITEL proposal. He also proposed adding the words "and regional" after "world".

3.23 The **delegate of Japan** said that the CITEL proposal partly clarified the situation, but that the APT maintained its proposal for the deletion of No. 28B because of its very strong symbolic weight. The **delegates of Mali, Mexico, France, Denmark, the United Kingdom** and **South Africa** supported the CITEL proposal.

3.24 The **delegate of Greece**, supported by the **delegates of Saudi Arabia, Cuba, China** and **the Islamic Republic of Iran**, said that representatives of private companies could in no circumstances provide the vice-chairmen or chairmen of telecommunication development conferences which were of crucial importance to the sovereign Member States of the Union from the legal, political and moral points of view.

3.25 The **delegate of South Africa** observed that the texts adopted by the world telecommunication development conferences did not have treaty status and that the Union would greatly simplify the task by using the word "assembly" instead of "conference".

3.26 The **delegate of Denmark** pointed out that the Constitution and Convention placed Member States and Sector Members on an equal footing with regard to the world telecommunication development conferences.

3.27 The **delegate of Mexico**, supported by the **delegate of the United Kingdom**, emphasized that a Member State had every right to include in its delegation members of the private sector, who were therefore entitled, in their capacity as members of the delegation rather than representatives of the private sector, to assume the vice-chairmanship or chairmanship of a conference. Ultimately, therefore, it was only the responsibility of the State concerned that could be involved.

3.28 The **Chairperson** said that world telecommunication development "conferences" had exactly the same status as the "assemblies" of other sectors and that the text of No. 28B proposed by the ITU-2000 Group merely followed on from Resolution 14 (Kyoto, 1994) which aimed at increasing the participation of Sector Members in the activities of the Union.

3.29 The **delegates of Greece, Saudi Arabia, Cuba, China** and **the Islamic Republic of Iran** opposed Sector Members being authorized to assume the vice-chairmanship or chairmanship of a world telecommunication development conference.

3.30 The **Chairperson**, noting that the Committee would be unable to reach a consensus, suggested that the words "world telecommunication development conferences" in No. 28B, as amended by CITEL, should be placed between square brackets, and that the task of settling that question should be left to the Plenary.

3.31 It was so **agreed**.

**Provision 28C**

3.32 On the proposal of the **Chairperson**, it was **agreed** to postpone consideration of No. 28C, pending the final results of the work of Committee 5 with regard to recommendation 17 of the ITU-2000 Group.

**The meeting rose at 1735 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 321-E**
**28 November 1998**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 6**

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Thursday, 29 October 1998, at 0935 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Consideration of provisions left pending | DT/23(Rev.2), DT/33 |

# 1 Consideration of provisions left pending (Documents DT/23(Rev.2), DT/33)

1.1 The **Chairperson** invited the Committee to consider the provisions left pending, on the basis of Document DT/23(Rev.2), beginning with the provisions of the Constitution.

**Title of the Constitution**

1.2 The **Chairperson** proposed that the asterisk after the title ("Constitution of the International Telecommunication Union*") should refer to a footnote worded "See Resolution XXX of the Minneapolis Plenipotentiary Conference" rather than to the following text, reproduced in the summary record at the request of the **delegate of Canada**: "All terms used in these documents are intended to be gender neutral. Member States have agreed that henceforth, and to the extent practicable between the official languages, the text of ITU documents and the Union's working practices should be gender neutral".

1.3 It was so **agreed**.

**Provision 28C**

1.4 At the proposal of the **delegate of the Islamic Republic of Iran**, the Committee **agreed** to leave No. 28C in square brackets pending the final result of Committee 5's work on the question.

**Provision 47**

1.5 The **delegate of Canada** said that, according to the summary record of the sixth meeting of Committee 5 (Document 191, § 1.13), the proposal by Russia (RUS/34/1) that the period between plenipotentiary conferences should be increased to six years had not been supported during the debate.

1.6 The **delegate of Saudi Arabia** supported the Russian proposal and said he was surprised that Committee 5 had not taken any formal decision on the matter, or at least, if it had, that it was not reflected in the report by the Chairperson of Committee 5 to Committee 6. In his view, the square brackets around No. 47 should be kept, since it was linked to the question of the frequency of RAs and WRCs, which would be taken up later.

1.7 The **Chairperson** proposed that the square brackets around No. 47 should be deleted, on the understanding that any delegations wishing to do so could reopen the debate in Plenary.

1.8 It was so **agreed**.

**Provisions 48, 50 and 58A**

1.9 At the proposal of the **Chairperson**, the Committee **agreed** to leave Nos. 48, 50 and 58A in square brackets pending the result of Committee 5's work.

**Provision 64**

1.10 The **Vice-Chairperson of Committee 5** informed the Committee that Committee 5 had recommended that No. 64 should remain unchanged.

1.11 At the proposal of the **Chairperson**, the Committee **agreed** to delete the square brackets around No. 64.

**Provision 70**

1.12 At the proposal of the **Chairperson**, the Committee **agreed** to leave No. 70 in square brackets, pending the results of Committee 5's work on the question.

**Provisions 73A, 74 and 75**

1.13 The editorial amendments to the provisions were **approved**.

1.14 The Committee **agreed** as a consequence to delete the square brackets around Nos. 73A, 74 and 75.

**Provisions 74A and 76A**

1.15 At the proposal of the **Chairperson**, the Committee **agreed** to leave Nos. 74A and 76A between square brackets pending the results of Committee 5's work.

**Provision 83**

1.16 The **Chairperson** said that in Document 202 Committee 5 did not state whether in its view RAs should be associated in place and date with WRCs.

1.17 The **delegate of the United Kingdom** pointed out that Committee 5 did however expressly recommend in the same document that the decision of the exact places and dates for RAs should be taken by the Council.

1.18 The **delegate of Turkey** noted that Committee 5 had never concluded that RAs and WRCs should necessarily be held at the same time and in the same place. He was supported by the **delegates of Germany** and **the United Kingdom** and by the **delegate of Spain**, who drew the Committee's attention in that connection to the summary record of the sixth meeting of Committee 5 (Document 191, § 1.24), which said that the Committee adopted the principle of flexibility, by virtue of which RAs and WRCs could meet separately.

1.19 The **delegate of the United Kingdom** said that the text in square brackets duplicated Nos. 90 and 91, where the question was dealt with in detail. He therefore proposed that it be deleted. He was supported by the **delegates of Turkey, Denmark, South Africa** and **Germany**.

1.20 It was **agreed** to delete the part of No. 83 appearing in square brackets in Document DT/23(Rev.2).

**Provision 90**

1.21 The **delegate of the United Kingdom** proposed that the words "two or three years" in square brackets should be replaced by "two to three years". He was supported by the **delegates of Lesotho, Germany, Russia, Australia, Denmark, Cuba, the Netherlands, Brazil, India, the Islamic Republic of Iran, Greece, Portugal, France, Mali** and **the Philippines**.

1.22 The **delegate of Turkey** confirmed that Committee 5 had decided to use the words "every two to three years". That view was endorsed by the **delegate of the United States**, who read out § 1.24 of Document 191 reflecting Committee 5's decision.

1.23 The **delegate of Japan** said that the words "two or three years" already allowed the necessary flexibility with regard to the frequency of assemblies.

1.24 The amendment to No. 90 proposed by the delegation of the United Kingdom was **approved**.

**Provision 91**

1.25 The **Chairperson** stated that in view of the approval of the amendment to No. 90, No. 91 should be amended accordingly to read "Radiocommunication assemblies shall also normally be convened every two to three years ...".

1.26 It was so **agreed**.

1.27 The **delegate of the United Kingdom** proposed that No. 91 should be amended to read: "Radiocommunication assemblies ... and may be associated in place and time with ...". He was supported by the **delegates of Lesotho, Turkey, Germany, Russia, the United States, Denmark, Japan, the Netherlands, Brazil, India, Greece, Portugal, France** and **Kenya**.

1.28 The **delegate of Australia** said that he was ready to support the proposal by the United Kingdom delegation, pointing out that the association of world radiocommunication conferences and assemblies made it easier for many countries in his region and other regions to attend radiocommunication assemblies.

1.29 The **delegate of Cuba** also thought it would be preferable to keep the association between assemblies and conferences.

1.30 The **delegate of the Islamic Republic of Iran** stressed the difficulty that developing countries would have in attending radiocommunication assemblies if they were not held at the same time as world conferences.

1.31 The **delegate of Mali** recognized that it was important to allow a degree of flexibility, but noted that it would be easier for developing countries to attend if assemblies were not held separately from world conferences.

1.32 The **delegate of Greece** suggested replacing the word "normally" by "in principle". He was supported by the **delegate of France**.

1.33 The **delegate of the United Kingdom**, supported by the **delegates of Turkey** and **the Philippines**, said he would prefer to keep the word "normally".

1.34 The **Chairperson** said that "normally" was the term used throughout the basic instruments.

1.35 The **delegate of the Philippines** pointed out that it was not necessary to add the word "may" before "be associated" because the word "normally" applied also to the association of conferences and radiocommunication assemblies. That view was shared by the **delegate of Cuba**.

1.36 The **Chairperson** said that as far as the association of radiocommunication conferences and assemblies was concerned it would be possible either to keep the text as worded in Document DT/23(Rev.2) or to amend it was proposed by the United Kingdom ("and may be associated in place and time"), or to say "and normally be associated".

1.37 The **delegate of the United Kingdom** pointed out that his proposal had been supported by a very large number of delegations and that it took into account the developing countries' concerns while still being in line with the conclusions of Committee 5. The **delegates of Denmark** and **Spain** endorsed those comments.

1.38 The **delegate of Mali** suggested saying "and may be dissociated in place and time from world radiocommunication conferences". He was supported by the **delegate of the Islamic Republic of Iran**.

1.39 The **delegate of Turkey** suggested, in a spirit of compromise, saying "may or may not be associated".

1.40 The **delegate of South Africa** said that the wording proposed by the United Kingdom delegation was the one which best reflected Committee 5's conclusion.

1.41 The **delegate of the Philippines** said that if the word "normally" did not apply to the association of conferences and assemblies, he was ready to withdraw his proposal.

1.42 The **Chairperson**, noting that the authors of the different proposals maintained their positions, proposed that in the text to be submitted by Committee 6 to the Plenary the present wording "and be associated" should be kept and that the phrases "and may be associated" and "and normally be associated" should be put in square brackets, and that any other proposal could then be put forward in Plenary.

1.43 The **delegate of the United Kingdom** pointed out that the solutions proposed by the Chairperson did not all accurately reflect the conclusions of Committee 5. The **delegate of Denmark** endorsed that comment.

1.44 The **Chairperson** said that the Committee's report to the Plenary would mention the fact that in the view of certain delegations the different variants of No. 91 did not all reflect Committee 5's conclusions.

1.45 It was so **agreed**.

## ARTICLE 15 (CS)

### Title

1.46 The **delegate of Ecuador** said that it would be more logical to refer to the study groups first and then the radiocommunication advisory group.

1.47 The **delegate of Turkey** added that in conformity with No. 116 in Article 19 of the Constitution reproduced in Document 188, the formulation "Study groups and radiocommunication advisory group" ought to be used for the sake of consistency.

1.48 The **delegate of Saudi Arabia** having observed that, in view of the role played by advisory groups, it would be preferable to refer to them before study groups, the **Chairperson** said that the Committee had already transmitted to the Editorial Committee documents referring to study groups and advisory groups.

1.49 It was **agreed** to amend the title of Article 15 to read: "Radiocommunication study groups and advisory group".

### Provision 102

1.50 In view of the amendment to the title of the Article, it was **agreed** to keep the same wording in No. 102.

### Provision 104

1.51 No. 104 was **approved**, the underlined phrase having been introduced at the request of the Republic of Korea as a consequence of the amendment to No. 78.

### Provision 108A

1.52 **Approved**.

## ARTICLE 19 (CS)

### Title

1.53 It was **agreed** to amend the title of Article 19 in line with the amendment made to the title of Article 15.

### Provision 132A

1.54 The addition of No. 132A was **approved**.

## ARTICLE 23 (CS)

### Title, provision 144

1.55 The title of Article 23 and No. 144 were **approved**, the order in which the advisory group and study groups were referred to being reversed.

## ARTICLE 28 (CS)

1.56 The Committee **agreed** to suspend consideration of Article 28 pending the results of Committee 7's work. There were also various editorial amendments to be made to the text of the Article.

## ARTICLE 32 (CS)

### Provisions 177 and 178

1.57 The Committee **agreed** to suspend consideration of Nos. 177 and 178 pending the results of the work of the ad hoc group on the question of establishing a new instrument of the Union.

### Provision 179

1.58 No. 179, involving only an editorial amendment, was **approved**.

## ARTICLE 34 (CS)

1.59 The **Chairperson** explained that as compared with the original text of Article 34 (Document 13), the amendments proposed involved deleting No. 180 and replacing No. 181 by the text prepared under the coordination of the Greek delegation (Document DT/33) with the addition, in square brackets, of the last part of former No. 180.

1.60 The **delegate of Turkey** said he would prefer the word "stoppage" in the title to be replaced by "interruption".

1.61 The **delegate of Spain** considered that if No. 180 was deleted, it was essential that No. 181 should contain the phrase "in accordance with their national law". The **delegate of the Netherlands** supported that proposal.

1.62 The **delegate of Saudi Arabia** wondered whether, at the end of No. 181 in Document DT/33, it should not be made clear that it was the security of the Member State that was involved.

1.63 The **delegate of Greece** pointed out that the Preamble to the Constitution, in granting all States the sovereign right to regulate their communications, met the concern expressed by the delegate of Spain. The clarification that the delegate of Spain wanted to introduce into the text of No. 181 was none the less justified on the grounds that in democratic countries the function of regulating communications was sometimes exercised by the judiciary.

1.64 The **delegate of the United Kingdom**, who was also in favour of the Spanish proposal, pointed out with reference to No. 180 in Document 13, that the expression "office of origin of the ... stoppage" made sense in the context of communication by telegram but would make the text very difficult if not impossible to apply in the highly complex context of today's telecommunications.

1.65 The **delegate of the Philippines** also supported the Spanish proposal. Noting that the new text spoke of "any private telecommunications which appear dangerous" and not "which may appear dangerous", he proposed that the text should be even more objective and say "which would be dangerous".

1.66 The **delegate of South Africa** supported the proposals by Spain and Turkey and proposed for her own part that the end of the No. should be amended to read "except when such notification is considered by the State as dangerous for security reasons", in order to make the text less open to interpretation and to indicate that the security of the population, and not just that of the State, could be invoked.

1.67 The **delegate of Russia** said that provisions as important as those dealing with the stoppage of communications ought not to be amended in haste. In his view, it would be better to revert to the original text, in two clauses (Document 13), with minor amendments, and to consider the whole problem more calmly in preparation for the next Plenipotentiary Conference. The **delegate of China** thought that would be a wiser approach.

1.68 The **delegate of Greece** noted that Article 34 raised many very real problems, which argued in favour of the Russian proposal.

1.69 The **delegate of the United Kingdom** proposed that the Committee should go back to the original text in Document 13, inserting as the sole amendment a reference to conformity with national law. The **delegate of Sweden** supported that proposal.

1.70 The **Chairperson** proposed that the Committee should go back to the original text of Article 34 (Document 13), leaving the whole Article in square brackets with a view to giving further thought to the question of whether a reference to national law should be inserted. Such a reference might imply, *a contrario*, that other provisions of the Constitution could be applied without reference to national legislation.

1.71 It was so **agreed**.

## ARTICLE 37 (CS)

### Provisions 184 and 195

1.72 The Committee **agreed** to approve the original text of Nos. 185 and 195 as contained in Document 13.

1.73 The **Chairperson** invited the Committee to resume consideration of Document DT/23(Rev.2).

**Provisions 189A and 190**

1.74 The Committee **agreed** to leave Nos. 189A and 190 in square brackets pending the publication of a limited distribution document containing proposals by the delegations of Mali and the United States on No. 189A and No. 190, respectively.

**Provision 193**

1.75 The **Chairperson** said that the Vice-Chairperson of Committee 5 had informed him that Committee 5 had accepted the principle of amending the Constitution and the Convention to accommodate the requirements of memoranda of understanding (MoU). There was thus no need to amend No. 193.

1.76 The Committee **agreed** to delete the square brackets around No. 193.

**ARTICLE 44 (CS)**

**Provision 196**

1.77 The **delegate of Spain** said that since orbits associated with frequencies were a limited resource just like the frequencies themselves, the expression "where applicable" should be deleted.

1.78 The **delegate of Greece** considered that the Spanish proposal was all the more to the point in that it was the combination of frequencies and orbits that constituted a limited natural resource.

1.79 The **delegate of Colombia**, who supported the Spanish proposal, added that equitable access to orbits and frequencies was a fundamental principle, the importance of which was somewhat reduced by the use of the expression "equitable access to those resources".

1.80 The **Chairperson** proposed that the Committee should approve No. 196 with the deletion of the expression "where applicable" and use of the expression "equitable access to those orbits and those frequencies", and leave it to the Editorial Committee to bring the three versions of the text into line if necessary.

1.81 It was so **agreed**.

**The meeting rose at 1230 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 322-E**
**24 November 1998**
**Original: English**

**COMMITTEE 6**

SUMMARY RECORD

OF THE

TWELFTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Thursday, 29 October 1998, at 1435 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Consideration of provisions left pending (continued) | 13, 202; DT/23(Rev.2) |

# 1 Consideration of provisions left pending (continued) (Documents 13, 202 and DT/23(Rev.2))

## CONSTITUTION

1.1 The **Chairperson** invited the Committee to resume consideration of the proposed amendments to the Constitution set forth in Document DT/23(Rev.2).

## ARTICLE 54 (CS)

### Provisions NOC 215, NOC 216

1.2 The **Chairperson** noted that no changes were proposed to Nos. 215 and 216.

### Provision ADD 216A

1.3 The **delegate of Spain** said that the wording of the provision was misleading in the Spanish version. The **Chairperson** said that if necessary the Spanish text could be amended to bring it into line with the English and French versions.

1.4 The **delegate of the United States** proposed amending provision 216A by adding the phrase "and brought into force" after the word "Constitution" at the end of the first sentence, thereby making it clearer what revisions were referred to. She further proposed replacing the words "by such revision", in the last line, with the word "thereto".

1.5 The **delegate of Spain** supported the United States proposal, and also proposed adding the word "only" before the words "for the Member States" in the second sentence.

1.6 The **delegate of Argentina** supported the proposed amendments. Drawing attention to No. 221, in which the words "under Nos. 219 or 220" referred to provisional application, he wondered whether a reference to No. 216 should not be included in No. 221.

1.7 The **Chairperson** said that it was intended to replace provision 221 by provision 221A. Thus, no cross-reference was required. If he heard no objection, he would take it that the Committee approved the amendments proposed by the delegates of the United States and Spain.

1.8 It was so **agreed**.

### Provision SUP 217, ADD 217A (first and second versions)

1.9 The **delegate of Spain** having said that any decision on the proposed deletion of provision 217 should be taken only after it had been decided whether to adopt one of the two versions of ADD 217A, the **Chairperson** said that SUP 217 would be held in abeyance for the time being. He invited comments on the first version of ADD 217A.

1.10 The **delegate of the United States** said that, without prejudice to any decision to be taken regarding ADD 217B, her delegation wished to propose an amendment to the first version of ADD 217A: the words "Article 55 below" should be amended to read "Article 55 or Article 42 respectively".

1.11 The **delegate of Turkey** said that his delegation supported the substance of ADD 217A (first version), but that, in order to bring it into line with ADD 216A, "before the signature", in the penultimate line, should be amended to read "prior to the date of signature".

1.12 The **Chairperson** noted that the reference in the first line to "ratification, acceptance or approval" should be expanded to include a reference to accession.

1.13 The **delegate of Spain** said that his delegation had some misgivings about approving ADD 217A in its current form. As set forth in Document DT/23(Rev.2), it provided that ratification, accession or approval of or accession to amendments to the Constitution or the Convention also constituted consent to be bound by any revision of the Administrative Regulations, either partial or complete, adopted by a competent conference before the signature of the amendments to the Constitution or Convention. In the light of the current situation regarding those instruments, that provision seemed somewhat excessive. Under the Constitution (Geneva, 1992), the Administrative Regulations were basic instruments of the Union, along with the Constitution and the Convention. Consequently in principle they took on a life of their own when States notified their consent to be bound thereby. Previously they had been annexed to the Constitution, which had been revised *in toto* at every plenipotentiary conference - so that it followed that the Administrative Regulations entered into force once the Constitution had been amended. Now, however, they required an individual act on the part of each State in accordance with its national legislation, notifying its consent to be bound thereby. That meant that the slightest amendment to the Constitution or Convention - even if only of a definition, a comma or a word such as "Member" - necessarily obliged the Member State to consent to be bound by any revisions of the Administrative Regulations adopted before that amendment. That state of affairs was not in keeping with the spirit that should prevail when adopting Radio Regulations at world radiocommunication conferences, for more substantial issues might arise that must not be tied to that situation. The second version of ADD 217A should be discussed in conjunction with the first, and should be linked to the concept of tacit consent.

1.14 The **Chairperson** said that he tended to agree with the delegate of Spain. He observed that the two versions of ADD 217A were mutually exclusive, and invited comments on the second version.

1.15 The **delegate of Japan** said that the purpose of amending Article 54 was to secure speedy application of the Administrative Regulations. In the case of Japan, however, the second version of ADD 217A would have the opposite effect, because of the rigorous and lengthy procedures required by her country's domestic legislation in connection with ratification, acceptance or approval of or accession to international instruments.

1.16 The **delegate of Argentina** said that his country had submitted an instrument of ratification in connection with the 1992 Constitution and Convention, covering amendments to the Administrative Regulations adopted prior to that date. Under Argentina's domestic legislation, successive amendments to the Radio Regulations since 1992 required an administrative act in order to be approved - a situation that was incompatible with the first version of ADD 217A. His delegation thus favoured the second version.

1.17 The **delegate of Spain** said that under the terms of the second version of ADD 217A final consent could be manifested only through timely deposit of the corresponding instrument. The delegate of Japan had said that that would delay application in her country. Consequently, a reference to notifying the Secretary-General could be substituted for the words "timely deposit of the corresponding instrument". As to entry into force, it would be seen when the Committee turned to consideration of ADD 217B that it was not delayed, because of the system of provisional application. Thus, No. 221, relating to tacit consent, was to be deleted: an act of will on the part of the State was required in order for the Administrative Regulations or any amendment thereto to enter definitively into force.

1.18 The **delegate of Turkey** requested clarification of what was meant by the terms "final consent" and "corresponding instrument". The comments made by Japan applied also to Turkey. Consequently, he favoured the first version of ADD 217A.

1.19 The **delegate of Spain** said that the word "final" had been inserted simply by way of contrast with the "provisional" consent referred to in No. 217B. He reiterated that what was meant by "the corresponding instrument" depended on national legislation, and the expression might be replaced by a reference to notifying the Secretary-General of consent to be bound, as in ADD 216A.

1.20 The **delegate of Greece** saw no need to create new international rules governing States' commitments. The present Plenipotentiary Conference offered an opportunity to simplify procedures under the Constitution; instead of which an attempt was being made to introduce further complications. The Conference should abide by concepts recognized in international treaty law.

1.21 The **delegate of Argentina** supported the delegate of Spain in drawing a distinction between provisional application and final consent, and in suggesting that the reference to a "corresponding instrument" might be amended, given that, under some countries' legislation, deposit of an instrument of ratification, acceptance, approval or accession was regarded as the appropriate procedure with respect to the ITU Constitution and Convention, whereas notification to the Secretary-General was considered the appropriate procedure with respect to the Administrative Regulations.

1.22 The **delegate of the Islamic Republic of Iran** endorsed the concerns expressed by Japan and Turkey regarding the lengthy domestic procedures required for ratification of the Administrative Regulations. The second version of ADD 217A should be deleted and the first version retained in an amended form.

1.23 The **delegate of Colombia** said that in his country it was obligatory for the ratification procedure to go before Congress. Thus, his delegation could accept only the second version of ADD 217A. Moreover, provisional application of agreements or conventions was possible in Colombia only with respect to economic matters.

1.24 The **delegate of the United States** said that she saw both merits and problems in both versions of ADD 217A. With respect to the second version, she felt that the term "final" was not an appropriate one, as there was a clear distinction between consent to be bound and provisional application. In the latter case a country treated a provision as if it was in force but had not consented to be bound by it. Introduction of the word "final" before the word "consent" merely confused the issue, and if the second version of ADD 217A was to be approved, the term should be deleted.

1.25 The **Chairperson** asked the delegate of Japan whether the provisional application provided for in ADD 217B would cover her concern.

1.26 The **delegate of Japan** hesitated to accept that approach. As a Member of ITU, Japan wished to give notification of its consent to be bound by the Administrative Regulations. It would, however, be unrealistic to submit amendments to the Radio Regulations to the Diet every two years. She would prefer a compromise text of the second version of ADD 217A, referring to notification to the Secretary-General, rather than to ratification, acceptance, approval or accession.

1.27 The **delegate of France** considered that since two different procedures and instruments were involved, the two versions of ADD 217A were complementary rather than mutually exclusive.

1.28 The **delegate of Greece** said that the second version of ADD 217A probably referred to ratification of the final acts of the radiocommunication conference that had introduced the

amendments to the Radio Regulations, while the first version referred to indirect acceptance of Administrative Regulations as they stood at the time of ratification of amendments to the Constitution and Convention. Those were two quite separate cases. He observed that the article under consideration referred only to a commitment by States to abide by the Administrative Regulations.

1.29 The **Chairperson** said that, if he heard no objection, he would take it that the Committee wished to defer consideration of both versions of ADD 217A pending the formulation of a new, combined proposal in writing.

1.30 It was so **agreed**.

**Provision ADD 217B**

1.31 The **delegate of France** requested that the words "to the extent permitted by their national laws" be placed at the beginning of the provision.

1.32 The **Chairperson** said that if a Member State did not wish to apply a revision of the Administrative Regulations, then it had the sovereign right not to do so. It might be that the application of a particular revision was prohibited by national law, but the Constitution did not require a reason to be given.

1.33 The **delegate of the United States** proposed that a sentence should be added to the effect that, at the time of signature, the Secretary-General should be notified that a Member State did not oppose provisional application. In addition, she wished to ensure that such notification could also be made during the period between signature and entry into force as that was consistent, under international law, with the general principle of provisional application.

1.34 The **Chairperson** acknowledged the request by the United States regarding provisional application and he recalled that the delegation had already made a statement on that subject at an ad hoc meeting. Turning to the text in square brackets in the second sentence he inquired whether there was a preference for "is only possible" or "only takes effect".

1.35 The **delegate of the United States** said that she would like to replace the second sentence with a new sentence: "Such provisional application shall only apply if the Member State in question did not, at the time of signature, notify the Secretary-General, or thereafter of its intent not to provisionally apply the revision or its intent not to be bound by its revision".

1.36 The **Chairperson** invited the delegate of the United States to submit her proposal to the secretariat in writing. He pointed out that ADD 217B dealt with provisional application and she might wish therefore to avoid any reference to consent to be bound, as that was covered by MOD 218. The **delegate of the United States** agreed.

1.37 The **delegate of Spain** said that he would prefer to retain the words "is only possible".

1.38 The **delegates of the United Kingdom** and **Mali** stated a preference for the words "only takes effect".

1.39 The **Chairperson** said that there seemed to be a preference for the term "only takes effect" and he suggested therefore that those words should be used whether the sentence read as in Document DT/23(Rev.2) or as amended by the United States. The provision should be left in abeyance pending the availability in writing of the proposal by the United States.

1.40 It was so **agreed**.

**Provisions SUP 219, SUP 220, SUP 221, SUP 222**

1.41 **Approved.**

**Provisions MOD 218, MOD 223**

1.42 **Approved.**

**Provisions ADD 221A, ADD 221B**

1.43 The **Chairperson** suggested that it would be appropriate to consider the wording of the provisions along with that of provisions ADD 217A and ADD 217B, for which new draft texts would be presented at a subsequent meeting.

1.44 It was so **agreed.**

**ANNEX (CS)**

**Provision 1013**

1.45 The **Chairperson** said that, as the term "telegram" had been maintained in Article 34 of the Constitution, the provision should not be amended.

1.46 It was so **agreed.**

**CONVENTION**

1.47 The **Chairperson** invited the Committee to consider the proposed amendments to the Convention set forth in Document DT/23(Rev.2). Recalling that Committee 5 had concluded that election procedures need not be included in the Convention as well as the Constitution, he suggested that provisions ADD 12A, ADD 12B, ADD 19A and ADD 19B should be deleted.

1.48 It was so **agreed.**

**ARTICLE 3 (CV)**

**Provision MOD 23**

1.49 **Approved.**

**Provision 24**

1.50 The **Chairperson** recalled that it had been agreed to hold world radiocommunication conferences every two to three years. It was thus possible that only one WRC would be held between two plenipotentiary conferences. He, therefore, suggested that the word "two" should be replaced by "one or two".

1.51 It was so **agreed.**

**Provision MOD 25**

1.52 **Approved.**

**Provision 26**

1.53 The **delegate of Saudi Arabia** proposed retaining the word "conference" as he believed it more accurately reflected the high-level representation from administrations at world telecommunication development conferences than the word "assembly".

1.54 The **delegates of Argentina, Turkey, Lesotho, Mali** and **Cuba** also preferred to retain the word "conference", their view being that while the Telecommunication Standardization and Radiocommunication Sectors held forums dealing principally with technical and operational matters for which "assembly" might be the suitable term, world telecommunication development conferences dealt with political and strategic planning for which the term "conference" was more appropriate.

1.55 It was so **agreed**.

**Provision 27**

1.56 The **Chairperson** said that, as with world radiocommunication conferences, radiocommunication assemblies might be held every two to three years. He suggested that the provision should be aligned with provision 24 by referring to "one or two radiocommunication assemblies", and that it was unnecessary to retain the wording in square brackets.

1.57 It was so **agreed**.

**Provision 29**

1.58 The **Chairperson** queried the need to retain the provision in view of the new text agreed for provisions 24 and 27.

1.59 The **delegates of India, the United Kingdom** and **Argentina** proposed that the provision should be deleted, on the understanding that the possibility of convening one or more conferences or assemblies was covered by the word "normally" in MOD 23.

1.60 It was so **agreed**.

**Provision 33**

1.61 The **Chairperson** drew attention to Document 202 which set out a principle that had been unanimously approved by Committee 5 relating to the timing and convening of future radiocommunication assemblies. In the light of that text, an amendment to be added at the end of No. 33 of the Convention (Document 13) had been drafted as follows: "in the case of radiocommunication assemblies, the recommendation of the assembly shall be transmitted to the forthcoming world radiocommunication conference for comments". He suggested that the matter should be considered when the proposed amendment was available in writing.

1.62 It was so **agreed**.

1.63 The **Chairperson** invited the Committee to resume consideration of Document DT/23(Rev.2).

**Provision MOD 47**

1.64 The **Chairperson** suggested that the square brackets should be retained pending examination of Chapter III.

1.65 It was so **agreed**.

**Provision 50**

1.66 The **Chairperson** said that, as the periodicity of conferences had been decided, the square brackets could be removed and the provision approved without change.

1.67 It was so **agreed**.

**Provision 61**

1.68 The **Chairperson** noted that consideration of the provision had been deferred pending the outcome of deliberations in Committee 5.

**Provision ADD 63B**

1.69 The **Chairperson** noted that consideration of the provision had been deferred pending the outcome of deliberations in Committee 7.

**Provision MOD 69**

1.70 The **delegates of Mexico, Argentina, Saudi Arabia** and **Mali** said that it would be preferable to adopt more gender-neutral language in the provision. The **delegate of Lesotho** suggested that the phrase "equitable geographical and gender distribution in the professional and higher categories ..." might be used.

1.71 The **delegate of Canada** said that, while she had no objection to the amendment proposed by the delegate of Lesotho, she wished to record that the language used in the provision had been based on Resolution 50 (Kyoto, 1994) which dealt with the recruitment of ITU staff and experts for technical assistance missions.

1.72 The **delegate of the United Kingdom** said that he would prefer to retain the wording which had been proposed by Committee 7.

1.73 The **delegate of Colombia** said that it was important to establish gender equity with recruitment based on the abilities and qualifications of the applicant.

1.74 The **Chairperson** said that the wording proposed by Committee 7 was appropriate for inclusion in a resolution but that different wording might be explored for inclusion in a provision of a treaty. He suggested that the matter should be deferred to allow time to reflect on the proposal by Lesotho and in particular to determine how the phrase might be rendered in French and Spanish.

1.75 It was so **agreed**.

**Provisions 86, ADD 86A**

1.76 The **Chairperson** noted that consideration of the provisions had been deferred pending the outcome of deliberations in Committee 5.

**Provision ADD 87A**

1.77 The **delegate of Canada** said that the provision had been considered in an ad hoc group of Committee 7 dealing with operational planning and had been approved by Committee 7 with the deletion of the words "and approved". Similar provisions had been included for each of the three Sectors.

1.78 Provision ADD 87A, as amended by Committee 7, was **approved**.

**Provision ADD 102A**

1.79 It was **decided** to defer consideration of the provision pending the transmission of a text from Committee 5.

**Provision MOD 118**

1.80 The square brackets were removed and the proposed amendment **approved**.

**Provision MOD 131**

1.81 The **Chairperson** proposed deleting "[147G]" and inverting the position of "the advisory group" and "study groups".

1.82 MOD 131, as amended, was **approved**.

**Provision 136**

1.83 The **delegate of Turkey** proposed replacing "associated" with "forthcoming".

1.84 Provision 136, as amended, was **approved**.

**Provision 139**

1.85 It was **agreed** that square brackets would be retained pending the Plenary's decision on composition of the Radio Regulations Board.

**Provision ADD 145*bis***

1.86 The **delegate of Switzerland** said that in the light of consultations with the delegates of South Africa and Saudi Arabia, he withdrew his proposed amendment, on the condition that proposal EUR/32/229, for a draft resolution concerning the working methods of the Radio Regulations Board, would be considered by the Committee at a later stage.

1.87 The **delegate of Saudi Arabia** said that ADD 145*bis* posed a problem with regard to implementation, rather than in terms of its objective.

1.88 The **delegate of Algeria**, supported by the **delegates of Russia, India** and **Greece**, explained that ADD 145*bis* would impose a heavy burden on administrations outside Europe and on developing countries.

1.89 The **Chairperson** suggested that ADD 145*bis* should be deleted and the proposed draft resolution considered at a later stage.

1.90 It was so **agreed**.

**Provision MOD 149**

1.91 The **Chairperson**, replying to the **delegate of the United States**, said that provision MOD 149 indicated that the two alternative procedures were contained in provisions 246A to 247. The **delegate of the United States** reserved her right to return to the matter.

1.92 Provision MOD 149 was **approved**.

**Provision 155**

1.93 It was **agreed** to retain the square brackets, pending the results of the work of Committee 5.

**ARTICLE 13 (CV)**

**MOD title**

1.94 The **Chairperson** said that the title was subject to editorial amendment.

**Provision MOD 187**

1.95 MOD 187, with inversion of the position of "the telecommunication standardization advisory group" and "study groups", was **approved**.

**Provision ADD 191A**

1.96 The **delegates of Spain**, **Turkey** and **Morocco** observed that ADD 191A was inconsistent with ADD 137A, approved with regard to the radiocommunication assembly.

1.97 The **delegate of Canada**, noting that the wording of ADD 191A coincided with that of the Canadian and CITEL proposals regarding the radiocommunication assembly, which had been allocated to Committee 5, reiterated her view that the provisions covering the three Sectors need not be identical. She was supported by the **delegates of Ecuador**, **India**, **Saudi Arabia**, **Brazil**, **Germany** and **the United States**. The **delegate of France**, expressing her support for the provision, recalled that the wording was echoed in proposal EUR/32/88.

1.98 The **delegate of Algeria**, supported by the **delegates of Mexico** and **Saudi Arabia**, said that although the three Sectors covered different areas, it would be judicious to standardize as far as possible the mission and functions of their advisory groups. If the Radiocommunication Sector could not delegate authority to an advisory group, then neither should the Telecommunication Standardization Sector.

1.99 The **delegate of Russia** said that it should be possible to delegate authority to deal with matters in the period between conferences or assemblies, particularly with regard to matters of a technical nature.

1.100 In view of the division of opinion, the **Chairperson** suggested that the text of ADD 191A in square brackets, as it appeared in Document DT/23(Rev.2), should be submitted to the Plenary, together with an alternative text in square brackets in the same terms as ADD 137A.

1.101 It was so **agreed**.

1.102 The **delegate of Cuba**, supported by the **delegates of Ecuador** and **Saudi Arabia**, proposed the addition of a provision to refer to the person who would preside over the standardization assembly, to align it with provision 137 adopted for the radiocommunication assembly.

1.103 It was so **agreed**.

**ARTICLE 13A (CV)**

**Provisions ADD 191B to ADD 191I**

1.104 The **Chairperson** said that consideration of those provisions was deferred, pending a proposal coordinated by the delegation of Canada.

**Provision MOD 192**

1.105 The **Chairperson** observed that MOD 192 was similar to MOD 149 approved for the Radiocommunication Sector and that the reference to Nos. 246A to 247 would be amended in accordance with the results of the work of Committee 5.

1.106 On that understanding, MOD 192 was **approved**.

**Provision ADD 213A**

1.107 The **Chairperson** suggested submitting to the Plenary the text of ADD 213A, together with a text similar to that approved for the Radiocommunication Sector.

1.108 It was so **agreed**.

**ARTICLE 16A (CV)**

1.109 The **Chairperson** said that consideration of that article was deferred pending a proposal coordinated by the delegation of Canada.

**ARTICLE 17 (CV)**

**Provision ADD 215A**

1.110 The **Chairperson** suggested that the provision should be approved as it appeared in proposal EUR/32/113, retaining the word "conference".

1.111 It was so **agreed**.

**Provision ADD 215B**

1.112 The **delegate of Turkey** proposed the replacement of "approved" with "adopted" and the insertion of "the procedures set forth in" before "Nos.".

1.113 It was so **agreed**.

**The meeting rose at 1730 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 323-E**
**24 November 1998**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 6**

SUMMARY RECORD

OF THE

THIRTEENTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Friday, 30 October 1998, at 0935 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Consideration of proposed amendments concerning Nos. 189A and 190 of the Constitution | DL/27 |
| 2 | Consideration of draft texts relating to Article 54 of the Constitution and No. 33 of the Convention | DL/29 |
| 3 | Consideration of proposed amendments relating to Articles 13A and 16A of the Convention | DL/30 |
| 4 | Consideration of provisions left pending (continued) | 15, 32, 59, 70, 110; DT/23(Rev.2) |

## 1 Consideration of proposed amendments concerning Nos. 189A and 190 of the Constitution (Document DL/27)

1.1 The **Chairperson** invited the Committee to consider Document DL/27.

**Provision ADD 189A**

1.2 The **delegate of the United Kingdom** said that the new text proposed in Document DL/27 was acceptable if the adverb "practically" was replaced by the adjective "practical".

1.3 The **Chairperson** thought that the word "situated" was superfluous.

1.4 No. ADD 189A was **approved** subject to those two amendments.

1.5 The **delegate of Greece** reserved the right to return to the provision in Plenary. He considered that all of the last part of the text ("situated within the jurisdiction of other Member States") should be deleted, since telecommunication installations could be situated in an area not subject to the jurisdiction of any Member State.

**Provision MOD 190**

1.6 The **delegate of the United States** explained that the addition of the phrase "as appropriate" was designed to take into account internal constraints which could affect the capacity of Member States to assist one another.

1.7 The **Chairperson** proposed deleting the square brackets around the words "and, as appropriate, assist" and entrusting the alignment of the three language versions of the text to the Editorial Committee.

1.8 It was so **agreed**.

## 2 Consideration of draft texts relating to Article 54 of the Constitution and No. 33 of the Convention (Document DL/29)

2.1 The **Chairperson**, recalling that the Committee had already considered the proposals relating to Nos. 216, 216A, 218 to 221, 222 and 223, invited the Committee to consider Document DL/29.

**Provisions ADD 217A, ADD 217B and ADD 217C**

2.2 **Approved**.

**Provision ADD 217D**

2.3 The **Chairperson** proposed rewording the first sentence of No. 217D as follows: "Any revision of the Administrative Regulations shall apply provisionally, as from the date of entry into force of the revision, in respect of any Member State that has signed the revision and has not notified the Secretary-General of its consent to be bound in accordance with Nos. 217A or 217B".

2.4 No. ADD 217D was **approved**, as amended.

**Provision ADD 221A**

2.5 The **delegate of the United States** proposed repeating in No. 221A the formulation of No. 218 to the effect that the Member State shall notify the Secretary-General not of "its consent" but of "its decision concerning its consent".

2.6 No. 221A was **approved** as amended.

**Provision ADD 221B**

2.7 The **delegate of Spain** said that deletion of the last part of No. 216 raised the problem of its linkage with No. 221B, where No. 217A should also be quoted as one of the bases for consent to be bound.

2.8 The **delegate of the United States** shared the concern of the delegate of Spain and considered that No. 221B was incomplete if only the last part of No. 216 was deleted.

2.9 The **Chairperson** said that the difficulty of linking Nos. 216 and 221B stemmed from the fact that it was desired to cover both consent to be bound by the Administrative Regulations on first ratification, acceptance or approval of or accession to the Constitution and the Convention and consent to be bound by the Administrative Regulations when they were revised. It would therefore be preferable for No. 216 to cover the first case and No. 221B the second. To that end, he proposed reversing the decision to delete the last part of No. 216, which would therefore be reinstated in its entirety and, in No. 221B, deleting the reference to No. 216 and adding a reference to No. 217A.

2.10 It was so **agreed**.

**Provision 33**

2.11 **Approved.**

## 3 Consideration of proposed amendments relating to Articles 13A and 16A of the Convention (Document DL/30)

3.1 The **Chairperson**, after inviting the Committee to consider Document DL/30, said that Committee 6 had already transmitted the texts of Nos. 137A and 147H to the Editorial Committee but it could resume consideration of them if the consultations coordinated by the delegation of Canada had made it possible to settle the matters left pending.

**Provision ADD 137A**

3.2 The **delegate of Canada**, introducing No. 137A contained in Document DL/30, said that the small group which had met to discuss the text had reached a consensus. The Committee could therefore delete the square brackets and the text would read as follows: "A radiocommunication assembly may assign specific matters within its competency to the radiocommunication advisory group indicating the action required on these issues".

3.3 The proposal was supported by the **delegates of France, the Netherlands, the United Kingdom, Spain, Denmark, Portugal, Germany, Sweden, the Philippines** and **Tanzania**.

3.4 The **delegate of Ecuador** requested clarification on the meaning of the amendment.

3.5 The **delegate of the Islamic Republic of Iran** said that he could accept the proposal and preferred the text to remain as it stood; the **delegate of Saudi Arabia** added that the text, as worded, gave more prerogatives than necessary to the advisory group.

3.6 The **Chairperson** said that in the document which would be submitted by the Editorial Committee for first reading the text of No. 137A prepared by the group coordinated by Canada would appear without square brackets and a footnote would indicate that two delegations opposed it.

**Provisions ADD 147H and 147H*bis***

3.7 The **delegate of Canada** said that the small group had agreed to delete the square brackets around the wording "including those items mentioned in No. 137A" and, in 147H*bis*, to delete the wording within the square brackets "[to be submitted through the Director]".

3.8 The text of Nos. 147H and 147H*bis* proposed by the delegate of Canada was supported by the **delegates of France, the Netherlands, Portugal, Denmark, the United Kingdom** and **Germany**.

3.9 The **delegate of India** supported the proposal and pointed out that the matters referred to the assembly included those in the report submitted to the Director, who was therefore aware of them.

3.10 The **delegate of Mexico** said that he was unable to accept the wording of No. 147H*bis* since to his mind the report should be submitted to the radiocommunication assembly through the Director.

3.11 It was **agreed** to reproduce Nos. 147H and 147H*bis* as proposed by Canada in the texts which would be submitted for first reading, with an indication that they had aroused some opposition.

**ARTICLE 13 (CV)**

3.12 The **delegate of Canada** said that it had not been possible to discuss the text of No. 191A. However, it largely repeated the provisions of No. 137A on which there had been consensus.

3.13 The **delegate of Germany** suggested aligning the wording of No. 191A on that of No. 137A. He was supported by the **delegates of the United Kingdom, Denmark, France** and **the Philippines**.

3.14 The **delegate of Mexico** pointed out that the wording of No. 137A was not final.

3.15 The **delegate of the Islamic Republic of Iran** said that his country's delegation had not taken part in the informal group which had coordinated the texts of the provisions. He could accept that the wording of No. 191A should be aligned on that of No. 137A, provided that the latter was not amended as indicated by the delegation of Canada.

3.16 The **delegate of Colombia** said that his country did not wish the powers of the advisory groups to be increased since they included few representatives of developing countries.

3.17 The **Chairperson** suggested that the small informal group, open to all interested parties, should continue its consultations, coordinated by Canada, in order to prepare a text acceptable to everyone.

3.18 It was so **agreed**.

## 4 Consideration of provisions left pending (continued) (Documents 15, 32, 59, 70, 110; DT/23(Rev.2))

4.1 The **Chairperson**, inviting participants to continue consideration of Document DT/23(Rev.2), said that Nos. 227 and 227A in Article 18 of the Convention must remain between square brackets pending the conclusions of Committee 5.

**Provisions ADD 233A, ADD 233B and ADD 233C**

4.2 The **delegate of China**, referring to Document 110 which contained the conclusions of Committee 5 concerning recommendation 5 of the ITU-2000 Group, said that Committee 5 had seen fit to replace the term "jurisdiction" by "sovereignty", as proposed by his delegation. Having noted at a previous meeting of Committee 6 that the proposal was not accepted by a majority of participants, however, his delegation had endeavoured to take into account the viewpoints of other countries and suggested accordingly the addition in Nos. 233A and 233C of the words "or sovereignty" after the word "jurisdiction". He was supported by the **delegate of Pakistan**.

4.3 The **delegate of the Islamic Republic of Iran** supported the proposal. The Committee could also delete the square brackets in Nos. 233B and 233C and replace "two months" by "four months", in line with the recommendation of Committee 5.

4.4 The **delegate of the United States** reserved her delegation's position in regard to the term "sovereignty". Her reservation was shared by the **delegates of France** and **Greece**.

4.5 The **delegate of Japan**, while understanding the concerns of the delegation of China, wished the subject to be discussed in Plenary.

4.6 The **delegate of Algeria**, supported by the **delegate of Saudi Arabia**, asked that No. 233 mention the possibility of a reminder, after the four-month period, to take account of the situation of the developing countries which often had difficulty in handling the requests they received.

4.7 It was **agreed** to add the words "or sovereignty" after "jurisdiction", to replace "two months" by "four months" and to add a sentence concerning reminders.

4.8 The **delegate of China** having pointed out that there were various proposals on Nos. 233A and 233C, the **Chairperson** invited the delegations concerned to introduce them.

4.9 The **delegate of the United States** said that proposal USA/15/88 in Document 15 and the CITEL proposal were the same in substance as the ITU-2000 Group text; the only difference was editorial. Her delegation accepted the recommendation to extend the period from two months to four months.

4.10 The **delegate of France** said that the European proposals (EUR/32/12, 122, 123 and 124) in Document 32 repeated the text of the ITU-2000 Group recommendation in the context of a different article of the Convention. No. 230 of the Convention should be added to the text of proposal EUR/32/121, since it had been maintained, and No. 233B was exactly as proposed by the ITU-2000 Group. For No. 233C, the European countries proposed that the Secretary-General should compile, keep up to date and publish a list of those Member States which had authorized entities under their jurisdiction to apply directly to him.

4.11 The **delegate of Japan** said that the proposals of the Asia-Pacific countries (APT/70/105, 106 and 107) in Document 70 for Nos. 233A and 233B were exactly as proposed by the ITU-2000 Group. On the other hand, for the wording of No. 233C, which she considered was similar to No. 233B in Document DT/23(Rev.2), the Asia-Pacific countries did not impose the condition of a reply within a certain time-limit to a request made under No. 233B. Consequently, the text of No. 233C proposed by the Asia-Pacific countries took account of the fact that there was no need for the Secretary-General to consult Member States which had indicated that they did not wish to be consulted.

4.12 The **delegate of China** said that the proposal of the CITEL countries and of the United States (IAP/59/97 and USA/15/88) differed from the ITU-2000 Group's text since the English version included the word "alternatively" and also stated that entities whose Member State had not so informed the Secretary-General did not have the option of applying directly to him. The proposal was logical and he was in favour of the amendment.

4.13 The **Chairperson** said that the United States delegation had stated it was prepared to accept the ITU-2000 Group's text. He invited the CITEL countries to express their views on the matter.

4.14 The **delegate of Brazil** was prepared to accept the ITU-2000 Group's text since the amendment proposed by CITEL was editorial.

4.15 The **delegate of France**, at the request of the **Chairperson**, said that his delegation could agree to the ITU-2000 Group's proposal provided that the proposal by Japan was taken into account at the end of No. 233C.

4.16 It was **agreed** to establish a small group consisting of the delegations of France, the United States, Japan, China and Algeria to draft the text of Nos. 233A, 233B and 233C.

**Provision ADD 241A**

4.17 The **delegate of the United States** proposed the insertion in the first part of the provision of the words "and its subordinate groups" after the words "a given study group" to make it perfectly clear that an entity admitted as an Associate could also participate in the work of all groups established by the given study group.

4.18 It was so **agreed**.

4.19 The **delegate of France** proposed mentioning in item 4 of No. 241A, in addition to No. 248B, No. 483A of the Convention which obliged Associates to contribute to defraying the expenses of the study group in which they participated.

4.20 It was so **agreed**.

4.21 The **delegate of the United Kingdom** said that in the English version of item 1, the word "a" in the expression "a given study group" should be replaced by the word "one". Only entities or organizations which were full Sector Members could participate in the work of more than one study group.

4.22 No. 241A was **approved**, as amended.

**Provisions ADD 246A, ADD 246B, ADD 246C, ADD 247 and ADD 247A**

4.23 The proposal by Mali (MLI/20/29) to add the words "Member States" to the beginning of No. 246A was **approved**.

4.24 The **Vice-Chairperson of Committee 5** said that Committee 5 had approved ITU-2000 Group recommendation 17 relating to the alternative approval process (Document 228) as well as a draft resolution on the approval of Questions and Recommendations (Document 227).

4.25 The **delegate of the Islamic Republic of Iran** said that Nos. 246A, B and C should perhaps be amended in the light of the *resolves* part of the draft resolution, which stated that those provisions were not to be used for Questions and Recommendations having policy or regulatory implications.

4.26 Replying to a question from the **delegate of the United States**, the **Vice-Chairperson of Committee 5** said that Committee 5 had not decided that the alternative approval process could not apply to any ITU-R Questions and Recommendations. It had only acknowledged, in its draft resolution, that application of the alternative process to Questions and Recommendations of the Radiocommunication Sector could pose a problem.

4.27 The **delegate of India** said that the matter had raised many concerns.

4.28 The **Chairperson** proposed that the delegates of the Islamic Republic of Iran, India and the United States, along with other delegates who so wished, should be requested to review Nos. 246A, B and C and 247A in the light of the conclusions of Committee 5 and to consider No. 28C of the Constitution.

4.29 It was so **agreed**.

**The meeting rose at 1135 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 324-E**
**2 December 1998**
**Original: French**

**COMMITTEE 7**

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Tuesday, 17 October 1998, at 1445 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Announcement of class of contribution - Report of the Chairperson of the ad hoc Group of Committee 7 | DT/34 |
| 2 | Recommendation 23 of the ITU-2000 Group | 9(Add.1), 13, 25; DT/30 |
| 3 | Recommendation 6 (paragraph 3) of the ITU-2000 Group | 13, 119; DT/29, DT/30 |

## 1 Announcement of class of contribution - Report of the Chairperson of the ad hoc Group of Committee 7 (Document DT/34)

1.1 The **Chairperson of the ad hoc Group of Committee 7** introduced Document DT/34 which listed the principles which would govern the announcement, by Member States and Sector Members, of their class of contribution, and the relevant procedural arrangements, on the basis of the recommendation of the ITU-2000 Group.

1.2 The **Chairperson** said that Committee 7, the secretariat and the ad hoc Group had painstakingly worked out detailed procedures for recommendation 22 which, in its original form, was very succinct. The recommendation would entail an amendment to Article 28 of the Constitution.

1.3 The **delegate of the United States** proposed that, in Part B "Procedure", the words "and Sector Members" should be inserted after the words "Member States" in paragraphs 7, 8, 9 and 12. He also proposed that the first sentence of paragraph 9 should be amended to read: "An announcement will be made at the Plenipotentiary Conference, by the end of the first week of its session, of the computed upper limit of the contributory unit ...".

1.4 The **Chairperson** said that the first proposal constituted a mere drafting amendment since the intention was in fact to apply the same procedure to Member States and Sector Members. The final wording of the text would be adopted at a later stage when amendments to the Constitution were considered.

1.5 The **Chairperson of the ad hoc Group of Committee 7** saw no objection to the amendments proposed by the delegate of the United States.

1.6 The **delegate of Pakistan** expressed the hope that, whatever option was adopted, it would be left open to all countries to announce the class of contribution they had selected before the beginning of the Plenipotentiary Conference.

1.7 The **Chairperson** said that the current Conference would set the date for entry into force of the new Constitution - once amended - which would be well before the beginning of the next Plenipotentiary Conference.

1.8 The **delegate of Germany** said that he was in favour of the proposal made by the delegate of the United States, which he took to entail the need to delete the first and last sentence of paragraph 11. He was also of the view that the indications concerning the United States position, as set out in square brackets in Document DT/34, were no longer warranted.

1.9 The **delegate of Mali** proposed that the words "and Sector Members" should be inserted in paragraph 1, after "by Member States". The first part of paragraph 3 could be amended to read: "Member States and Sector Members will know exactly..."; and the first part of paragraph 4 could be amended to read: "The Union shall establish a sound and transparent financial basis...". Lastly, a new paragraph 6 - still under Part A "Principles" - could be added to read: "The Plenipotentiary Conference shall limit the budgetary ceiling", making it possible to delete the United States position set out between square brackets.

1.10 The **delegate of Finland** suggested that, in the proposal made by the delegate of the United States, the word "computed" should be replaced by "decided". It was essential for Members to know exactly what was the upper limit of the contributory unit before taking a final decision.

1.11 The **Chairperson** observed that the phrase "computed upper limit" had the advantage of leaving no room for discussion.

1.12 The **delegate of Argentina** approved the amendments proposed by the delegate of Mali. With regard to paragraph 5, Decision 1 adopted by the Kyoto Plenipotentiary Conference gave the Council some room to manoeuvre in budgetary matters when budgetary ceilings could not be respected, and the provisions of that decision should be reflected in the paragraph in question. Moreover, he did not think it desirable to amend the first part of paragraph 7, as paragraph 11 stated that the procedure outlined in paragraph 7 should apply to Sector Members. Finally, concerning the diagram outlining the procedure for establishing the upper limit of the contributory unit (Annex A to Document DT/34), he drew attention to No. 166 of the Constitution which authorized Members, subject to the approval of the Council, to choose a class of contribution lower than the one selected under No. 161, if their relative contributory positions were, from the date fixed in No. 163 for a new period of contribution, substantially worse than their previous positions.

1.13 The **Chairperson** considered, with regard to the comments made about No. 166 of the Constitution, that the entire procedure provided for on the basis of recommendation 22 would also entail amendment of Nos. 161 and 163 of the Constitution. Decision 1 mentioned by the previous speaker dealt with the ceiling on total expenditure, which would be considered at a later stage.

1.14 The **delegate of Spain**, referring to the proposal by Mali that the Plenipotentiary Conference should limit the budgetary ceiling, recalled that, during the meeting of the ad hoc group, the Secretary had pointed to the difficulties hampering the estimation of expenditure for the period between two plenipotentiary conferences, with the ensuing risk for the Council, when it determined the biennial budget, of being allowed a margin of only 1%, hitherto settled by means of special accounts. He wondered, therefore, about the desirability of replacing the United States proposal in square brackets by Mali's proposal.

1.15 The **delegate of the United States**, replying to the delegate of Germany, said that the words between square brackets in Document DT/34 continued to represent the position of the United States. The idea of an upper limit on the amount of the contributory unit was meaningless unless it was associated with the idea of a ceiling on expenditure; it was also linked to the concept of cost recovery: the establishment of a ceiling for one of those elements would have repercussions on the others. For that reason, he supported the idea of establishing ceilings on both total expenditure and the amount of the contributory unit. While the Malian wording was conceivable, it would have to be amended to reflect the fact that the Plenipotentiary Conference was required to establish a ceiling on expenditure, not a budgetary ceiling. Referring to the comments by the delegate of Argentina, he emphasized that Sector Members should not have to announce the level of their contribution at plenipotentiary conferences if they did not participate in them as full Members. In any event, given the fact that the contribution of Sector Members accounted for less than 15% of the total, they could make a provisional announcement before plenipotentiary conferences. If the aim was to ensure the highest possible number of contributory units, the fact of allowing Sector Members to make their final announcements three months before the Plenipotentiary Conference was a reasonable approach, in his view. Finally, considering that it was the combined effects of the procedures under consideration which would contribute to achieving the targeted upper limits of contributory units, he was not in a position to envisage flexibility in the establishment of the ceiling on expenditure.

1.16 The **delegate of Egypt** said that her delegation supported the report of the ad hoc group in principle, apart from the position of the delegate of the United States concerning the ceiling on total expenditure. She was also in favour of the ideas expressed by the delegate of Argentina, but would have difficulty in supporting the proposal by the delegate of Mali for the addition of a new paragraph, in Part A "Principles", on the establishment of a budgetary ceiling. If necessary, she would be more willing to settle for the position of the United States delegate.

1.17 The **delegate of the Netherlands** expressed satisfaction with Document DT/34. She thought it worthwhile to add the reference to Sector Members and to amend the beginning of paragraph 9 in accordance with the United States proposal. However, she did not support Mali's proposal, or the statement by the delegate of the United States concerning Part A "Principles". Paragraph 5 of the "Principles" was designed expressly to reflect the concerns of Member States which were anxious to establish an upper limit to their contributions, but were nonetheless aware of their responsibility to see to the establishment of a sound financial plan and also, of course, to control expenditure. Accordingly, expressing the position of the CEPT member countries, she could not support the idea put forward by the United States, which introduced an undue restriction in budgetary control. Such inflexibility ceased to be appropriate once a limit was fixed for the contributory unit, enabling Member States to know exactly what they were paying. The draft financial plan drawn up by the Plenipotentiary Conference was designed to take account of expected income and to establish expenditure estimates, but the Council could show more flexibility if the system described in Document DT/34 was adopted. The best approach in the matter was to leave the Council to exercise control over income and expenditure.

1.18 The **Chairperson**, summarizing the debate, said that three questions remained under consideration, namely: announcement of contributory units at plenipotentiary conferences, establishment of a ceiling for total expenditure at plenipotentiary conferences, and cost recovery. He suggested that consideration should first be given to the question of the announcement of contributory units, followed by cost recovery, and ending with examination of the ceiling for total expenditure (amendment to No. 51 of the Constitution), even though some delegations considered those questions as a package to be adopted or rejected in its entirety. The results of each discussion would be transmitted to Committee 6, and Member States could then take a decision on all of the issues in Plenary. That procedure would make it possible to leave aside, for the time being, the debate on the United States position set out in square brackets under paragraph 5 of Document DT/34. With regard to the text between square brackets in paragraph 12, limits on expenditure did not have to be studied for the time being. He therefore asked participants to accept his suggestion and to consider first the amendments concerning Sector Members, and then, in the light of the consensus emerging with regard to paragraph 9, to insert in that paragraph the term "computed" as previously proposed, and finally to deal only with the question of announcement of the contributory unit before transmitting Document DT/34 to Committee 6.

1.19 The **delegate of the Netherlands** approved of the procedure proposed by the Chairperson. The **delegate of Australia** was of the same opinion, but pointed out that the question of establishing a limit to the contributory unit was to some extent covered by Document DT/34 which could be transmitted, as it stood, to Committee 6.

1.20 The **delegate of Argentina** supported the Chairperson's proposal for three stages of deliberation. Concerning the question of announcement of the contributory unit before plenipotentiary conferences, he asked whether only Member States would have to make such announcements or whether Sector Members would also have to comply with that procedure. In that connection, he was convinced that the level of contributions paid by Sector Members was important and should be taken into account. He also approved of the idea of conducting a study within the Council, which would include the question of participation by Sector Members with a view to striking a better balance between the contributions of Member States and those of Sector Members. Lastly, he considered that, just as the question of cost recovery had to be evaluated in such a way as to guarantee greater predictability for calculations, so Sector Members should announce their contributions as a means of arriving at a fairer figure for the contributory unit.

1.21 The **delegate of Tanzania** thought that Document DT/34 still had some grey areas. While he could endorse the document in principle, particularly the idea of controls on income and expenditure, he felt that a flexible control system should be introduced, including a clearly established financial plan. If the Council took on that task, there was no reason to decide on the biennial budget. He supported the Chairperson's suggestion that Document DT/34 should be transmitted to Committee 6, despite the reservations expressed by some delegations, in view of the fact that the points to which there were reservations would be taken up again in Plenary.

1.22 The **delegate of Mali** agreed that Document DT/34 still contained some grey areas. He recommended that participants should devote some more time to study of the issues under consideration, with a view to reaching an agreement which would facilitate the work of Committee 6.

1.23 The **delegate of the United States** said that he also took the view that Document DT/34 still contained some obscure points, which the ad hoc group should be asked to revisit. Document 51 on cost recovery had not yet been the subject of debate, although it was directly relevant to the financial plan. He felt that the questions under consideration should be taken together and he did not see how constitutional amendments could be envisaged in the absence of more detailed wording on which to base them.

1.24 The **Chairperson**, replying to the delegate of Mali, said that if the Committee approved the new procedure for announcement of the contributory unit, as set out in Document DT/34, Nos. 161, 163 and 166 of the Constitution would have to be amended, without regard to the question of establishment of the ceiling for total expenditure. Regarding the proposals aimed at placing Sector Members on the same footing as Member States, he said that that was the intent of paragraph 11 of Document DT/34. The only difference in treatment for Sector Members was to give them a longer time-limit for making their final announcements, namely three months. Lastly, he suggested that Committee 6 should be sent a revised version of Document DT/34, reflecting the amendments put forward in the course of the discussion and indicating in square brackets the reservations expressed by the delegation of the United States with regard to paragraphs 5 and 12.

1.25 The **delegate of the United States**, emphasizing that the subject discussed was a very sensitive one, asked that the revised report by the Chairperson be transmitted not to Committee 6, but to the Plenary.

1.26 The **delegates of Algeria, Mali, China** and **Italy** supported the Chairperson's proposal to transmit the revised document to Committee 6. The **delegate of the Netherlands** also supported that proposal, and observed that there was a broad consensus on the question of announcement of class of contribution.

1.27 The **Chairperson**, noting that implementation of recommendation 22 of the ITU-2000 Group was the subject of broad agreement, proposed transmitting a report on the results of the discussion to Committee 6, together with Document DT/34 revised.

1.28 It was so **agreed**.

## 2 Recommendation 23 of the ITU-2000 Group (Documents 9(Add.1), 13, 25; DT/30)

2.1 The **Chairperson** invited participants to consider recommendation 23 of the ITU-2000 Group.

2.2 The **Secretary** said that recommendation 23 concerned the question of reduction in the choice of class of contribution; the comments of the ITU-2000 Group on that recommendation were reproduced in Document 13. He pointed out that the limited group of the Council on Resolution 39 (Kyoto, 1994), the Review Committee and the ITU-2000 Group had all referred to the limitation on reductions in the choice of class of contribution in force in the Universal Postal Union (UPU), which also applied the system of freedom of choice. The idea of limiting the possibilities of reduction in the choice of class of contribution was intended to avoid an unduly sharp decline in the number of contributory units and to save certain Member States from being unable to continue to fulfil their obligations.

2.3 The **Chairperson** said that recommendation 23 provided that any reduction in a Member State's choice of class of contribution should not be more than two classes and should be implemented gradually over the period of four years between plenipotentiary conferences. Adoption of the recommendation would entail an amendment to the Constitution.

2.4 The **delegate of Canada**, referring to proposal CAN/9/10, said that his Administration had reservations about the implementation of recommendation 23. However, seeing that there appeared to be a consensus on the principle of announcement of the class of contribution on a provisional basis during the Plenipotentiary Conference, and for the sake of compromise, the Canadian delegation withdrew its reservation and approved the recommendation under consideration.

2.5 The **delegate of the United States** said that the proposed recommendation was at variance with the system of free choice of class of contribution. He was surprised that an attempt was being made to impose restrictions while support was expressed for more flexibility.

2.6 The **delegate of the Netherlands** said that her Administration and CEPT approved recommendation 23, while being strongly in favour of free choice of the class of contribution. The recommendation aimed at ensuring budgetary stability and attested to a sense of responsibility vis-à-vis the Union. The **delegate of Saudi Arabia** also unreservedly supported the recommendation.

2.7 The **delegate of the United States** repeated that he saw no need to adopt such a recommendation, as the basic principle was that of freedom of choice.

2.8 The **delegate of Trinidad and Tobago** observed that the concept of freedom was always attractive but that absolute freedom did not exist. Recommendation 23 was a common-sense recommendation, the implementation of which would undoubtedly be a factor for stability.

2.9 The **delegates of Germany, China, Portugal, Tanzania, Syria** and **Barbados** associated themselves with the speakers who supported recommendation 23.

2.10 The **delegate of the United States** said that, in the interests of compromise, he was prepared to accept recommendation 23.

2.11 Recommendation 23 was **approved**.

## 3 Recommendation 6 (paragraph 3) of the ITU-2000 Group (Documents 13, 119; DT/29, DT/30)

3.1 The **Chairperson** invited participants to examine paragraph 3 of recommendation 6 of the ITU-2000 Group, concerning the participation of Associates.

3.2 The **Secretary** said that Committee 5 had approved recommendation 6 of the ITU-2000 Group. Some members of Committee 5 had, however, expressed concern about the possible financial implications, and it was for that reason that Committee 7 was invited to give an opinion on paragraph 3 of the recommendation, which provided that the level of financial contribution applicable to Associates should be such that it at least covered the full allocated cost of their participation. For information, participants could consult Document 119, which was the report by the Chairperson of Committee 5 to Committee 7, and Document DT/29 prepared by the secretariat, which contained various data such as the number of study groups by Sector, the number of Sector Members by Sector according to the 1998-1999 budget, the classes of contribution and the number of Sector Members in each class according to the 1998-1999 budget.

3.3 The **Chairperson** drew attention to the comments of the ITU-2000 Group (Document 13) and to the amendment to the Convention which would follow from adoption of paragraph 3 of recommendation 6; the amendment in question was No. 483A which provided that Associates described in No. 241A should share in defraying the expenses of the Sector and the study group in which they participated as determined by the Council (Document 13).

3.4 The **delegate of Syria** noted that, as the lowest class of contribution of the Development Sector was 1/16, the amount of the contribution in that class was 4 100 Swiss francs, an amount much lower than the cost of participation in the work of study groups in that Sector. He wondered how long ITU would continue to subsidize private companies participating in the Development Sector by applying a 1/16 class of contribution. The cost recovery principle was not applied in the Development Sector, quite the contrary.

3.5 The **delegate of Canada**, noting that the question under consideration had been discussed at length within the Review Committee and the ITU-2000 Group, approved paragraph 3 of recommendation 6. The **delegate of the Netherlands**, on behalf of CEPT, and the **delegate of China** also supported paragraph 3 of recommendation 6.

3.6 Paragraph 3 of recommendation 6 was **approved** for transmittal to Committee 6.

**The meeting rose at 1725 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 325-E**
**14 December 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 7**

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Wednesday, 28 October 1998, at 1430 hours

General Management

**Chairperson:** Mr. B. GRACIE (Canada)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Publications | DT/32 |
| 2 | Operational planning | DT/31 |
| 3 | Use of languages in the Union | 11 + Corr.1-4, 24, 29, 111(Corr.1), 157(Rev.1) + Corr.1 |
| 4 | Regional presence | 9(Add.1), 25(Add.1), 41, 56, 58 + Add.1, 59, 70, 71, 111; DT/35(Rev.1) |
| 5 | Future conferences | 28 |

## 1 Publications (Document DT/32)

1.1 The **Chairperson** invited the Committee to consider the draft resolution contained in Document DT/32.

1.2 The **Chief of the Common Services Department** explained that the document incorporated comments made at the previous meeting by the delegates of the Republic of Korea, the United States, Syria and Saudi Arabia on the draft resolution in Annex B of Document 36. He drew attention to the new text in the last paragraph, which, he said in response to a query from the **delegate of Egypt**, had been drafted to respond to a comment by the delegate of Syria that specific reference to the Director of BDT should be made, either in *instructs the Secretary-General* 3 or in a separate paragraph. The Committee had discussed the relationship between the draft resolution under discussion and the proposed modification to No. 484 of Article 33 of the Convention contained in Document 13. The new wording of CV484 reflected the experience of ITU in cost recovery, such as with the UIFN registry and GMPCS systems. Whereas CV484 focused on the link between the cost of publications and their price, the draft resolution addressed the link between copyright and the pricing policy for ITU publications. The two components taken together provided for continuity of a practice that had proven successful for the Union.

1.3 The **Chairperson** also noted the relationship between recommendation 12 of the ITU-2000 Group, the proposed modification to CV484 and the draft resolution before the Committee. The revised draft resolution would be sent to the Chairperson (Finance) of Committee 7. He invited the Committee to comment on the phrases in square brackets in the last paragraph of Document DT/32.

1.4 The **delegate of Israel** commented that since the cost of distributing documents electronically was low, ITU publications should be distributed free of charge, not only to Member States and Sector Members but throughout the world, to ensure that they were accessible to all. The mechanism for cost recovery with regard to electronically distributed documents might be cumbersome.

1.5 The **Chairperson** noted that other costs, such as for translation, had to be considered, even if the documents were distributed electronically.

1.6 The **delegate of Cameroon** said that the two square-bracketed phrases were mutually exclusive. The paragraph should be altered to ensure that the documents of the Union were distributed electronically without penalizing the majority of Member States that had difficulty in gaining access to electronic facilities.

1.7 The **Chairperson** suggested that the phrase "within the financial constraints of the Union" was unnecessary, not only because it already appeared in *instructs the Secretary-General* 3 but also because any activity of ITU was undertaken within the framework of the financial plan and the biennial budgets established by Council. The phrase "with priority" should remain.

1.8 The **delegate of Saudi Arabia**, endorsing the remarks of the delegate of Cameroon, said that the proposed text was ambiguous. Did it indicate that the distribution of ITU documents, electronically or otherwise, was the responsibility only of the Director of BDT and not of the Secretary-General or the Directors of the other two Bureaux?

1.9 The **Chief of the Common Services Department** replied that the responsibility for the distribution and sales of ITU publications was centralized in the General Secretariat. The content of the publications was the responsibility of the Sectors from which they emanated. The intent of the last paragraph of the draft resolution had been to provide encouragement, training and even facilities to developing countries so that they could make better use of the publications of ITU and other information. The intent had not been to decentralize the distribution and sales to the different Bureaux.

1.10 The **delegate of Algeria** said that, in principle, ITU responded to the needs of its developing Member States at the level of all three Sectors and the Secretary-General; it was not only BDT that was responsible. Developing countries required publications from all Sectors.

1.11 The **delegate of Morocco** commented that one of the responsibilities of the Secretary-General was to facilitate access of all Member States to documents and publications of ITU; BDT had a similar responsibility only to developing countries. He objected to the implication that those countries were incapable of using documents efficiently. What was important was access to information, and that was often difficult for developing countries. ITU should find a mechanism to reduce the cost of its publications and ensure access not only by administrations and universities but also by other bodies. The draft resolution should be revised to allow developing countries free or facilitated access to ITU publications.

1.12 The **Secretary** agreed with the last speaker that it was the responsibility of BDT to facilitate the access especially of the least developed countries to information. It was for that reason that the Director of BDT had been singled out in the paragraph under discussion. He reported that least developed countries benefited from an 80% discount on the price of ITU publications.

1.13 The **delegate of Spain** proposed that in order to ensure distribution of ITU publications to all those who might be interested, in *resolves* 2 the words "to the public" should be inserted after "shall also be made available".

1.14 The **delegate of Saudi Arabia** suggested that the last paragraph be addressed to the Directors of all three Bureaux, who would implement the provision in accordance with their prerogatives and mandate within the framework of the Constitution, the Convention and their financial resources.

1.15 The **delegate of Senegal** said that although all three Sectors should make efforts to help developing countries have access to information, the role of the Secretary-General was to coordinate actions that affected all Sectors; *instructs the Secretary-General* 3 covered that aspect. It was important to maintain the specific responsibility of BDT with regard to the developing countries.

1.16 The **delegate of Algeria** suggested that the two phrases "the Director of the Telecommunication Development Bureau" and "the Directors of all three Bureaux" be placed in square brackets for subsequent discussion.

1.17 The **Chairperson** proposed that the words *in close coordination with the Directors of the Telecommunication Standardization Bureau and the Radiocommunication Bureau* be inserted after *instructs the Director of the Telecommunication Bureau*. His proposal was supported by the **delegates of Kuwait** and **France**.

1.18 The **delegate of Germany** reiterated that the Secretary-General had central responsibility for the publications of the Union, and each Director was responsible for the content of the documents that came from his Sector. The Director of BDT had the additional responsibility to facilitate access to publications.

1.19 The **Chairperson**, summarizing the proposals, suggested that *resolves* 2 should be altered to include the words "to the public" after "shall also be made available"; the title of the last paragraph should be changed to "*instructs the Director of the Telecommunication Development Bureau in close coordination with the Directors of the Radiocommunication and Telecommunication Standardization Bureaux*"; and in the last operative paragraph "with priority" should be retained and the second phrase in square brackets deleted.

1.20 It was so **agreed**.

1.21 The draft resolution, as amended, was **approved**.

## 2 Operational planning (Document DT/31)

2.1 The **Chairperson of the ad hoc Group on Financial Planning** said that the Group had met to discuss the IAP common proposed recommendation (IAP/59/125), which now appeared as draft Resolution [7-XX] in Document DT/31, which she introduced. As Committees 5 and 7 had often met in parallel, a number of amendments had been submitted subsequently, which she outlined. The ad hoc Group had also considered four proposals made by the CITEL Member States, outlined in Document 59, to amend the Convention in order to mandate the General Secretariat and the three Bureaux to prepare annual operational and financial plans. Committee 6 had already approved the wording of IAP/59/61 (ADD 181A), IAP/59/83 (ADD 205A) and IAP/59/86 (ADD 223A) with regard to the three Bureaux, but it had been pointed out to the Group that the General Secretariat was subject to biennial planning; thus, IAP/59/41 (ADD 87A) should end with the words "... to be reviewed by Council." Following its consideration by the Committee, draft Resolution [7-XX] would be forwarded to Committee 6.

2.2 The **Chairperson**, having invited the Committee to consider the draft resolution contained in Document DT/31 section by section, suggested that the title should be amended as follows "Linking strategic, financial and operational planning in ITU", and that *recognizing a)* should be amended to read "... enhanced through the linkage of strategic, financial and operational plans which set out ...", as proposed by the Chairperson of the ad hoc Group on Financial Planning when introducing the document.

2.3 It was so **agreed**.

2.4 The **delegate of Mexico** said that he had some difficulty with the wording of the second and third indents of *recognizing b)*, which was rather ambiguous. The **delegate of Morocco** said that he also had some difficulty with the wording of the second indent.

2.5 The **Chairperson** suggested that the second indent might be amended as follows: "... membership to evaluate, using performance indicators, progress ..."; the third indent should be amended to read: "to improve efficiency of these activities." He further suggested that, for the purposes of clarity, the final indent should be amended to read: "... those of other international and regional telecommunication organizations."

2.6 It was so **agreed**.

2.7 The **Chairperson** said that § 1 of *instructs the Secretary-General* should be amended to read: "... to be included in the operational plan, which will assist the Union in implementing the strategic and financial plans and enable the Council to review their implementation", as had been proposed by the Chairperson of the ad hoc Group.

2.8 It was so **agreed**.

2.9 The **delegate of the United States** said that the annex to which § 1 of *instructs the Secretary-General* referred contained an indicative, rather than an exhaustive list, and suggested that wording to that effect might be included in the draft resolution.

2.10 The **delegate of Germany** said that, while he favoured the inclusion of Sector Members in the processes of ITU, it was unnecessary to refer to Sector Members in § 2 of *instructs the Secretary-General*, and the wording in square brackets should be deleted; the Sector Members' involvement in the Sector advisory bodies, which had been mentioned in § 2, was implicitly understood.

2.11 The **delegate of Mexico**, having endorsed the comments of the previous speaker, said that the words "with the advice of the Sector advisory bodies" in § 2 should be deleted since it was clear that those bodies reported to the Directors of the Bureaux.

2.12 The **delegate of the Netherlands**, supporting the views expressed by the delegate of Germany, said that she would prefer the wording "with the advice of the Sector advisory bodies" to be retained.

2.13 The **Chairperson** suggested that the Committee should agree to the deletion of the wording in square brackets. The role and responsibilities of Sector Members would be further discussed and enhanced in the future, particularly in light of ITU-2000 recommendation 11, recommending that the Council implement as soon as possible a mechanism by which the views of Sector Members on the finances of the Union would be taken into account. In response to the concern, expressed by the **delegate of Morocco**, that Sector Members had never been involved in the Council, which dealt exclusively with the financial matters of the Union, he pointed out that efforts were being made to implement recommendation 11; the Chairperson of TSAG had been included in the discussions of the Standing Committee on Finance at the 1998 session of the Council. He proposed to delete the words "and Sector Members".

2.14 It was so **agreed**.

2.15 The **delegate of Argentina**, referring to the Mexican proposal to delete the words "with the advice of the Sector advisory bodies", said that it was still not clear whether the advisory bodies were to provide advice to the Sectors as a whole or to the Directors of the Bureaux. Any decision taken with regard to the role of the Sector advisory bodies by Committee 7 should be consistent with the decisions taken in that regard by the other committees.

2.16 The **Chairperson of the ad hoc Group on Financial Planning** said that it should be understood from the text of § 2 that the Sector advisory bodies would provide their advice through the Directors of the Bureaux.

2.17 The **Chairperson** suggested that the text of § 2 might be amended to read "... the Directors of the Bureaux, with the advice of their Sector advisory bodies...".

2.18 The **delegate of Algeria** said that the suggested formulation might indicate that the Secretary-General received advice from the Sector advisory bodies themselves, rather than through the Directors of the Bureaux.

2.19 The **delegate of Senegal**, supported by the **delegates of Mexico** and **Mali**, proposed that the text should be reworded as follows "... the Directors of the Bureaux, who must take the advice of the Sector advisory bodies."

2.20 It was so **agreed**.

2.21 The **Chairperson** suggested that § 3 of *instructs the Secretary-General* should be deleted and replaced by an *instructs the Secretary-General and Directors of the three Bureaux*, reading as follows: "to prepare their consolidated plans reflecting the linkages between strategic, financial and operational planning for annual reviews by Council", as had been proposed by the Chairperson of the ad hoc Group. Further to comments by the **representative of BR**, he suggested that the new paragraph should be reworded along the following lines "to each prepare their consolidated plans ...", to make it clear that a consolidated plan would be prepared in each of the Sectors.

2.22 It was so **agreed**.

2.23 The **Chairperson** reminded the Committee that the list of elements contained in the annex to the draft resolution was not exhaustive and that the Directors of the Bureaux would be called upon to add to it, as appropriate.

2.24 The annex to the draft resolution was **approved**.

2.25 The draft resolution, as a whole, as amended, was **approved**.

## 3 Use of languages in the Union (Documents 11 + Corrigenda 1-4, 24, 29, 111(Corr.1), 157(Rev.1) + Corrigendum 1)

3.1 The **Chief of the Conferences Department**, introducing Documents 24 and 29, said that Document 24 contained the conclusions of a study on the effective and efficient use of languages in the Union carried out by the Working Group on the Use of Languages and the Secretary-General pursuant to Resolution 63 (Kyoto, 1994). The conclusions included a draft revision of Resolution 62 (Kyoto, 1994), which the Council was submitting to the Plenipotentiary Conference for consideration. Document 29 indicated the financial implications of the removal of the limitations on certain languages as contained in Resolution 62. Drawing attention to the tables and scenarios in the document, she said that the calculations had been based on statistics for 1997 and noted that, if the limitations in Resolution 62 were removed, the workload for Arabic, Chinese and Russian would be the same as for French and Spanish. Lastly, she drew attention to the annex, which provided the costs of the language services over the previous three years.

3.2 The **delegate of Portugal** introduced Document 11 and Corrigenda 1-4, which sought to clarify the provisions of Article 35 of the Convention with a view to use of languages other than the six official and working languages of the Union on a permanent basis. The Portuguese proposal was entirely in line with the conclusions of the Working Group on the Use of Languages; furthermore, it would imply no financial burden for the Union, since all costs would be borne by the Member State concerned, and would not alter the status of the six official languages.

3.3 The **delegate of Lebanon**, introducing draft Resolution [LBN-1] in Corrigendum 1 to Document 111, said that its purpose was to revise Resolution 62 (Kyoto, 1994) in order to remove all limitations on the use of Arabic as an official working language of the Union. After indicating that the final phrase of *resolves* 2, following the words "this resolution", should be deleted, he stated that Arabic had the same characteristics as the three languages that were used without limitations and should therefore have the same status. In that connection, it should be noted that there was no statutory reason why Arabic should not remain permanently in the group of languages comprising the working languages of ITU and that no financial consequences of an insurmountable nature would ensue from the adoption of Lebanon's proposal.

3.4 The **delegate of Russia**, introducing the draft revision of Resolution 62 (Kyoto, 1994) contained in Document 157(Rev.1) and Corrigendum 1 on behalf of the eleven signatories, recalled that over the years the six languages in use at the Union had been divided into two groups comprising English, French and Spanish as working languages and Arabic, Chinese and Russian as official languages subject to certain limitations. The present Conference should make an effort to improve ITU's evolving language policy by taking the next step towards achieving a balanced use of all six languages. The current system, which was not in line with the Constitution and Convention, created great difficulties for some countries in their efforts to participate in the work of ITU. Accordingly, it was proposed to use all six languages at major conferences of the Union, notably the plenipotentiary conferences, world radiocommunication conferences and radiocommunication assemblies, and to produce preparatory documents for the study groups of the three Sectors in

English only. Lastly, the proposal endorsed the decision taken by the Council concerning the need to study and implement ways of financing the use of other languages in the Union. Adoption of the proposal would have no major financial consequences.

3.5 The **Chairperson** invited the Committee to take up first the Portuguese proposal to amend Article 35 of the Convention.

3.6 The **delegate of Bulgaria** said that the proposal was in line with the principles of the Convention and the conclusions of the Working Group of the Council which he had chaired. Bulgaria endorsed the proposal. The **delegates of Brazil**, **Mozambique**, **Angola**, **Germany**, **France**, **Egypt** and **China** also supported the Portuguese proposal.

3.7 The **delegate of Mali** said that the language issue was of great importance, in particular for the developing countries which were trying to participate in various study groups of the Union. In that connection, he pointed out that the current provisions, which called for the production of preparatory documents for the study groups in English, French and Spanish, were not being complied with, which created problems for a country such as his own. That said, he could agree to the Portuguese proposal on the understanding that it would have no financial consequences for the Union.

3.8 The **delegate of Saudi Arabia** observed that the issue at stake in the languages question was not one of civilization, but of the use of languages for the development of telecommunication. He could support the Portuguese proposal since the countries concerned would bear the costs of its implementation. However, it should be noted that the same opportunity was available to other language groups on the same conditions, and the German delegation, for example, had taken advantage of it in the past. Accordingly, there was no need to modify the provisions of the Constitution and Convention. It was of great importance that the use of other languages, such as Portuguese, should have no repercussions on the use of the six official and working languages.

3.9 The **delegate of Morocco** pointed out that the Portuguese proposal was applicable to languages other than Portuguese and was therefore of great interest to many countries. He concurred with the delegate of Saudi Arabia that the use of Portuguese should not affect the use of the six official languages.

3.10 The **delegate of Kuwait**, while endorsing the Portuguese proposal, said that he had some misgivings about amending the Convention for that purpose. As he understood it, the Convention set no limitations on the use of other languages, provided that the cost was borne by the countries concerned. Adoption of the Portuguese proposal should have no implications for the use of the six official and working languages.

3.11 The **Chairperson** noted that there was overwhelming support for the Portuguese proposal but that some doubts persisted regarding the need to amend the Convention.

3.12 The **delegate of Portugal** recalled that the Working Group of the Council had concluded that the current provisions of the Convention permitted the occasional use of other languages. The purpose of his proposal was to make provision for the use of a further language on a permanent basis. It was for that reason that he was proposing to amend Article 35 of the Convention. In response to a comment by the **delegate of the Netherlands**, he pointed out that his proposal would be applicable, as stated in POR/11/4 (MOD 493), only "to the extent practicable".

3.13 At the proposal of the **delegate of Saudi Arabia**, the **Chairperson** suggested that the Committee approve the Portuguese proposal and refer the amendments to Article 35 (CV) to Committee 6.

3.14 It was so **agreed.**

3.15 The **Chairperson** invited the Committee to take up the proposed revisions of Resolution 62 (Kyoto, 1994) contained in Corrigendum 1 to Document 111 and Document 157(Rev.1) and Corrigendum 1.

3.16 The **delegate of Saudi Arabia**, after recalling that the same subject had come up time and time again over the last two decades, pointed out that the cost of using the six official and working languages of the Union was included in the regular budget to which all Member States contributed. It was therefore a matter of concern that the provisions of the Constitution and the Convention were not applied equitably to the Arabic, Chinese and Russian languages. Accordingly, he was against adopting a resolution that imposed limitations on the use of any languages. At the United Nations, for example, all languages were on an equal footing. He stressed that the proposal to use Arabic without any limitation was not political in origin or related to questions of civilization; it was purely in the interests of developing telecommunication in the Arab world. As far as finances were concerned, it should be noted that the Arab countries had paid more than their fair share towards the expenses of ITU, so it was regrettable to have to recall that at the Plenipotentiary Conference (Nairobi, 1982) the then Secretary-General had requested the Saudi Administration at the highest level to bear the costs of the use of Arabic. His country had agreed to that request and had been funding the use of Arabic ever since. After outlining the increasing contributions to the ITU budget provided and promised by various Arab countries and institutions, he underscored the extreme importance of the objective of the Lebanese proposal.

3.17 The **delegate of Bulgaria** said that the proposal in Document 157(Rev.1) constituted a step towards the more efficient use of languages in ITU. It proposed that the preparatory documents for the study groups in all three Sectors should be produced in English only, which, as the delegate of Mali had pointed out, might create problems for some countries. Accordingly, that proposal should be regarded more as a guideline than a general rule. It was also proposed that all six languages should be used at ITU conferences and assemblies, which would benefit a wide range of countries. However, he wondered whether the savings made on the preparatory documents for the study groups would be sufficient to offset the cost of using all six languages at conferences and assemblies. If so, he could go along with it; if not, the cost issue needed further study.

3.18 With regard to the Lebanese proposal, he said that the language issue should be considered on practical rather than historical or cultural grounds. Everyone was aware of the immense cultural contributions of the Arabic, Chinese and Russian languages. In that context, he believed that what was said of Arabic in *noting a)* in the Lebanese proposal applied equally to Chinese and Russian. He supported equality in the use of all languages and therefore endorsed the draft revision of Resolution 62 (Kyoto, 1994) contained in Document 24.

3.19 The **delegate of China** expressed his full support for the proposal contained in Document 157(Rev.1). He emphasized the fact that ITU, a specialized agency of the United Nations, should use the six United Nations languages equitably. The Union should carry out studies to improve the efficiency and effectiveness of its work and reduce costs. On the basis of those principles it should be possible to find a solution to the language problem.

3.20 The **delegate of Lesotho** agreed with the delegate of China that ITU should stick to the use of the six languages that had been agreed upon by the founders of the United Nations. He appealed to the delegations that were proposing to add other languages to consider carefully whether it was really necessary, since the Union might end up using some hundred different tongues.

3.21 The **delegate of Kazakstan** drew attention to the inconsistency between Resolution 62 (Kyoto, 1994), which imposed limitations on the use of some languages, and Article 29 of the Constitution, which placed all six languages on an equal footing. The language issue was of extreme importance in the Union, one of whose principal objectives was to ensure international cooperation among all Member States in order to achieve the rational use of telecommunications. It was the use of Russian that enabled his own Administration to participate actively in the work of ITU. He therefore supported the proposal to use all six official and working languages equitably and suggested that if, for financial reasons, it could not be done in one step, then the proposal should be implemented stage by stage.

3.22 The **delegate of Morocco** said that the word "Arabic" was used to refer to several languages and numerous dialects spoken in over twenty countries, with a common script and grammar. Consolidation of the language was progressing in order to facilitate technical communication. The Arab countries were thus unified in international forums such as ITU. When Arabic had been approved as an official language of ITU in Nairobi in 1982, the Arab Group had accepted that limitations be placed on its use in order to ensure that spending did not exceed certain limits. Fourteen years had passed, and limitations on the use of Arabic, Chinese and Russian were still in place. He fully supported the views expressed by the delegate of Saudi Arabia on Resolution 62 (Kyoto, 1994), which should be deleted in order to ensure that the limitations were removed.

3.23 The **delegate of Kyrgyzstan** said that every country contributed to the work of ITU by providing information and participating in decisions but could do so only if documents were available in the appropriate United Nations language. She fully supported the views of the Russian delegate with regard to Resolution 62.

3.24 The **delegate of France** sympathized with the positions of the delegates of Lebanon, Morocco and Saudi Arabia on the limitations imposed on the use of Arabic, especially in view of the fact that funds had been provided by Saudi Arabia to ensure its use. Although Document 157(Rev.1) called for wider use of the six official and working languages, the new *resolves* 2 proposed that certain documents be drawn up in only one of the languages, *resolves* 6 responded to the question of the use of Portuguese, and *instructs the Council* 2 raised financial questions. He asked what was the current status of the Working Group on the Use of Languages and the effects that its conclusions would have on the documents issued by ITU.

3.25 The **delegate of Algeria** expressed support for the proposal of Lebanon set out in Document 111 and for the statements made by the delegates of Saudi Arabia and Morocco. He considered that there should be no limitations on the use of the official and working languages, even in study groups. Limiting the language in study groups to English would be in contradiction with No. 173 of the Constitution, which stated that "in case of discrepancy or dispute, the French text shall prevail."

3.26 The **delegate of the United Kingdom** drew attention to the practical repercussions of removing limitations on the use of all six languages. Adoption of *resolves* 1 of Document 157(Rev.1) would mean that documents produced during the plenipotentiary conferences, world radiocommunication conferences and possibly other meetings would have to be in all six languages. At treaty-making conferences, all documents that went to plenary had first to go to the Editorial Committee, resulting in a huge workload, which often put a strain on delegations that provided the human resources; at recent meetings, the Committee had had difficulty in coping with the last-minute rush of documents. It would be even more difficult if the Committee had to work in all six languages of the Union.

3.27 The **delegate of Egypt** associated herself with the delegates of Saudi Arabia and Morocco with respect to the use of Arabic and thus with deletion of Resolution 62 (Kyoto, 1994).

3.28 The **delegate of the Netherlands** said she understood clearly the advantages of being able to speak in one's own language; however, it was essential to consider the cost implications of lifting the restrictions on use of all six languages. As mentioned by the delegate of the United Kingdom, it would also raise practical problems.

3.29 The **delegate of Armenia** supported the comments of the delegates of Russia and Kazakstan. It was essential to review Resolution 62 in order to improve the efficiency of national efforts within the framework of ITU.

3.30 The **Chairperson** suggested that a small group be convened to consider a revision of Resolution 62, step-by-step removal of the limitations as suggested by the delegate of Kazakstan and the cost and practicalities of wider use of all six languages for documentation at conferences as noted by the delegates of the Netherlands and the United Kingdom. The ad hoc group would be open to all interested parties; he asked the delegate of Russia to coordinate it.

3.31 The **delegate of Spain** expressed interest in attending the group's meeting, as did the **delegate of Mali** who asked, however, in what language the group would work. If its discussions were carried out only in English, a number of developing countries, including his own, would be excluded; although he himself spoke Russian, many other interested delegates did not.

3.32 The **delegate of Saudi Arabia** said that the discussion had been valuable. It had shown that there was a clear consensus with regard to equitable use of the six working languages, even though the delegates of the Netherlands had evoked the cost and the United Kingdom had described the problems that might be posed for the Editorial Committee. The equality of the six languages should be established first, in accordance with the Constitution and the Convention. He suggested, for instance, that the delegation of the United Kingdom would be unlikely to agree for English not to be used in some circumstances. But perhaps the use of the various languages should differ from one conference to another. In view of the topic, he suggested that the ad hoc group work in all six languages.

3.33 After consultation with the Secretary, the **Chairperson** announced that the ad hoc group could meet with full interpretation.

## 4 Regional presence (Documents 9(Add.1), 25(Add.1), 41, 56, 58 + Addendum 1, 59, 70, 71, 111; DT/35(Rev.1))

4.1 The **Director of BDT** said that the report in Document 56 had been drafted at the request of the Senior Level Management Committee and the Council to report on changes in the structure of regional presence during the period 1994-1998. The concept of regional presence had been established at the Plenipotentiary Conference in Nairobi in 1982; the Conference in Nice had called for it to be strengthened; and that in Kyoto had set up a Group of Experts to study the strengthening and improvement of regional presence. One of the recommendations of that Group had been to consolidate existing personnel in regional presence, which would have resulted in the closure of some offices. That recommendation had not been accepted by the Council, which had stated that regional offices should have at least three professional staff and each area office at least two professional staff, both with the necessary administrative staff. The report outlined three possible scenarios for accomplishing the decision of the Council, and concluded that there was a need to strengthen regional presence: an area office with only one professional could not be effective. A

further conclusion was that the specialities of the professional staff should correspond to the most urgent needs of the region or subregion. A list of current regional and area offices was given in Annex A to the report, where it could be seen that a certain number were vacant, owing to budgetary constraints. Annex B showed the estimated cost of each scenario, without the costs of professional staff dealing with standardization and radiocommunication. If all of the recommendations of the Group of Experts were to be implemented, the extra cost would come to 4 600 000 Swiss francs annually. The recommendations could be implemented step by step, depending on the financial plan agreed by the Conference.

4.2 The **delegate of Canada**, introducing Addendum 1 to Document 9, drew attention to proposal CAN/9/20. The Council had stressed in 1998 that regional presence should provide a focal point for dissemination of information, not only on development issues but on the full range of ITU activities, particularly for countries that could not attend many of the Union's meetings. Regional presence should also serve to strengthen the relationships between ITU and regional telecommunication organizations in order to optimize resources, avoid duplication of work and possibly develop joint projects. He noted that his country's proposal was very similar to that of the CITEL countries. He had hoped that Document 56 would focus more on the functions and duties of regional offices and include feedback from regional officers themselves.

4.3 The **delegate of Saudi Arabia** introduced Document 25 on behalf of a number of countries. The proposals it contained were similar to those of Canada and the CITEL countries, which were designed to ensure that ITU carried out its mission of developing telecommunications throughout the world, reducing the gap between developed and developing countries. That did not mean that all of the requirements and needs of developing countries should be concentrated in one Sector. Regional presence should be a true presence that represented all of the Sectors and activities of the Union. Decentralization had worked well in other United Nations organizations, such as UNDP. Regional presence should be strengthened by providing the regional offices with documents from all of the Sectors, so that countries could participate fully in the activities of ITU without having to turn to headquarters. Representatives of the regions at ITU should closely follow their needs and requirements. Regional offices should be empowered to draw up their own strategic and financial plans, so that they could adapt them to the needs of the region. Use of regional organizations should avoid overlap with similar activities at headquarters, which resulted in a waste of resources for both the Union and Member States. A resolution should be adopted that strengthened regional presence, and resources should be made available from the Sectors to guarantee their presence in the regions.

4.4 The **delegate of Argentina** noted that the IAP common proposal IAP/59/123 contained in Document 59 was covered in Document 41. His delegation was convinced of the benefits of regional presence. He regretted that the recommendations of the Group of Experts had not yet been implemented, but the present Conference must weigh the options and come to a decision. Important aspects of the common proposal were the setting of clear deadlines for action, the insistence that professional staff in regional and area offices should have permanent contracts, and the fact that the recommendations should be implemented by the Director of BDT in close consultation with the Secretary-General and the Directors of the other two Bureaux. He proposed that regional presence be included on the agenda of the Council every year, so that it was not forgotten, and that the Secretary-General should report on changes and needs as they arose. It was essential that the necessary resources be provided for regional presence to remain attuned to regional needs and respond accordingly. Strengthening of regional presence and ensuring a basic structure for regional and area offices would imply an increase of only 15 professional and general service staff and an additional annual cost of 2-3 million Swiss francs. It would not be necessary to have professionals

specialized in standardization and radiocommunication at all times, but they should be available as needs arose. He considered that the document represented a solid basis for discussion.

4.5 The **delegate of Indonesia** said that Document 58 covered the common proposals of the APT countries contained in Document 70 and provided background information for the draft resolution presented in Addendum 1 to Document 58. Its main features had been incorporated in Document DT/35(Rev.1). BDT should not necessarily mimic the activities or structures of the other Bureaux; the key to a vital, effective BDT was regional presence. It should be viewed as an asset and not as a liability for ITU, as it could benefit both developed and developing Member States and Sector Members. Consideration should be given to making regional presence the responsibility of the Secretary-General. For regional presence to be effective, it should be directed towards the field and not towards re-centralization. It should consist of one officer at policy level (D.1) and several at the representational and specialist levels (P.5). The management information system at headquarters should be extended to the regions, to provide information on-line for budgeting, programmes and other activities. An important conclusion was that the most recent study of regional presence should be the last; many studies had been conducted but none had been implemented.

4.6 The **delegate of Lebanon** said that he had been unable to participate in the work of the ad hoc group that had drawn up Document DT/35(Rev.1), as many meetings had been held in parallel; therefore, some of his delegation's proposals contained in Document 111 had not been incorporated. He would make comments during discussion of the draft resolution.

4.7 The **Secretary** introduced Document 71, which cited Resolution 72 (WRC-97). That Resolution instructed the Director of BR to consult with regional telecommunication organizations on the way in which assistance could be given in the preparation of future WRCs in various areas, particularly through information meetings, seminars and regional preparatory meetings. The Director of BR had contacted a number of organizations and would cooperate with BDT to assist countries in preparing for future meetings, within the limits of the available resources.

4.8 The **Chairperson of the ad hoc Drafting Group** introduced the draft resolution contained in Document DT/35(Rev.1), which had been drawn up in consultation with the representatives of the Member States that had submitted proposals; an attempt had been made to accommodate the concerns of those who had been unable to attend the meetings. Regional presence was of critical importance to all Member States, because it ensured that ITU was responsive to their needs. The principles on which the group had based its work were that regional offices must be strengthened (i) taking into account the needs of the different regions, (ii) in such a way that field officers had a certain autonomy for decision-making, (iii) with clearly defined functions and with the necessary human and financial resources, (iv) maintaining contact with regional organizations so as to facilitate cooperation and avoid duplication of duties and functions and (v) so as to provide real benefits to Member States. The draft resolution was also based on the work of the Group of Experts and Council Resolution 1114.

4.9 The **delegate of Syria** asked with respect to *recalling c)* how an area office, which usually consisted of one person, could be decentralized. He also enquired about the financial implications of *recalling e)*. Although the three scenarios described in Document 56 were mentioned in *recalling f)*, they were not referred to elsewhere in the draft resolution; he therefore proposed deletion of that sub-paragraph.

4.10 The **delegate of the Netherlands**, supported by the **delegates of Finland** and **Denmark**, said that the draft resolution reflected the importance of regional presence to ITU for carrying out its mission. Although she was in full agreement that regional presence should be strengthened, actions should not be decided upon before the financial implications were known. It might be necessary to set priorities on the actions to be taken. She recalled that Nos. 488 and 489 of the Convention stated that every conference should be aware of the financial implications of its decisions.

4.11 The **delegate of France** joined other speakers in congratulating the Chairperson of the ad hoc Drafting Group in having succeeded in bringing together a number of contradictory ideas. A renewed structure for regional presence was to be implemented gradually on the basis of the decisions of the Council in 1996 and 1997. The current number of regional and area offices would be maintained, with sufficient professional staff, except that Africa would have two regional offices. He shared the concern of the Netherlands about the costs. The draft resolution appeared to be based on the first scenario outlined in Document 56, which would increase the annual budget for regional presence by some 2 million Swiss francs. He asked whether that increase would be integrated in the overall budget of BDT with no overall increase. Consideration should also be given to the fact that in many countries operators were being privatized, which might result in increased costs for office rent, energy and maintenance. He praised the two-step approach, in which the first step would be to ensure a sufficient number of professional staff adapted to the needs of each region and the second would be decided upon after a study by the Secretary-General and the Directors of the three Bureaux about the possibility of extending regional presence to the other Sectors.

4.12 The **delegate of Ethiopia**, noting that the aim of regional presence was to ensure close, continuing contact between ITU and its Member States, said that since 1992 his country had hosted the regional office free of charge, providing suitably furnished office accommodation, all telecommunication facilities and related maintenance services. He hoped that his country was thus contributing to decreasing the expenditures of ITU.

4.13 The **delegate of Saudi Arabia** commented that the four sub-paragraphs under *resolves* did not reflect the radical changes that had occurred with regard to regional presence and only described the working methods that the Director of BDT could use, which did not require a resolution. Only limited measures were proposed to address the important issues described in *recalling* and *considering*. He agreed that it would be important to identify the costs involved. The inadequate numbers of professional staff at regional offices meant that the resources that were expended were wasted. There were two basic options: either regional presence was made a real one that could meet the needs of the regions, or the regional offices should be eliminated. He had great confidence in the regional offices and considered the second option unacceptable. If savings were to be made at all costs, useless expenses at headquarters and in the other Sectors should be eliminated. The draft resolution should better define the measures to be adopted, and the Conference should be prepared to use the necessary resources to activate its decisions, although the financial aspects were the responsibility of the Council. He had understood that *instructs the Council* 1 was to have been amended, however, to place some limits on the action that the Council was to undertake. The Conference should not lose the opportunity of taking steps to strengthen regional presence.

4.14 The **delegate of Canada** noted the absence of reference to the input of regional offices to the preparation of the financial plan. He suggested that *instructs the Director of BDT* 2 be altered to include the words "and representatives of the regional offices" after "the Directors of the Radiocommunication and Telecommunication Standardization Bureaux", as those representatives could provide useful information from the field.

4.15 The **delegate of Egypt** said that many opportunities for using the regional offices were wasted. The regional office in Cairo had no scope for action, and requests were directed to Geneva. Regional offices should have sufficient authority and possibilities to function according to their capacities, in order to benefit the regions and countries that needed them. She asked for clarification about the nature of the cooperation in financial matters between ITU and regional offices mentioned in *resolves* 4.

4.16 The **delegate of Germany** recalled the report of the Group of Experts on the financial implications. The Director of BDT had proposed to reduce the number of regional and area offices so as to be able to staff the remaining ones with sufficient numbers of professionals and thus make the regional offices really operational. The Council had decided, however, to increase the tasks of regional offices by asking for full representation of all three Sectors. In his opinion, additional funds would not be available for that purpose. As the draft resolution stated clearly that the Director of BDT should act within the current financial limits, *instructs the Director of BDT* should include an injunction to set priorities on the activities of the Sector so as to achieve the goal of regional presence.

4.17 The **delegate of Japan** said he believed firmly that ITU should respond to regional needs. Regional offices should be given greater responsibility and work in close collaboration with the Secretary-General and the Directors of all three Bureaux. He supported the proposals of Argentina and the CITEL countries. As Article 11 of the Constitution enjoined the Secretary-General to coordinate all ITU activities and take responsibility for financial matters, he suggested that the words "in close collaboration with the Secretary-General" be added at the beginning of *instructs the Director of BDT* 5.

4.18 The **delegate of Argentina** agreed with the previous speaker, as regional presence needed the support of the Secretary-General and the Directors of the other two Bureaux. He also noted the absence in the draft resolution of any quantification of the expenditure that would be required. There was general agreement about the necessity to strengthen regional presence, but the resources must be available. If there was to be a reallocation of resources within the financial plan, that should apply to all funds obtained by all of the Sectors of the Union. He agreed with the delegates of the Netherlands, Germany and France that it was pointless to make detailed remarks about the wording of the draft resolution until the costs had been determined.

4.19 The **delegate of Mali** noted that the draft resolution was based on gradual implementation of the reform, which would guarantee its success. The participation of the two other Bureaux to strengthen regional presence would ensure inter-sectoral cooperation. As regional offices were in fact development offices, the emphasis would be on operational activities. He noted the role of the Secretary-General and the Council in the planned changes and the fact that an operational plan to support the work at the level of the Bureaux was to be drawn up. That plan would make it possible to minimize certain costs because the work was better planned and carried out. He suggested that *instructs the Director of BDT* 2 in the draft resolution be altered to read "... regional presence conjointly with the Directors ..."; *instructs the Director of BDT* 4 to read "satisfy the staffing requirements and fill the vacant positions ..."; and the last line of *instructs the Director of BDT* 5 to read "...financial authority and the means appropriate to implement ...." He suggested that *instructs the Directors of the Radiocommunication and Telecommunication Standardization Bureaux* be revised as follows: "to cooperate with the Director of BDT in enhancing ...activities and to facilitate the participation of regional organizations in the development of telecommunication."

4.20 The **delegate of Senegal** said that the draft resolution was precise enough for implementation and general enough to allow the necessary adaptations. He had minor reservations with regard to the rigidity of the dates proposed, as the resources were not yet completely guaranteed. Concurring with the views expressed by the delegate of France, he noted that agreements between ITU and its Member States were evolving as a result of changes in the regulatory environment, in responsibility at the administrative level and in the distribution of means to ensure optimal working conditions in the field. It was essential to assess the needs of countries before filling all of the vacant positions; rapid, systematic implementation of the Council's recommendations might result in over-hasty decisions that did not have the desired result. All of the delegations that had expressed concern with regard to the cost of the proposed strengthening of regional presence were from countries with a long tradition of international cooperation. If those countries were convinced that the available resources were being well used, the current attrition of the budget might be stopped. He supported the principle of progressive implementation of the plan. He suggested that in *resolves* 3 of the draft resolution the words "balance and" be inserted between "while the" and "coordination functions", since, whatever the degree of decentralization, professionals in the field would always need back-stopping from headquarters. He suggested that the words "the Member States" in *instructs the Council* 2 be changed to "Members", as the requirements not only of regulators but also of operators should be included. He proposed a new subparagraph for *instructs the Secretary-General*, to be placed between the two existing ones, which would read: "to adapt the agreements with headquarters to the evolution of the regulatory environment of the host countries whenever necessary;". Lastly, he proposed that the current subparagraph 2 under *instructs the Director of BDT* be placed after the current subparagraph 6.

4.21 The **delegate of the United States** remarked that the draft resolution proposed mechanisms that would affect the goals, priorities and budget of ITU. The Union already had a strategic plan that allowed for flexibility within the Council, so that regional presence could already be placed on its agenda at each meeting. He endorsed the comments made by the delegate of Canada, and noted that an overly narrow definition of regional presence and its identification as an issue independent of BDT and the other Bureaux would detract from the homogeneity and coherence of the existing Strategic Plan.

4.22 The **delegate of the Philippines** said that although three scenarios had been described in Document 56, it was not clear which one, with which financial implications and staffing requirements, was considered in the draft resolution to provide the maximum benefit to Member States.

4.23 The **delegate of Tanzania** said that some of the aspects described in the draft resolution had already been taken up in the Council. Now was the time for action. The *instructs* sections attempted to address the implications for each Sector of implementing the decisions that had been taken. A balance must therefore be struck among the Sectors; the responsibility was not only that of BDT. It was important to recognize that the situation would be reviewed by the Council and the Secretary-General annually. If the funds were already available within the budget, the Director of BDT could effect some of the proposed changes immediately.

4.24 The **delegate of Gabon** expressed overall satisfaction with the draft resolution, which covered most of the solutions for strengthening regional presence. With regard to costs, he asked what the reserve account of ITU was used for.

4.25 The **Chairperson** answered that the disposition of the reserve account was a matter to be addressed by Committee 7 (Finance) and by the Council.

4.26 The **Director of BDT** said that the requirements for regional presence were not the same in all regions. He himself had been involved in regional presence since the beginning of his career in ITU, since his first posting had been to Dakar in 1974, and he was well aware of the frustrations of regional officers who lacked the necessary mandate and means to do their job. Regional presence should be fully complementary to regional organizations, and its competences should be adapted to the needs of each region. In response to the comment by the delegate of Canada, he noted that the mission and function of regional presence were already defined in Resolution 25 (Kyoto, 1994) and in § IIID of the Strategic Plan (Resolution 1 (Kyoto, 1994)). The functions were to execute the projects of ITU, to act as a specialized agency in the domain of development, to mobilize resources and to act as an information centre. He suggested that those functions be restated in the *recalling* section of the draft resolution. Regional presence could be effective only if adequate support and coordination were given by headquarters. He agreed with previous speakers that the costs of regional presence were liable to change in view of the current trend towards liberalization and privatization of telecommunication organizations. Thus, host facilities might no longer be provided free of charge. Document 56 laid out the costs of the minimal and maximal options; the difference would be about 2 million Swiss francs. The draft resolution gave recognition to the increased role of regional presence in the preparation of ITU conferences in all three Sectors. The success of world conferences depended on preparation at the regional level. Regional offices also played an active role in the work of regional study groups on development issues, providing both preparatory and intellectual input. He welcomed the suggestion that regional presence should be monitored annually and changes and progress reported to the Council. In order to ensure stability, the mission, function, structure, staffing and responsibilities of regional presence should be defined over a minimum number of years and not called into question at each session of the Council.

4.27 The **Chairperson** said there appeared to be general support for the draft resolution. It represented a blueprint for further action to be implemented on a step-by-step basis. It did not call for further study; action was needed in the near future on the basis of a clear decision by the Plenipotentiary Conference. Delegates had noted that the draft resolution lacked a clear statement of specific measures that should be taken to implement that decision. He suggested that once Committee 7 had discussed the draft Financial Plan contained in Document 42 and its Addendum 1, it would be able to decide whether regional presence should be financed within the existing allocation for development and related activities or whether a budgetary increase would be required. He referred to the comment of the delegate of Tanzania that in taking that decision a balance should be achieved among the range of programmes and activities of ITU, including conferences and meetings. All were agreed that regional presence should be strengthened; no one thought that the activities should be re-centralized in Geneva. He reiterated that there was no need to redefine regional presence. ITU should now build on the strengths of the existing regional presence to move forward.

4.28 The **delegate of the Netherlands** said that although the present Committee dealt with general management, it had been asked to consider two items that had heavy financial consequences. An additional 13 to 16 million Swiss francs would be needed if limitations on the use of the six languages were removed, depending on the scenario chosen, and the increase required to strengthen regional presence would cost an extra 2 million Swiss francs annually. She agreed with the delegate of Tanzania that a balance should be struck among ITU activities and that the priorities of the Union should be well thought out.

4.29 The **Chairperson**, in answer to a query from the **delegate of Syria**, suggested that the draft resolution be revised by the ad hoc group and discussed at a subsequent meeting of Committee 7.

4.30 It was so **agreed**.

## 5 Future conferences (Document 28)

5.1 The **Secretary** said that the contents of Document 28 were for information only, as the calendar of meetings was subject to change.

5.2 Document 28 was **noted**.

**The meeting rose at 2025 hours.**

The Secretary:
H. PIETERSE

The Chairperson:
B. GRACIE

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 326-E**
**2 December 1998**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 7**

SUMMARY RECORD

OF THE

TWELFTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Thursday, 29 October 1998, at 0940 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Recommendation 20 of the ITU-2000 Group (continued) | 9(Add.1), 13, 20, 51, 85, DT/30 |
| 2 | Recommendation 10 of the ITU-2000 Group (continued) | 13, DT/30, DT/40 |
| 3 | Financial limits: limits for establishing the biennial budgets of the Union | 27 |

## 1 Recommendation 20 of the ITU-2000 Group (continued) (Documents 9(Add.1), 13, 20, 51, 85; DT/30)

1.1 The **Chairperson** invited participants to resume consideration of recommendation 20 on cost recovery. The issue had its origins in Resolution 39 of the Kyoto Plenipotentiary Conference on strengthening the financial base of the Union, more especially *resolves* 2.3, in which the Conference had resolved that an examination should be undertaken of ways of making better use of the ITU's information resources, and, where appropriate, of charging fees for ITU services, particularly where those services were sought on a discretionary basis or to a greater extent than the level of facilities generally provided. ITU-2000 recommendation 20 on the question was relatively broad-ranging inasmuch as it provided that the Council should implement the use, as extensively as possible, of cost recovery for products and services and consider additional opportunities for cost recovery that might prove promising. Summarizing the first part of the discussion on recommendation 20, he highlighted the following elements: while it was for the Council to determine the details of how cosy recovery was applied, the Plenipotentiary Conference had to give the Council guidelines; moreover, the Council could rely on the cost recovery study it had requested from the secretariat at its last session; account should also be taken of the specific requirements of the least developed countries. On the procedural level, he suggested that the Committee should draw up a draft resolution reflecting those points.

1.2 The **Secretary** said that the adoption of recommendation 20 would give rise to an amendment to the Constitution (No. 159B) and an amendment to the Convention ((MOD) 484). He also drew attention to Document 51 which set out the amendments it was planned to make to the Financial Regulations of the Union as a result of implementation of the cost recovery principle. That document had been drawn up in accordance with instructions issued by the Council at its 1998 session.

1.3 The **delegate of Canada**, after expressing approval of recommendation 20, introduced proposal CAN/9/6, under which the Secretary-General, in consultation with the Directors of the Bureaux, would be instructed to develop a set of criteria to identify those products and services to which the cost recovery approach could be applied either fully or partially, and to prepare a report for consideration at and action by the 1999 session of the ITU Council. He hoped therefore that the Plenipotentiary Conference would prepare a draft resolution reflecting that proposal.

1.4 The **delegate of Australia** supported the Canadian proposal. She considered the cost recovery mechanism to be an important one, for reasons of both efficiency and fairness. It ensured, *inter alia*, that Members would not contribute to the cost of services from which they did not benefit. In addition, in view of the fact that the amount of Member States' contributions was declining, cost recovery could be a means of financing new activities.

1.5 The **delegate of Denmark** endorsed the statements made by the delegates of Canada and Australia.

1.6 The **delegate of Algeria**, noting that the Chairperson had neatly summed up both the discussions held at the preceding Council session and the points made by delegations at a previous meeting of the Committee, expressed approval of the idea of preparing a draft resolution addressed to the Secretary-General and the Bureau Directors and instructing them to develop criteria and to present a report at the next Council session.

1.7 The **delegate of Finland** expressed approval of recommendation 20 and hoped that the cost recovery mechanism would serve to preclude an increase in the amount of contributions.

1.8 The **delegate of the United States** suggested that, since participants seemed to agree on the cost recovery principle and in order to save time, an ad hoc group should be set up to define, on the basis of the points made during the discussion, certain basic principles regarding implementation of the cost recovery mechanism.

1.9 The **Chairperson**, noting that several delegations wished the Committee to prepare a draft resolution to guide the Council in its work, suggested that the ad hoc group could take responsibility for drawing up that draft resolution.

1.10 The **delegate of Argentina** said that, from the procedural standpoint, he approved of proposal CAN/9/6. With regard to the points to be taken into consideration in the definition of criteria that would govern application of the cost recovery principle, account would have to be taken of the specific requirements of the least developed countries; a distinction should also be drawn between products and services according to whether they were intended for Member States, Sector Members or the general public. Furthermore, consideration would have to be given to how far cost recovery should be applied to satellite networks already notified which were used for space research or the amateur service. Finally, with regard to advance publication for the space services, cost recovery should not be applied retroactively.

1.11 The **Chairperson** said that the question of application of cost recovery to the treatment of space notifications came within the purview of Committee 5.

1.12 The **delegate of Sweden** expressed approval of recommendation 20 and support for proposal CAN/9/6.

1.13 The **delegate of China** said that he was in favour of establishing an ad hoc group to prepare a draft resolution on the introduction of cost recovery. In its discussions, the group should envisage applying a different policy to developing countries, particularly with regard to the coordination and notification of satellite networks. In view of the fact that the developing countries had only just begun to implement their own telecommunication satellite projects, it would be unfair to treat all Member States in the same way. The ad hoc group should also envisage policy variations based on the nature of satellite networks, which might be commercial, multinational or designed to provide a national public service, such as the meteorological service. Lastly, taking into account the different types of satellite network, the method used for cost recovery should be stringent, scientific and transparent.

1.14 The **delegate of Cameroon** endorsed the principle of cost recovery. He hoped that the Council, which would be responsible for examining the practical arrangements for its implementation, would rely in its work on the studies carried out by the ITU-2000 group on the issue, while making sure that application of the principle did not penalize certain States which had made a major effort to develop their telecommunication networks.

1.15 The **delegate of Tonga** supported the overall concept of cost recovery which he considered to be one means among others of financing products and services which were not used by all Members of the Union. He supported proposal CAN/9/6 and approved of the suggestion by the United States delegate that an ad hoc group should be established. Emphasizing that the cost recovery mechanism should not be applied to the core activities of the Union, he thought it necessary to adhere to *resolves* 2.3 of Kyoto Resolution 39, which envisaged charging fees for services, particularly where those services were sought on a discretionary basis or to a greater extent than the level of facilities generally provided. Finally, he hoped that account would be taken of the particular requirements of not only the least developed countries but developing countries as a whole.

1.16 The **delegate of Germany** supported the cost recovery principle because, in the first place, it implied that every Member knew exactly what it was paying to obtain an ITU service, and was therefore obliged to consider whether it needed to use that service, while it also enabled the Union to improve its efficiency. Secondly, given the fact that some services were used by only twenty or so Member States out of the total ITU membership, it was more just that they should be the ones which paid for those services. Lastly, if cost recovery served to generate revenue, that revenue should be used to reduce the amount of contributions paid by Member States. With regard to the problem of implementing the system, he said that the Council, at its 1998 session, had agreed in principle to apply the cost recovery system more widely, but that it had had difficulty in defining the products and services to which it would be applied. He therefore proposed that the Conference should establish guidelines for the next session of the Council so that it could take a decision on the subject. He also thought it appropriate for an ad hoc group to define criteria and prepare a draft resolution on the matter.

1.17 The **delegate of Malaysia**, while expressing approval of the cost recovery principle, warned against the risk of that principle being equated with the idea of profit. He was opposed to the proposed amendment (MOD) 484 to the Convention, supported the proposal by the delegate of the United States for the establishment of an ad hoc group and hoped that account would be taken of the interests of the developing countries, particularly the LDCs.

1.18 The **delegate of Spain** supported the cost recovery principle and joined in laying stress on the need to establish guidelines for the identification of products and services which could be offered on a cost recovery basis. In that connection, he recalled that numerous delegates at the 1998 Council session had been surprised by the diversity of products and services to which cost recovery could be applied. He therefore cautioned delegates against the possibility of arriving at a paradoxical situation where a Member State which officially contributed less to the Union's budget was ultimately required to pay more in order to receive a range of services. He was in favour of setting up an ad hoc group and he supported the Argentine delegate's argument that cost recovery should not be applied retroactively with respect to advance publication for satellite networks.

1.19 The **delegate of France** considered that cost recovery was one of the most important issues before the Conference, since it could lead to an important change in ITU's working methods. Two approaches were in contention: a "club" system (involving payment of an entry fee followed by provision of free services), and a system of billing for services used. It was important for the Union to maintain the approach based on solidarity. It was of course understandable that, when services representing a heavy financial burden for the Union were used by a small number of countries, that burden should not be borne by all the Member States. However, careful consideration should be given to the types of services to which cost recovery should apply. He supported the Canadian proposal and the proposal by the delegate of the United States for the establishment of an ad hoc group, in which France was prepared to participate and which would lay down general guidelines for the Council in its study of that issue and in the definition of services that could be offered on the basis of cost recovery.

1.20 The **Chairperson** noted that participants agreed on the need to set up an ad hoc group to develop a draft resolution on the basis of Resolution 39 of the Kyoto Plenipotentiary Conference, recommendation 20 of the ITU-2000 Group and the Canadian proposal. The group's main task would be to prepare guidelines to be followed by the Council in its work, and it would lie with the Council to define criteria under which the cost recovery principle could be applied, taking into account, among other things, the specific interests of the LDCs.

1.21 The **delegate of Trinidad and Tobago**, in the interests of moving the debate forward, asked that consideration of the matter be continued within the framework of the ad hoc group.

1.22 The **delegate of Pakistan** supported cost recovery in principle while sharing some of the fears expressed by certain delegates. He wondered in particular what would be the practical consequences of the implementation of cost recovery. When the issue had first come up for discussion, the aim had been to limit ITU expenditure by identifying the core activities of the Union in relation to its "marginal" activities - a point which should be taken into account. However, the Union should be careful not to adopt a purely commercial approach which would give it the same status as a profit-making service company. The cost recovery principle should be applied in accordance with the rules of equity. Not only should ITU's core activities be identified, but also its "marginal" activities which could be subject to cost recovery.

1.23 The **delegate of Egypt** said that she also thought it desirable to set up an ad hoc group which would take account of the specific economic problems of developing countries and LDCs in particular. The group should base its work on the principle of fairness and establish criteria to prevent cost recovery from giving rise to an increase in the financial burden shouldered by developing countries.

1.24 The **delegate of Turkey** supported the principle of cost recovery, on the understanding that further studies were needed to define the overall criteria mentioned by previous speakers and, in particular, the products and services referred to in recommendation 20. He was in favour of setting up an ad hoc group for that purpose.

1.25 The **delegate of China**, while supporting the idea of cost recovery in principle, stressed first of all that it would be necessary to avoid adopting a purely commercial approach which placed too much emphasis on profit. Secondly, cost recovery requirements should be elaborated to avoid double charging which would place an excessive burden on Member States and Sector Members which had already paid their contributions to ITU. Thirdly, in the interests of sustainable implementation of the system, the ad hoc group should take account of the specific interests of developing countries, and of the LDCs in particular, by giving consideration to their need to develop their own telecommunication infrastructures. Lastly, he was concerned about the criteria applicable to cost recovery, since the products and services likely to be offered on that basis had not been specified, nor had the time limit for implementation of the system.

1.26 The **delegate of Mali**, introducing proposal MLI/20/36, said that recommendation 20 was very broad in scope and could give rise to different interpretations. While favouring the cost recovery principle, therefore, he proposed that the recommendation should be supplemented along the lines of the proposals by the delegate of Germany, and that a draft resolution should be drawn up to define criteria and take account of the wishes of developing countries. He also suggested that precise guidelines should be given to the Council and he considered that, in the case of developing countries, the provision of fundamental services such as programmes of education, health, upgrading of networks and development of telecommunication infrastructures in general should be exempted from the cost recovery system.

1.27 The **Chairperson** said that proposal MLI/20/36 would be considered in the ad hoc group.

1.28 The **delegate of Kenya** introduced proposal KEN/85/3 which indicated that his country accepted the principle of cost recovery. However, given the need to take account of the interests of developing countries, a formula should be developed, based on equitable cost sharing, which did not place those countries at a disadvantage.

1.29 The **delegate of Japan** fully supported recommendation 20 and the establishment of an ad hoc group. He, too, considered that the concept of cost recovery should not be equated with that of profits and he deemed appropriate the Chinese delegate's comment aimed at avoiding double charging.

1.30 The **Chairperson** said that, while there was general support for recommendation 20, there were no grounds for the time being for amending the legal instruments of the Union. He suggested, therefore, that no conclusions or recommendations should for the moment be transmitted to Committee 6. An ad hoc group would draw up a draft resolution containing suggestions on how to proceed with further consideration of the cost recovery issue. At his request, the **delegate of Australia** agreed to chair the group.

1.31 The **delegate of Algeria** expressed surprise at the Chairperson's suggestion that no recommendations or conclusions should be transmitted to Committee 6, and he asked that the conclusions of the work of Committee 7 should be submitted to Committee 6 for the latter to see whether amendment of the Union's legal instruments was advisable, without prejudice to the drafting work to be done in the ad hoc group.

1.32 The **Chairperson** explained that recommendation 20 was very general in nature and that it would be difficult to amend the Constitution or the Convention on that basis. Furthermore, the many opinions expressed would be reflected in the draft resolution to be prepared by the ad hoc group. He therefore suggested waiting for the results produced by the ad hoc group before transmitting a written information note to Committee 6, it being understood that he would verbally inform the Chairperson of Committee 6 about the progress of work in Committee 7.

1.33 It was so **agreed**.

## 2 Recommendation 10 of the ITU-2000 Group (continued) (Documents 13; DT/30, DT/40)

2.1 The **Chairperson** invited delegates to continue their consideration of recommendation 10 of the ITU-2000 Group.

2.2 The **Chairperson of the ad hoc Group of Committee 7** responsible for reviewing the contribution of Sector Members towards defraying the expenses of the Union introduced Document DT/40, which contained a draft resolution prepared on the basis of the report by the Chairman of the ITU-2000 Group (Document 13) and proposals and opinions submitted to Committee 7 by Member States on the subject of recommendation 10. The draft resolution proposed that the Conference should resolve that maintaining the current participants in the activities of the Sectors of the Union and involving new participants should be an objective associated with the aims of recommendation 10 and that the review of the current ratio between the respective amounts of the contributory unit paid by Member States and Sector Members should involve the participation of both categories of member. The draft resolution made no mention of the costs associated with the planned study, which would have to be determined by the Council.

2.3 The **Chairperson** said that the intention of recommendation 10, with regard to the amount of the contributory unit applicable to Member States and Sector Members, was that the current ratio should be reviewed by the Conference. He emphasized that the draft resolution under consideration was aimed essentially at instructing the Council to study the matter.

2.4 The **delegate of France** requested that *resolves* 2 should specify which categories of member were involved and that the references to conference documents should be deleted since those documents served reference purposes only within the context of the Conference itself.

2.5 Taking into account those observations, the draft resolution in Document DT/40 was **approved**.

## 3 Financial limits: limits for establishing the biennial budgets of the Union (Document 27)

3.1 The **Secretary** drew attention to Annex C to Document 27, which set out the amendments to the Constitution and Convention which needed to be adopted if the proposal for setting financial limits on the budgets of the Union was adopted. He observed that the amendment to be made to Article 8 consisted merely in replacing "a ceiling for the expenditure of the Union" by "related financial limits", and that such wording in no way prejudged the conclusions to be reached by the Committee with regard to a ceiling for expenditure or income. Annex D contained the revisions to the Financial Regulations of the Union which would need to be made if the proposal for setting financial limits on the budgets of the Union was adopted.

3.2 The **Chairperson** said that Document 27 contained the Council's report on the limits for establishing the biennial budgets of the Union - announcement of class of contribution. The question of the imposition of ceilings on expenditure had already been discussed in the context of the new procedure for announcement, by Member States, of their class of contribution, but the Committee was required to revisit the matter again for the following reason: during the general discussion on cost recovery, a new possibility had come to light, namely that of abolishing the expenditure ceiling in favour of a ceiling on the amount of the contributory unit, considering that the activities of the Union were financed not only by assessed contributions, but also by voluntary contributions and cost recovery. The Committee also had to decide whether the Council should be given more leeway to deal with possible unforeseen events during the period between two plenipotentiary conferences.

3.3 The **delegate of the Netherlands** said that the idea of adopting a new system for announcement of the contributory unit during plenipotentiary conferences, given the known ceiling on the contributory unit, had been the subject of broad consensus within the Committee and that it was therefore logical to give the Council more freedom of action for establishing biennial budgets. The fact of not setting a ceiling on expenditure during plenipotentiary conferences did not mean losing all control over the Union's budget. It was simply a matter of adopting modern and flexible management methods by giving the Council more authority to exercise control. Being informed of the amount of income, the Council would be able to set the amount of expenditure, naturally within the framework of the financial plan.

3.4 The **delegate of Denmark** fully associated himself with the comments made by the delegate of the Netherlands.

3.5 The **delegate of Japan** recalled that an expenditure ceiling had been established at the previous Plenipotentiary Conference, but that it had excluded expenditure linked to publications. There was therefore nothing to prevent the current Conference from establishing an expenditure ceiling which would exclude expenses relating to publications and cost recovery.

3.6 The **delegate of Argentina** said that two parallel questions arose. The first concerned whether Committee 6 should be sent the amendments to the Constitution and the Convention which would flow from the imposition of financial limits on the budget of the Union, a step which the Argentine delegation favoured. The second concerned the decision as to whether the Council would have greater latitude in the future to set the level of expenditure within the limits of available income. In that connection, he emphasized that cost recovery did not constitute an additional source of income and that all income of whatever origin should be included in the financial plan. Furthermore, according to recommendation 17 of the External Auditor, the special accounts should be incorporated in the general accounts, on the understanding that the accounting system would make it possible to ascertain the cost of the services and the income brought in. Lastly, granting greater latitude to the Council entailed the risk of rendering inoperative the terms of paragraph 7 of Decision 1 adopted by the Kyoto Plenipotentiary Conference, which provided that, if the proposed appropriations exceeded the limit by 1% or more, the Council could authorize them only with the approval of a majority of the Member States after they had been duly consulted. Whatever decision was adopted, the Council should retain that option, without which any unforeseen activity might give rise to a budgetary freeze.

3.7 The **delegate of the United States** said that he opposed any amendment to Article 8 of the Constitution but accepted the idea of a ceiling on the contributory unit if it was accompanied by a ceiling on expenditure.

3.8 The **delegate of Algeria** expressed approval of the necessary amendments to the legal instruments of the Union, and considered that the Council should be given all the latitude it needed to set expenditure limits and to deal with any possible unforeseen activities during the period between plenipotentiary conferences.

3.9 The **delegate of Germany** said that he also favoured introducing greater flexibility. The activities which might qualify for cost recovery were by definition associated with market trends and could not be foreseen several years in advance. He was in favour of removing the ceiling on expenditure.

3.10 The **delegate of France** also supported the proposed transfer of authority between the Plenipotentiary Conference and the Council, but he stressed the need for Member States to continue to have responsibility for setting expenditure ceilings. On the other hand, his delegation very much wished to see the special accounts incorporated in the general accounts, for the reasons of transparency referred to by the External Auditor. Finally, while it was important for the Council to enjoy greater flexibility for the purpose of establishing the budget, it should not be given greater latitude for setting the level of the contributory unit.

3.11 The **delegate of China** supported the idea of the imposition of a ceiling on the amount of the contributory unit by the plenipotentiary conference and the principle of greater latitude to be granted to the Council.

3.12 The **Chairperson** said that the discussion would continue at the next meeting.

**The meeting rose at 1240 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 327-E**
**2 December 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 7**

SUMMARY RECORD

OF THE

THIRTEENTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Thursday, 29 October 1998, at 1835 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Allocation of documents | - |
| 2 | Financial limits - Limits for establishing the biennial budgets of the Union (continued) | 27, 85 |
| 3 | Draft Financial Plan 2000-2003 | 42 + Add.1 |

## 1 Allocation of documents

1.1 Further to a query from the **delegate of the United States**, the **Chairperson** said that Document 67, on the implementation of processing charges for satellite network filings, had been allocated to Committee 5. Committee 7 was not mandated to debate the document as such, but, when discussing the draft Financial Plan, it could take account of cost recovery for satellite notifications if it deemed it appropriate. He would liase with the Chairperson of the Conference and the Chairperson of Committee 5 on the subject.

## 2 Financial limits - Limits for establishing the biennial budgets of the Union (continued) (Documents 27, 85)

2.1 The **Chairperson** invited the Committee to resume discussion of Document 27, and of the proposed amendment to No. 51 of the Constitution in particular in Annex C. He recalled that, at the Committee's twelfth meeting, several delegates had supported the proposed amendment, whereas the United States delegation had opposed it.

2.2 The **delegate of Kenya** introduced proposal KEN/85/5, whereby Kenya endorsed the proposed amendments to the Constitution and Convention as contained in Annex C to Document 27. The proposed amendment to CS51 was fully in line with ITU-2000 recommendation 9, was a logical consequence of the procedure for announcement of class of contribution, and would give the Council flexibility in establishing the Union's biennial budgets without necessarily resorting to the creation of special accounts.

2.3 The **delegate of Algeria** observed that, although there might not be unanimity, there did appear to be a general consensus within the Committee to adopt the proposed amendment to CS51.

2.4 The **delegate of Australia** said that she saw no problem in accepting the proposed amendment, which appeared to provide the Plenipotentiary Conference with flexibility in setting financial limits in general, including on the contributory unit and expenditure.

2.5 The **delegate of Japan** advocated caution before abandoning the ITU's long-standing tradition of ceilings on expenditure, and noted that the ITU-2000 Group had reached no definite conclusions on the subject. The matter should be further discussed by the Council and at the next Plenipotentiary Conference, with the present Conference deciding ceilings on expenditure in accordance with the existing provisions of No. 51. On that understanding, the proposed amendments to No. 51 could be endorsed by Committee 7 and forwarded to Committee 6 for further consideration. He agreed with the **Chairperson**, whose understanding it was that the present Conference was governed by the provisions of No. 51 as it currently stood; no proposal had yet been made for the proposed amendments to No. 51 to enter into force immediately, and the assumption was that any changes to the basic instruments of ITU would enter into force at the next Conference.

2.6 The **delegate of the Netherlands** observed that other modifications to the basic instruments would enter into effect immediately, and she was therefore surprised to hear that any decisions relating to ceilings on expenditure would enter into effect only at the next Plenipotentiary Conference. It was her understanding that the intention was to introduce flexibility in the financial management of the Union as of the present Conference.

2.7 The **Chairperson** reiterated his understanding, but said that the Conference's decision adopting the Financial Plan could endow the Council with the desired flexibility for the coming plenipotentiary period. Legally, for amendments to take effect immediately a resolution to that effect would have to be adopted unanimously by the Conference. The Committee should decide on whether or not to endorse the proposed amendment to CS51 and forward it to Committee 6; it might then address the question of whether or not such a change should take immediate effect, but any conclusions it reached thereon would have to be forwarded directly to the Plenary. Furthermore, when Committee 7 took up the draft Financial Plan, it would presumably establish a figure for overall expenditure and could then decide on the degree of flexibility it wished to leave to the Council.

2.8 The **delegate of Sweden**, having stressed the importance of setting a limit on the contributory unit, said that like the Netherlands he thought that changes to the basic instruments could be made at the present Conference; indeed, the Secretary-General had asked administrations to be prepared to announce their contributions for the coming period at the present Conference. His country would like the changes under debate to take immediate effect.

2.9 The **delegate of Algeria** expressed general agreement with the approach outlined by the Chairperson. Committee 7 should forward to Committee 6 its conclusions on the proposed amendments to the Constitution and Convention as contained in Annex C to Document 27, and invite Committee 6 to address whether or not the amendments should take immediate effect. If Committee 6 was unable to reach a firm decision on the date of application, the matter would have to be referred to the Plenary. Adoption of the proposed amendments to CS51, setting financial limits rather than ceilings on expenditure, would give the Council the flexibility which everyone favoured.

2.10 The **delegate of France** said that the decision taken adopting the Financial Plan should be very carefully worded if it was to allow for the correct degree of flexibility. He nevertheless wondered what purpose would be served by amending the Constitution and Convention if a decision was to be adopted allowing for such flexibility and for the principle of cost recovery to be implemented during the coming plenipotentiary period. While favouring such flexibility in a decision to allow the immediate application of cost recovery, his country was in principle opposed, save in exceptional cases, to having changes to the ITU Constitution or Convention entering into immediate effect, as all such changes had to be ratified by the French Parliament.

2.11 The **delegate of the United States** reiterated his country's opposition to the proposed amendments to CS51. It was up to the present Plenipotentiary Conference to set ceilings on expenditure for the next four years. The Council should study all such proposed amendments and report thereon to the next Conference for decision.

2.12 The **delegate of the Philippines** warned that if limits were set neither on expenditure nor on the contributory unit, the tendency would be to increase expenditure rather than ensure savings. If a limit was set on expenditure for the coming years, unforeseen revenues, for example from cost recovery on satellite notifications, UIFN, etc., might then produce a decrease in the amount of the contributory unit. He would therefore prefer to limit expenditure rather than the contributory unit.

2.13 The **Chairperson**, summing up on the Committee's debate, proposed to report to Committee 6 that, with the exception of the United States, all participants in the Committee had supported the proposed amendments to CS51 and other consequent amendments to the Constitution and Convention. The **delegate of Japan** having stressed that acceptance of the proposed amendments to CS51 should not mean that no ceiling would be set on expenditure for the coming period, since if it did the Conference would be providing the Council with no guidance for the coming period, he reiterated that, to his understanding and unless the Conference decided otherwise, the Union's new instruments would take effect as of the next Conference.

2.14 The **delegates of Kenya** and **Mali** endorsed the Chairperson's conclusions and understanding.

2.15 The **delegate of Argentina** also endorsed the Chairperson's conclusions with regard to the proposed amendments to CS51. As to the coming plenipotentiary period, the Council should be given the flexibility to take action on unforeseen items on the basis of a specific percentage of the budget, beyond which the membership should be consulted. Such an approach was in line with Decision 1 (Kyoto, 1994), in particular paragraph 7 thereof, which to his understanding was still in force.

2.16 The **delegate of Egypt**, also supporting the Chairperson's conclusions, reiterated her country's position that there should be no ceiling either on the contributory unit or on expenditure.

2.17 The **Chairperson** said that, in the absence of any objection, the conclusions he had formulated would be communicated to Committee 6 for appropriate follow-up.

2.18 It was so **agreed**.

## 3 Draft Financial Plan 2000-2003 (Document 42 + Addendum 1)

3.1 The **Secretary** introduced the draft Financial Plan 2000-2003, which had been prepared on the basis of submissions from the three Bureaux and General Secretariat, consideration by RAG and TSAG in line with the ITU-2000 recommendations, comments by the Council at its 1998 session and certain decisions taken by WTDC-98. It presented zero nominal growth in the amount of assessed contributions based on the number of contributory units available as at 1 January 1998, on the assumption that the number of contributory units would remain unchanged, and zero nominal growth in the level of expenditure compared with the 1996-1999 budgets. The basic draft Plan (Document 42) incorporated only those cost recovery applications approved thus far. Complementing the basic Plan, Addendum 1 to Document 42 presented a number of options which would obviously increase the level of expenditure, along with further possible cost recovery applications.

3.2 Commenting briefly on the individual parts of the draft Plan, he noted that it showed a resource decrease of some 18 million Swiss francs, or 2.73%. He drew attention to Table 2 in Part 1, showing planned income by source, based on the amount of the contributory unit and number thereof remaining the same for the entire planned period. Lastly, some recommendations or decisions by the present Conference would have to be incorporated in the draft Plan, for example the new composition of RRB, decisions on languages and regional presence, and other decisions on staff matters.

3.3 The **Chairperson** noted that the basic draft Plan in Document 42 reflected zero nominal growth in respect both of overall expenditure and the amount of assessed contributions; in fact, the contributory unit went down compared with 1996-1999. Matters obviously changed when account was taken of the options presented in Addendum 1. Commenting on the individual parts of the draft Plan, he noted that it included no provision for inflation or changes in the conditions of service; such was normal practice, with flexibility allowed for in the Conference's decision adopting the Plan. Overall expenditure (Table 1) was estimated at 651 753 000 Swiss francs, balanced by overall income (Table 2) of the same amount; Part E of Table 2 presented estimated income from cost recovery for TELECOM, UIFN and GMPCS, but gave no figure for satellite notifications as no figures were yet available. The table reflected partial cost recovery for TELECOM, as in the past. Annex 1 to Document 42, comparing the draft Financial Plan with the 1996-1999 biennial budgets,

showed a net decrease of 30 451 000 Swiss francs, or 5.08%. Addendum 1 to Document 42 presented additional activities for the General Secretariat and three Sectors, for which no income was yet foreseen, but various options for cost recovery were shown - full TELECOM cost recovery in respect of the General Secretariat, and full cost recovery for satellite filings for ITU-R. No sources of income or cost recovery were presented for ITU-T or ITU-D, however the latter's activities included regional presence which had received broad support at the present Conference. He too noted that other conference decisions had yet to be incorporated in the draft Plan.

3.4 The **delegate of Canada** stressed the importance of determining whether the draft Financial Plan could accommodate the Conference's decisions on regional presence and the use of languages. Speaking as the ad hoc chairperson of the TSAG working party on finance, he noted that the items listed for ITU-T in Addendum 1 to Document 42 were regarded by TSAG as fully justified and should be covered by the Plan.

3.5 The **delegate of Argentina** proposed, as a working approach, that the Committee base its work on the assumption that there would be full cost recovery for TELECOM and that cost recovery for satellite notifications would come into effect on 1 January 1999. As to expenditure, the items listed in Addendum 1 should be given the same importance as those in Document 42, with regional presence recognized as the leading priority. The Committee should nevertheless not spend precious time establishing an order of priority for all activities.

3.6 The **delegate of the United Kingdom** agreed that consideration of the draft Financial Plan should take account of all activities and income, including those in Addendum 1. She could not understand why some elements listed in the Addendum had not been incorporated directly into the draft Plan, for example surely the requirements for additional staff for the Montbrillant building could have been anticipated some time ago. Addendum 1 failed to show the impact of the additional activities on total expenditure and the level of the contributory unit, and her rough calculations pointed to a net increase of some 10 million Swiss francs with regard to the 1996-1999 period if all items in the Addendum were implemented. The United Kingdom had long supported zero nominal growth; she wondered how at least some of the activities in Addendum 1 could be incorporated in the main Plan, and what activities could be removed from the main Plan in order to accommodate them.

3.7 The **delegate of Japan**, adding to the two previous speakers' comments, and while expressing satisfaction at the figures shown in Document 42, was surprised at the list of activities in Addendum 1. As presented, they would place additional, unacceptable burden on administrations, which were already faced with the introduction of cost recovery on existing services. Zero growth should be the objective, and sufficient flexibility should be given to the Council to allow the Financial Plan to cater for all the priorities set forth in the Strategic Plan, including those listed in Addendum 1 to Document 42.

3.8 The **delegate of the United States**, while welcoming Document 42 as a significant improvement on the documentation submitted to the Council earlier that year, was alarmed that the so-called options in Addendum 1, reflecting some 45 million Swiss francs, were in fact priority activities that should be covered by the Financial Plan. A means should be found to incorporate them, while maintaining zero growth, i.e. through savings or the removal of other, lower priorities. The documents before the meeting presented a false choice between making savings and not implementing certain key activities, or implementing all activities on condition that the budget was increased. He requested the secretariat to produce a revised draft Plan that presented zero growth but covered all key activities, including for example more ITU-T study group meetings and ITU-R post-conference work.

3.9 The **delegate of Finland** also expressed surprise that key activities appeared as options in Addendum 1, rather than in the main draft Plan in Document 42. A way forward might be to incorporate certain activities in the main Plan, leave the figures therein unchanged, and instruct the Sectors to decide which activities should receive priority.

3.10 The **delegate of Germany** said, as one of the biggest contributors to the Union's budget, that he very much welcomed the zero nominal growth for the contributory unit and expenditure, and the decrease in the contributory unit from 328 000 to 326 000 Swiss francs, but he shared previous speakers' surprise that the list of options contained key activities. Furthermore, it should be up to the Directors of the Sectors (Coordination Committee), not the Plenipotentiary Conference, to decide which options should form part of the basic work programme for the years to come and to ensure that they were covered by the overall amount of 651 753 000 Swiss francs.

3.11 The **delegate of France**, adding to previous speakers' remarks, strongly supported zero nominal growth in the budget and the overall figure of 651 753 000 Swiss francs, which should cover all decisions taken by the Conference and the items presented in Addendum 1. He agreed that the documents before the meeting presented a false choice, in that the options were in fact activities which the Committee had to endorse - although perhaps existing staff could be redeployed to cover the requirements of the Montbrillant building. He concurred with the United States that the basic Plan should be reviewed with a view to incorporating at least some of the activities in Addendum 1. As to cost recovery, it should be seen as a way of decreasing the contributory unit rather than of undertaking so-called "additional" activities.

3.12 The **delegate of Saudi Arabia** welcomed the figures in Document 42 and the zero nominal growth they reflected. In the light of comments by previous speakers, in particular Argentina, he noted that, although final decisions had not yet been taken on some activities, forecasts could be made and taken into account. Rather than accepting the ceiling on expenditure as a Sword of Damocles that prevented the undertaking of certain activities, ways should be found to make savings or redistribute priorities to accommodate all conference decisions. He would welcome a draft Financial Plan revised accordingly.

3.13 The **delegate of Mali** supported previous speakers, particularly Argentina, Saudi Arabia and Canada, and stressed the importance of regional presence to the developing countries. When new sources of income were identified, they should be put to constructive use, and where concrete figures were unavailable, for example for satellite notifications, forecasts should be made.

3.14 The **delegate of Kuwait**, while welcoming the basic figures in Document 42, endorsed comments by previous speakers, especially Mali, Saudi Arabia and Argentina: the activities in Addendum 1 should form part of the basic Plan, and other key decisions taken by the Conference should be catered for. He stressed that cost recovery, including on satellite notifications, should be used to ensure that the level of the contributory unit did not increase.

3.15 The **delegate of Senegal** commended the secretariat on the documents before the meeting, which to his understanding presented the same material as that which had been submitted to the Council earlier that year, but in a modified format. A methodology was needed to re-evaluate and accommodate all the activities presented in Document 42 and its Addendum, regional presence being of particular importance, and the basic criterion for evaluating activities should be their relative cost. He noted that unlike other activities, TELECOM had been subject to cost recovery for years now, and was subject to decisions taken by the Plenipotentiary Conference in the past which

had never been contested: Resolution 39 (Kyoto, 1994) did not allow full cost recovery for TELECOM, and rightly so since TELECOMs were held for the benefit of the entire international community; he would not like to see income from TELECOM being used for activities other than those identified in Resolution 11 (Kyoto, 1994).

3.16 The **delegate of the Philippines** congratulated the secretariat, in particular the Secretary of the Committee, for the documents now before the meeting, and welcomed the fact that there was no increase in the contributory unit. He nevertheless failed to see how the figures of 599 400 000 versus 651 753 000 Swiss francs, for the previous and coming periods respectively, gave a net decrease of 5.08%. He also questioned the figure of minus 50 853 Swiss francs given in Annex 1 to Document 42 for the production and distribution of publications, since elsewhere the income from publication sales was identified as being the same as in the preceding budgetary period. Some doubt persisted as to the exact figure that should be taken into account for regional presence, since an ad hoc working group was still discussing the subject. Lastly, if flexibility on expenditure limits was to be allowed for, should it be up to the Conference now, or the Council subsequently, to identify which items could be allocated further funds?

3.17 The **representative of Argentina** said that, allowing both for the additional expenditure and income of the items listed in Addendum 1, according to his calculations all the activities in Addendum 1 could be covered by the draft Financial Plan if 328 000 Swiss francs was accepted as the contributory unit, i.e. the same amount as the unit for the preceding budgetary period. With a new ceiling on expenditure thus established, but without being obliged to spend everything, the Council could then be left to establish an order of priority for activities and adjust the biennial budgets accordingly. He nevertheless reiterated that regional presence should be the first priority.

3.18 The **delegate of Spain**, who also commended the secretariat for the draft Plan now before the meeting and stressed the importance of zero nominal growth, said that a revised Plan should nevertheless be prepared incorporating the activities listed in Addendum 1. He agreed with Senegal that TELECOM cost recovery should not be handled in the same way as other areas of cost recovery, as the profits from TELECOM exhibitions should, in so far as possible, be used for development-related activities. Cost recovery should otherwise lead to a reduction in the contributory unit, and should not be seen as a means of catering for unbudgeted activities.

3.19 The **delegate of Brazil** expressed satisfaction with the basis upon which the documents before the meeting had been prepared, as they were an improvement on those presented to the Council earlier that year. While noting that expenditure would exceed income if all activities were taken into account, but that recourse to reserve accounts was sometimes necessary and envisageable, he urged that efforts should be made to remain within the figure of 651 753 000 Swiss francs.

3.20 The **delegate of Switzerland** said that all countries were under pressure to curb expenditure, and he therefore supported the principle of maintaining the level of the contributory unit and if possible reducing it. Switzerland would welcome the extension of cost recovery as an indispensable means to that end and hoped that the figures being put forward for cost recovery on satellite notifications could be taken into account. He fully agreed that priorities should be set, and shared the doubts expressed on the need to take on additional staff for the Montbrillant building.

3.21 The **Chairperson**, summarizing the debate, said that a clear request had been voiced for a revised draft Financial Plan taking account of all activities, cost recovery, priorities, and decisions by the present Conference. Other matters required clarification, for example that of additional staff for the Montbrillant building, whether full cost recovery was applicable to TELECOM, the figures given for publications, and the flexibility that should be given to the Council. The **Secretary** noted that a revised draft Plan could not be drawn up before firm decisions had been taken on regional presence and languages.

**The meeting rose at 2130 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 328-E**
**14 December 1998**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 7**

SUMMARY RECORD

OF THE

FOURTEENTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Friday, 30 October 1998, at 0945 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Draft Financial Plan 2000-2003 (continued) | 9(Add.1), 42 + Add.1; DT/46 |
| 2 | Announcement of class of contribution (continued) | DT/46 |
| 3 | Reduction of the volume and cost of documentation for ITU conferences | 9(Add.1), 31 |

## 1 Draft Financial Plan 2000-2003 (continued) (Documents 9(Add.1), 42 + Addendum 1; DT/46)

1.1 The **Chairperson** invited the delegates to resume consideration of the draft financial plan (Document 42 and Addendum), recalling that the previous day he had asked the secretariat to submit a revised financial plan in the form of a single plan, without options, which would indicate priorities for the activities of the Union. The plan would also show income generated by cost recovery, albeit in the form of estimates. As the plan had to take into account the decisions of the present Conference, it was essential to make estimates of the additional funds which would be required, especially for regional presence and the use of languages at ITU. It was planned to hold a meeting of the Coordination Committee later that very day, which would submit the revised financial plan to Committee 7. He requested the Secretary to provide clarification on additional staff for the new Montbrillant building, funds required for and income from sales of publications, as well as the application of cost recovery to TELECOM activities.

1.2 The **Secretary** explained that the Coordination Committee would take into account the matter of additional staff for the Montbrillant building and the revised version of the financial plan would include relevant options. In regard to income from sales of publications, shown in Table 2 of Document 42, and particularly the amount of 27 million Swiss francs foreseen for the next financial period, he explained that the figure had been calculated on the basis of data from sales of publications over the past few years, it being understood that it could fluctuate in accordance with market demand for the electronic versions of publications which would increasingly replace hard copy. In contrast to the Financial Plan 1996-1999, expenditure on publications was included in the Financial Plan 2000-2003, pursuant to the Financial Regulations in force at 1 January 1998. Annex 1 to Document 42 showed in parallel the draft Financial Plan 2002-2003 and the Financial Plan 1996-1999, drawn up in accordance with Decision 1 (Kyoto, 1994), which had forecast an amount of 599 million Swiss francs for the two bienniums. It also showed in parallel the expenditure limits of the old financial plan and the new draft financial plan, without the options, taking into account changes in the structure of the budget of the Union as approved by the Council. The comparison had been made with the same Swiss franc value (value 1 January 1994) which had served as the basis for the last financial plan; it showed a net decrease in expenditure of 5.08%. Table A of Document 42 showed a comparison, in terms of real growth, between the resources proposed for the new financial plan, without the options, and the budgets approved, including the additional appropriations agreed by Council. It showed a negative growth in expenditure of 2.73%. Finally, he referred to § 6 of Document 42 ("Basis for costing the Financial Plan 2000-2003") which showed that the draft Financial Plan 2000-2003 foresaw no change in conditions of service prevailing in the United Nations common system and made no provision for inflation in expenditure other than staff costs for the five years to come.

1.3 The **Chairperson** said that Document 42 did not give absolute figures since a new draft plan was still to be drawn up, based on different data.

1.4 The **delegate of Spain** said that certain delegates had expressed concern that options were not shown in the financial plan and asked whether a decision to that effect had been made.

1.5 The **Chairperson** explained that the matter had been referred to the Coordination Committee. It was clear to the secretariat that a new draft financial plan had to be drawn up taking into account the concerns expressed by participants in Committee 7. Returning to the matter of additional staff for the new Montbrillant building, he explained that the item would be included in the new draft financial plan, like all the other options. On that subject, he emphasized that Committee 7 wished to see a clear financial plan, without "variants", even though estimates were necessary in some cases

such as the use of languages, regional presence or satellite network notification. It was obvious that the subject under consideration was not a budget but a financial plan to serve as the framework for Union activities and indicating priorities.

1.6 The **Secretary** said that the first draft financial plan which had been discussed in the Council contained the options set out in Addendum 1 to Document 42. A number of matters remained pending, including the financial impact of the use of languages and income from satellite notifications. The secretariat would submit to the Committee a consolidated document containing a number of possibilities on which Committee 7 had not yet decided; at that stage, it would not be a final financial plan.

1.7 The **Director of BDT** considered that the matters pending, presented provisionally as options in Addendum 1 to Document 42, should be included in the financial plan. For example, on the matter of regional presence, if the Plenipotentiary Conference decided to strengthen regional presence where the regional offices had a full staff complement, the additional cost would have to be absorbed somehow; that was why it was presented as an option. The same applied for the cost of the assistance to LDCs decided at WTDC-98: the special programme, intended to assist LDCs to develop their telecommunication infrastructure, involved additional costs which also had to be included somehow in the new version of the financial plan.

1.8 The **Chairperson** said that the same comment was valid for the additional costs incurred by increased use of languages at ITU. On the matter of cost recovery for TELECOM activities, referring to Table 2 of Document 42, he noted that the planned income came from partial cost recovery, reflecting the practice of recent years. Addendum 1 to Document 42 suggested options to increase the level of income, which were based on full cost recovery for TELECOM amounting to around six million Swiss francs. Committee 7 should give clear guidelines so that the secretariat knew whether it should maintain the partial cost-recovery system or adopt a full cost-recovery system.

1.9 The **Director of BDT** informed delegates that full cost recovery for TELECOM could lead to the reduction or even disappearance of the funds needed to sustain technical cooperation activities and development projects for the developing countries conducted in accordance with Resolution 11 of the Kyoto Plenipotentiary Conference. He therefore recommended that full cost recovery should not be applied to TELECOM.

1.10 The **delegate of Senegal** requested strict application of Resolution 39 of the Kyoto Plenipotentiary Conference which set out the conditions in which full cost recovery could take place. Since TELECOM activities were likely to be of interest to the entire international community, he did not feel that they should be subject to full cost recovery but accepted the principle of partial cost recovery. The **delegate of Syria** supported Senegal's statement.

1.11 The **delegate of the Netherlands** considered it fair to apply the principle of full cost recovery to TELECOM, as was justified by the demands of a modern financial management system.

1.12 The **delegate of Senegal** thought that application of a management method and the identification of activities carried out were not enough to warrant the cost-recovery system. What mattered was whether those activities were of interest to the international community as a whole. If they were, the secretariat should bear the cost. In any case, he considered it normal that the secretariat should be compensated when there was an additional workload, as occurred during TELECOM events.

1.13 The **delegate of the Philippines** supported applying the principle of cost recovery but wished to see it reflected in the Financial Regulations since it was not covered at present by appropriate accounting.

1.14 The **delegate of Syria** said that ITU provided for special treatment for the developing countries, including the LDCs, and that it was in the interests of the whole international community to improve telecommunication networks in these countries. He therefore requested that delegates should be guided by that idea in studying the issue of cost recovery.

1.15 The **delegate of Cameroon** supported the principle of cost recovery, which should follow a number of criteria to be prepared by the Council. In any event, the aim was to allow ITU to optimize its resources and fulfil its mission as set out in the Convention. He considered that TELECOM activities contributed to assisting development, and endorsed the views of the delegate of Senegal on cost recovery for TELECOM activities.

1.16 The **delegates of Sweden, Finland, Denmark** and **the Czech Republic** supported the opinion of the delegate of the Netherlands.

1.17 The **delegate of France** said that the principle of cost recovery had been agreed upon, but on the basis of a number of criteria. It was for the Council to decide to what types of activity cost recovery would ultimately apply. Be that as it may, it was important that the surplus income produced by TELECOM activities should be directed towards development activities, in accordance with Resolution 11 of the Kyoto Plenipotentiary Conference.

1.18 The **delegate of Switzerland** endorsed the observations made by the delegate of France and did not consider that the details of cost recovery methods should be decided by the Conference. However, if the principle of cost recovery was applied to TELECOM activities it should be done fully and in both directions, namely, the TELECOM exhibitions secretariat, which provided the services, particularly for the General Secretariat of the Union, should also be able to recover funds where appropriate.

1.19 The **delegates of Pakistan, Tanzania** and **Saudi Arabia** supported the position of the delegate of Senegal.

1.20 Replying to a question from the **delegate of Syria**, the **Chairperson** said that the general criteria relating to cost recovery would be decided by the Council and that the ad hoc group on the subject was responsible for providing guidelines on the matter. Right now, however, in the context of the financial plan under consideration, the Conference should instruct the secretariat on the action to take for the next financial period.

1.21 The **delegate of Senegal** said that the cost recovery procedure should undoubtedly apply to TELECOM activities but that it was not up to the Conference to modify the method prepared by the secretariat.

1.22 The **Director of BDT** emphasized two points regarding TELECOM activities. TELECOM exhibitions had been established for the purpose, primarily, of helping the developing countries keep abreast of the latest technological developments, at least every four years. Since their establishment, various resolutions had been adopted to reaffirm that objective. To his mind, the Union had an obligation, as a specialized agency, to assist the developing countries in the telecommunication field and, on the basis of the partnership between UNDP and ITU, it had been assumed that only partial cost recovery would be applied to the TELECOM activities. Furthermore, there had never been full cost recovery in that field.

1.23 The **Chairperson** submitted to the Committee the following proposal regarding the financial plan under consideration: for the general criteria which would govern the application of cost recovery, the conclusions of the ad hoc group should be awaited; surplus income from TELECOM activities should be included in the financial plan prepared for BDT, with the advantage that the surplus would be incorporated in the overall financial plan and could be used for any expenditure in the Development Sector.

1.24 The **delegate of Syria** agreed to the Chairperson's proposal provided that the term used was "additional income" so that ordinary contributions to ITU-D would not be affected by the procedure.

1.25 The **delegates of Germany** and **Spain** supported the Chairperson's proposal.

1.26 The **delegates of Senegal** and **Argentina** supported the Chairperson's proposal as amended by the delegate of Syria.

1.27 The **delegate of the Netherlands**, while in favour of surplus income from TELECOM activities going to the Development Sector, felt strongly that full cost recovery should be applied to TELECOM activities. She would return to the subject when the whole budget was presented and priorities had to be defined. The **delegate of Tanzania** endorsed those words.

1.28 The **Chairperson** said that, in the absence of any objections, he would consider the proposal to be accepted.

1.29 The **delegate of the United States** made a statement containing several proposals which is reproduced in Annex A.

1.30 The **Chairperson** thanked the delegate of the United States for his proposals, made in a spirit of efficiency and compromise.

1.31 The **delegates of Canada, the Netherlands, Japan** and **France** supported the proposals made by the United States.

1.32 The **Chairperson** stated that consideration of the draft financial plan for 2000-2003 was concluded for the moment.

## 2 Announcement of class of contribution (continued) (Document DT/46)

2.1 The **Chairperson** invited participants to consider draft Decision [2] on the procedure concerning choice of contributory class set out in Document DT/46.

2.2 The **Secretary** said that the draft decision under consideration repeated Decision 2 (Kyoto, 1994) with some amendments: the word "member" was replaced by "Sector Member"; the date by which Member States and Sector Members had to inform the Secretary-General of the class of contribution they had chosen was now set at 6 May 1999; Member States or Sector Members could request a reduction of the level of their contributory class at the first session of the Council held after 1 January 2000; and the classes of contribution chosen would be applied from 1 January 2000 to 31 December 2003. The *instructs the Secretary-General* part related to the information supplied to Member States and Sector Members. The date of 1 January 2000 corresponded to a period of one year and three months after the end of the Plenipotentiary Conference, instead of two years and three months, as was the case of 1 January 1997 set by the Kyoto Plenipotentiary Conference. The idea was that requests for reduction in the level of contributory class should be made over a fairly short period, during the first biennium.

2.3 Replying to a question from the **Chairperson** as to whether *decides* 3 of draft Decision [2] was linked with No. 163 of the Constitution (Geneva, 1992), the **Secretary** said that the draft

decision should be read in the light of MOD 163 (Article 28 of the Constitution) contained in the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) under which the class of contribution chosen by each Member, in accordance with No. 161 or No. 162, was applicable for the first biennial budget after the expiry of the six-month period referred to in Nos. 161 or 162. The classes of contribution chosen under the draft decision would be applied from 1 January 2000.

2.4 The **delegate of Spain** requested that in the Spanish text the word "*resuelve*" should be replaced by "*decide*". Referring to the same part of the Spanish version, the **delegate of Argentina** said that in *decides* 2 the words "no hayan podido comunicar" should be replaced by "no hubieren notificado" to use the same terms as Decision 2 (Kyoto, 1994). The **Chairperson** said that the two comments would be taken into account.

2.5 The **delegate of France** supported draft Decision [2].

2.6 The **delegate of the Philippines**, referring to *decides* 3, asked whether requests to reduce the level of the contributory class could be made only at the first session of the Council after 1 January 2000 or also subsequently. He suggested adding after "1 January 2000" the words "and subsequently".

2.7 The **Secretary** said that reduction in the level of the contributory class could be requested only at the first session of the Council after the date set. He referred to No. 165 of the Constitution (Geneva, 1992), under which the class of contribution chosen by a Member could only be reduced in accordance with Nos. 161, 162 and 163 unless there were exceptional circumstances such as natural disasters necessitating international aid programmes.

2.8 The **Chairperson** said that examination of that proposal for amendment would probably require an opinion from the Legal Adviser because of its possible implications and, the **delegate of the Philippines** therefore withdrew his proposal.

2.9 The **delegate of Saudi Arabia** requested clarification of the words "if its relative contributory position ... is substantially worse than its previous position", at the end of *decides* 3. The **delegate of Swaziland** considered that the wording was a grey area and source of ambiguity that would be difficult for the pertinent body to interpret. The **Chairperson** replied that the expression was taken from No. 166 of the Constitution (Geneva, 1992), which had not been modified by the Kyoto Plenipotentiary Conference. It was the Council which should interpret the provision. As the **delegate of Spain** had pointed out that the wording in the Spanish text was not the same as that used in Decision 2 (Kyoto, 1994), the Spanish text would be corrected accordingly.

2.10 The **Secretary** said that the Committee had approved by consensus ITU-2000 Group recommendation 23 under which any reduction in a Member State's choice of class of contribution should not be more than two classes and should be implemented gradually over the period of four years between plenipotentiary conferences, and had transmitted it to Committee 6 with a view to possible amendment of No. 165 of the Constitution.

2.11 The **delegate of Argentina** explained that the wording deemed ambiguous had been introduced by the Nairobi Plenipotentiary Conference. At that time, the idea was that each Member State should judge whether its relative contributory position was substantially worse than its previous position in view of its development and difficulties.

2.12 The **Chairperson** said that he would transmit that explanation to Committee 6 along with the concern expressed. If there were no further comments or objections, he took it that draft Decision [2] on the procedure concerning choice of contributory class was approved.

2.13 It was so **agreed**.

## 3 Reduction of the volume and cost of documentation for ITU conferences (Documents 9(Add.1), 31)

3.1 The **Chief of the Conferences Department** said that at its 1998 session the Council had held an interesting discussion on the volume and cost of documentation for ITU conferences. After examining a document entitled "Follow-up to the report of the WRC-97 Budget Control Committee", the Council had requested the secretariat to submit an initial report on the documentation issue to the Plenipotentiary Conference and a final report to the 1999 session of the Council. The initial report prepared by the secretariat was contained in Document 31, which consisted of two main parts, one on reduction of the volume of documentation and the other on reduction of the cost of documentation. In those two areas, certain measures which depended on the General Secretariat were already being applied but other measures could be decided only by Member States. The Conference was therefore invited to examine the proposals contained in Document 31 and to give the Secretary-General the necessary guidelines, so that the final report could be submitted to the Council at its 1999 session. In the document, it was proposed *inter alia* that the secretariat should carry out various studies, for example on the categorization of the documentation produced (paragraphs 2.9 and 2.10 of the document) or on the possibility of linking the number of pages of documentation to the duration of the meeting for which the documentation was produced (paragraph 2.11).

3.2 The **delegate of Canada** introduced proposal CAN/9/9 (Addendum 1 to Document 9), which had been prompted by excessive documentation costs for conferences and, in particular, the enormous excess costs for WRC-97; the text proposed that the Secretary-General be tasked with presenting a comprehensive report to the 1999 session of the Council on the subject of limitations of ITU meeting and conference documentation. He also presented proposal CAN/9/30 (Annex B to Addendum 1 to Document 9), which contained the draft Recommendation [CAN-B] entitled "Limitations on ITU meeting and conference documentation". The draft recommendation, which was also a common CITEL proposal, recommended mainly that a comprehensive report be prepared by the Secretary-General, and presented to the 1999 session of the ITU Council, on measures to be implemented in improving the situation concerning conference and meeting documentation, bearing in mind the various possibilities which were set out in the *recommends* part of the draft. For example, information documents might be obtained only on a request basis or through electronic distribution means, the size of documents could be limited to a specified number of pages or the number of documents distributed to a delegation could be restricted, with additional copies being made available on a strictly cost-recovery basis.

3.3 The **Chairperson** said that the subject would be further examined at a subsequent meeting.

**The meeting rose at 1235 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairman
U. MOHR

**Annex**: 1

ANNEX A

**Original: English**

**Statement by the delegate of the United States**

Mr. Chairman, in the spirit of cooperation and with a deep desire to help produce progress in this committee, and after consultation with several of our colleagues here, the United States would like to associate itself with the position voiced by Japan in last night's meeting. This position, as we understand it, is as follows:

> We support the proposed amendment of CS51 to replace the words "ceiling on expenditure" with "related financial limits" or similar language, on the understanding that this provision will be effective for the next Plenipotentiary Conference, in 2002. As you have stated, Mr. Chairman, the current Conference **will** produce a Decision 1.

Concomitant to this change, we will support the change in the timing of announcement, as set forth in ITU-2000 recommendation 2, also to be effective beginning at the 2002 Plenipotentiary Conference. And, of course, the capping of the contributory unit, on a zero nominal growth basis, is also part of the package.

Yes, we are certainly talking about a package - as, indeed we must. For us, as for others here, this seems the only reasonable and acceptable way to proceed. While we must address each component of the package as it comes up, we can do so **only** in light of the other parts - the whole package.

Two other necessary parts of this package are the following:

First, the cap on the contributory unit is a zero nominal growth cap - not zero **real** growth, allowing for inflation or other floating adjustments, but an amount fixed in absolute terms. This is the position outlined eloquently and emphatically by France and others.

Second, the establishment of segregated accounts for activities funded by cost recovery is an essential part of the package. We believe the Council is obliged to modify the Financial Regulations to create an approach, whether it is special accounts or some other approach, that addresses expenditure and income for each activity funded by cost recovery, so that these funds cannot be transferred to the general budget or the reserve, and most importantly so that we can manage overall financial matters. As stated again and again, cost recovery does not equal revenue generation. As Canada earlier proposed, and many have agreed, this segregation of cost recovery funds is important, and can readily be effected. The financial plan now under revision by the secretariat must reflect this structural separation.

In summary, then, we believe this committee can agree on the following:

- that we have proposed amendment of CS51 to replace "ceiling on total expenditure" with "relevant financial limits" or similar language, effective for PP-2002;
- to cap the contributory unit on a zero nominal growth basis, effective for PP-2002;
- to instruct the Council in 1999 to modify the Financial Regulations to segregate all funds from activities funded by cost recovery so that funds cannot be transferred to general or reserve accounts;
- to propose amendment of the CS/CV to change the timing of announcement of the contributory unit to have Member States announce at the plenipotentiary conference, effective at PP-2002.

Mr. Chairman, we are very hopeful that this proposed package, in all its essential elements, can be agreed by this Committee, so that we can forward to Committee 6 the consensus proposal to develop language to amend CS51, and report to Plenary that we have reached agreement on the essential elements of a reasonable, flexible, and responsible financial package for the Union.

Thank you.

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 329-E**
**28 November 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 6**

SUMMARY RECORD

OF THE

FOURTEENTH MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Monday, 2 November 1998, at 0930 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Consideration of proposed amendments concerning Nos. 233A to 233C of the Convention | DL/32 |
| 2 | Consideration of proposed amendments concerning Articles 13A and 16A of the Convention (continued) | DL/33 |
| 3 | Consideration of proposed amendments concerning the approval of Questions and Recommendations | DL/34 |
| 4 | Consideration of a draft text concerning reservations | DL/22 |
| 5 | Consideration of provisions left pending (continued) | DT/23(Rev.3) |

## 1 Consideration of proposed amendments concerning Nos. 233A to 233C of the Convention (Document DL/32)

1.1 The **delegate of France**, introducing the proposals for ADD 233A and ADD 233B coordinated by her delegation and set out in Document DL/32, said that they took into account the proposals of the ITU-2000 Group as well as those of the Asia-Pacific countries, CEPT and CITEL. In ADD 233A, the word "alternatively" had been added at the beginning of the first sentence; a new third sentence had been inserted to read "Entities whose Member State has not provided such notice to the Secretary-General shall not have the option of direct application"; and the words "or sovereignty" had been included in square brackets as an alternative to "jurisdiction". Provision ADD 233B remained as it appeared in Document DT/23(Rev.2), leaving it to the Committee to decide on Algeria's proposal to include a clause providing for an additional four months following receipt of the reminder telegram for a Member State to indicate its approval. Finally, a new version of ADD 233C was proposed in Document DL/32, to read "When authorizing direct application, a Member State may notify the Secretary-General that it assigns authority to the Secretary-General to approve any application by an entity under its jurisdiction [or sovereignty]", to cater to any Member State that preferred not to be informed of a request from an entity under its jurisdiction.

1.2 The **delegate of the United States** drew attention to the following editorial corrections required: in ADD 233A, replacement of "No." by "Nos."; and in both ADD 233A and ADD 233B, replacement of "direct" by "directly". She also proposed substituting "of this Convention" for "above" in the first sentence of ADD 233B. The **Chairperson** confirmed that those corrections would be taken into account.

1.3 The **delegate of Algeria**, supported by the **delegates of Saudi Arabia** and **Greece**, recalled that he had made a proposal to allow an additional four months for acceptance of an application, and that no objections had been raised. Incorporation of his proposal into the second sentence of ADD 233B would pose no problem of drafting or of principle.

1.4 The **delegate of the United Kingdom** said that a key factor in efforts to maintain ITU as a pre-eminent body within global standardization was the involvement of the ever-growing numbers of players that would be useful Sector Members. A Member State should surely be able to handle an application from an applying entity within four months. Perhaps a first reminder might be sent after three months, leaving the fourth month for a second reminder should one be required. To add a further four months might significantly delay the participation of a Sector Member in the Sector's work.

1.5 The **Chairperson** suggested the addition of text at the end of ADD 233C, rather than in ADD 233B, to read "and may request him to be afforded four months for the acceptance of the application" to accommodate those countries wishing to use the alternative procedure for direct application. The **delegates of Algeria, the United Kingdom** and **Saudi Arabia** endorsed that suggestion.

1.6 The **delegate of South Africa** said that she would prefer the wording "... a period not exceeding four months for a decision on the applications."

1.7 That proposal was **approved**.

1.8 The **delegate of Greece** said that in both provisions ADD 233A and ADD 233C, a choice needed to be made between "sovereignty" and "jurisdiction". In addition, in the French version, the word "compétence" had been used in ADD 233A while "juridiction" had been used in ADD 233C, although the two words had different connotations.

1.9 The **delegate of China** recalled that the Committee had decided to leave it to the Plenary to decide between "jurisdiction" and "sovereignty".

1.10 The **Chairperson** suggested that the words "or sovereignty" should remain in square brackets for the decision of the Plenary. With reference to the French text, he assured the delegate of Greece that the term "compétence" - which in ADD 233A referred exclusively to territorial competence - was used throughout the Constitution and Convention, and that to replace it with "juridiction" would entail amendments to other provisions, which could not be considered owing to lack of time.

1.11 The **delegate of Spain** proposed various amendments to the Spanish text in order to align it with the English version.

1.12 At the proposal of the **delegate of Greece**, the **Chairperson** suggested that, in the French text," juridiction" should be replaced by "compétence" in ADD 233C.

1.13 The **delegates of the United Kingdom** and **Mexico** expressed concern that, the French text being authoritative in any dispute, the use of "compétence" in French and "jurisdiction" in English might subsequently give rise to legal problems. The **Chairperson**, supported by the **delegate of France**, said that "compétence" in French applied to territorial competence and was therefore equivalent to the English "jurisdiction", while the French "juridiction" referred to the jurisdiction of tribunals.

1.14 Provisions ADD 233A, ADD 233B and ADD 233C, as amended, were **approved**.

## 2 Consideration of proposed amendments concerning Articles 13A and 16A of the Convention (continued) (Document DL/33)

2.1 The **delegate of Canada**, introducing Document DL/33 which had been coordinated by her delegation, explained that, as had been previously decided, provisions ADD 137A, ADD 147H and ADD 147I relating to the Radiocommunication Sector had been set aside, and a footnote added to indicate that a small number of delegations had not fully subscribed to ADD 137A and ADD 147I. In contrast, with regard to the Telecommunication Standardization and Telecommunication Development Sectors, a fairly broad consensus had been achieved during informal consultations on the wording proposed for Article 13A, even among some delegations that had opposed similar wording for the Radiocommunication Sector. She pointed out that ADD 213J should in fact constitute a new point 9 in Article 16A. She added that the Canadian delegation supported the proposals relating to ITU-T and ITU-D.

2.2 The **Chairperson** invited the Committee to consider the proposals contained in Document DL/33.

### Provisions ADD 137A, ADD 147H, ADD 147I

2.3 The **Chairperson** said that, as decided, he would report to the Plenary that a small number of delegations had not fully endorsed ADD 137A and ADD 147I.

2.4 The **delegate of the Islamic Republic of Iran**, supported by the **delegate of Saudi Arabia**, proposed that, given the possibility that more than a few delegations had reservations, the Chairperson's report should be accompanied by the original texts, including all the square brackets, as they appeared prior to submission to Committee 5, to afford delegations the opportunity to discuss them in the Plenary.

2.5 It was so **agreed**.

2.6 The **delegate of Greece** said that in ADD 137A, ADD 191A and ADD 213A, the French "attribuer" and the English "assign" both indicated a transfer of powers to the relevant advisory group. If that was the intention, it should be formally recognized. Otherwise, it would be preferable to use "adresser" in French and an appropriate English equivalent. The **delegate of Algeria** agreed that "adresser", being a more moderate term, might be more appropriate.

2.7 The **delegate of France** said that since " adresser" meant simply to "submit", she considered it preferable to retain "attribuer".

2.8 The **Chairperson** said that, as opinions were divided, he had no choice but to submit to the Plenary the two alternative versions in French.

2.9 The **delegate of the United Kingdom** stressed that "assign" in English was not only the correct word but expressed the intent of the debate.

2.10 The **delegate of the Islamic Republic of Iran**, supported by the **delegate of Mexico**, proposed that, since there was still some disagreement concerning ADD 147I, the original wording with the phrase "report [through the Director]" should be submitted to the Plenary for decision.

2.11 It was so **agreed**.

2.12 The **delegate of the Islamic Republic of Iran**, supported by the **delegate of Saudi Arabia**, proposed that, in the absence of agreement on the parallel provisions for the other Sectors, the words "for advice" should be inserted in square brackets after "advisory group" in ADD 191A.

2.13 The **delegate of the United Kingdom** stressed that withdrawing from TSAG functions entrusted to it by a resolution of the World Telecommunication Standardization Conference would constitute a quantum leap backwards, as well as sending a negative signal, at a time of enormous developments in the area of standardization.

2.14 The **delegate of the Netherlands** said that the Committee should try to reach agreement in order to save time in the Plenary.

2.15 The **delegate of Denmark** endorsed the remarks of the **delegates of the United Kingdom** and the **Netherlands**. She recalled the observation of the delegate of Canada to the effect that administrations that had expressed concerns with regard to RAG did not feel the same concerns with regard to TSAG. Like the delegate of the United Kingdom, she could not accept the term "for advice" in connection with TSAG.

2.16 The **Chairperson** suggested that, given the division of views, the two versions should be submitted to the Plenary.

2.17 It was so **agreed**.

**Provisions ADD 191B, ADD 191C**

2.18 **Approved**.

**Provision ADD 191D**

2.19 The **delegate of Ecuador** proposed replacing the term "review" with the term "study".

2.20 It was so **agreed**.

2.21 Provision ADD 191D, as amended, was **approved**.

**Provision ADD 191E to ADD 191I**

2.22 **Approved.**

**Provision ADD 191J**

2.23 The **delegate of Mexico**, supported by the **delegates of the Islamic Republic of Iran, Cuba** and **Kenya**, proposed that, so as to bring the text into line with ADD 147I, provision 191J should state in square brackets that the report should be submitted through the Director.

2.24 In response to requests for clarification by the **delegates of Canada** and **South Africa**, the **Chairperson** said that it was his understanding that for both the Radiocommunication and the Telecommunication Standardization Sectors there would be a report to the Director and a report to the assembly; and that the Mexican proposal was that the report to the assembly should be transmitted through the Director.

2.25 The **delegate of the United Kingdom** said that, if the proposal was to insert the words "submitted through the Director" in square brackets, he would be willing to leave the matter to be debated in Plenary. However, he regarded that insertion as unnecessary.

2.26 The **delegate of Denmark** said that it was her impression that agreement had been reached regarding No. 147I not to submit the report through the Director.

2.27 The **Chairperson** said that the conclusion of the discussion, following the proposal by Islamic Republic of Iran and other delegations, had been that No. 147I would be replaced by the text that appeared in Document DL/30 and in Document 203.

2.28 The **delegate of Argentina**, supported by the **delegate of the Netherlands**, said that the Committee was still unable to decide to whom the advisory group was to report. That was yet another of the many questions that would have to be debated in Plenary. If possible, the Committee should take a decision on the question and not transmit a text including square brackets. The minority of delegations opposed to it could then reopen the question in Plenary and even request a vote.

2.29 The **Chairperson** said that if there were objections to the proposal, the Committee could not take a final decision and was obliged to inform the Plenary of the fact.

2.30 The **delegate of the United Kingdom** said that No. 147H*bis*, discussed under Document DL/30, had contained the phrase "to be submitted through the Director", enclosed in square brackets. His understanding was that it had been agreed to refer to that provision as No. 147I, and that the words in square brackets would be deleted. That understanding was reflected in Document DL/33. In view of the divergent views, it was clear that the matter would have to be taken up again in the Plenary Meeting.

**Provisions ADD 213A to ADD 213G**

2.31 **Approved.**

**Provision ADD 213H**

2.32 The **delegate of Denmark**, supported by the **delegate of Cuba**, said that there should be a provision in the case of TDAB allowing for it to "adopt its own working procedures compatible with those adopted by the relevant assembly", as was the case for RAG and for TSAG.

2.33 Provision 213H, as amended, was **approved**.

**Provision ADD 213I**

2.34 The **delegate of Mexico**, supported by the **delegate of Cuba**, proposed amending ADD 213I by including, in square brackets, the words "submitted through the Director".

2.35 Provision 213I, as amended, was **approved**.

**Provision ADD 213J**

2.36 **Approved.**

2.37 The **Chairperson** said that the Committee had concluded its consideration of the proposed amendments concerning Articles 13A and 16A of the Convention.

## 3 Consideration of proposed amendments concerning the approval of Questions and Recommendations (Document DL/34)

3.1 The **delegate of Japan** introduced Document DL/34 which had been coordinated by her delegation. The purpose of the document was to propose provisions to be included in the Convention that would reflect the output of Committee 5. Another option would be to use the method of incorporation by reference, by adding a reference to the relevant resolution. The proposal in Document DL/34, however, was to include a reference to the "relevant provisions of the Convention" in ADD 28C of the Constitution, and to include the details in provisions ADD 246A to ADD 246G and MOD 247 of the Convention.

3.2 The **delegate of Mali**, supported by the **delegates of Greece** and **Algeria** proposed adding a reference to financial implications in ADD 246B, in order to take account of the financial aspects implied in provisions 246C to 246F.

3.3 The **delegate of Germany** pointed out that Committee 5 had already approved a draft resolution concerning the approval of Questions and Recommendations, contained in Document 227. The *resolves* section of that draft resolution contained the same elements as ADD 246C, D, E and F. In his view, either the whole matter should be cast in the form of a resolution, as proposed by Committee 5; or it should be covered under the Constitution.

3.4 The **delegate of Denmark** said that the details contained in the draft resolution should not be repeated in the text of the Convention. Instead, there should simply be a reference to "the relevant resolution of the plenipotentiary conference".

3.5 The **delegate of France**, supporting the comment by the delegate of Denmark, suggested that the second phrase of ADD 28C of the Constitution might be to amended to read "subject to the relevant decisions of the plenipotentiary conference and the provisions of the Convention".

3.6 The **delegate of the Netherlands** said that the matter of approval of Questions and Recommendations had been discussed at length in Committee 5 and a decision taken to deal with it by way of a resolution. That decision should be respected.

3.7 The **delegate of Spain** said that the proposal in Document DL/34 was to reflect the contents of the draft resolution in the Convention. He agreed that ADD 28C of the Constitution should be amended along the lines proposed by the delegates of Denmark and France.

3.8 The **delegate of Brazil** supported the proposals contained in Document DL/34.

3.9 The **delegate of Portugal** endorsed the comments made by the delegates of Denmark, France and the Netherlands.

3.10 The **delegate of Argentina** said that he could not recall any instance of incorporation by reference having been used to link the Constitution or Convention to a decision taken by a plenipotentiary conference. Such a course of action, if indeed possible, would require careful consideration.

3.11 The **Chairperson** suggested that the Committee should examine Document DT/34 bearing in mind that the matter had been discussed in Committee 5, which had expressed its preference for a resolution. Should the Conference adopt the principle favoured by Committee 5, the contents of Document DT/34 would be disregarded, except for ADD 28C of the Constitution, which might be modified as proposed by the delegate of France. If the Conference decided to include the provisions in the text of the Convention itself, wording would already be available for consideration by the Plenary.

3.12 The **delegate of Germany** said that the fruits of Committee 5's deliberations were set forth in the draft resolution, and he failed to understand why the issue continued to be pursued in Committee 6. The provisions should be retained in the form of a resolution.

3.13 The **Chairperson** said that he had just received a note (Document 228) from the Chairperson of Committee 5 containing no reference to a review of the resolution by Committee 6. Consequently, he must rule that the Committee should consider only ADD 28C of the Constitution in Document DL/34. The **delegate of Greece** supported the Chairperson's ruling.

3.14 The **delegate of Denmark** preferred the text contained in Document DT/23(Rev.2) to that contained in Document DL/34.

3.15 The **delegate of Spain**, noting that ADD 28C referred only to the "relevant provisions of the Convention", said that it should also refer specifically to the draft resolution concerning the approval of Questions and Recommendations (Document 227).

3.16 The **delegate of Japan** thought that it should be left to the Plenary to decide how to handle the matter.

3.17 The **delegate of the United States** said that there seemed to be a preference to include a reference to the draft resolution. For the purposes of clarity, she proposed that the four points under *resolves* in the draft resolution be listed in ADD 28C.

3.18 The **delegate of the Netherlands** said that the draft resolution represented a delicate balance of views and it was important, therefore, to respect the recommendations made by Committee 5. He supported the views of the delegate of Germany.

3.19 The **Chairperson** said that approval of the draft resolution by Committee 5 in no way precluded debate on the matter under ADD 28C of the Constitution. He suggested that ADD 28C should be approved for submission to the Plenary with the addition of the words "and the pertinent decisions of the Plenipotentiary Conference" after the word "Convention" and the addition of the relevant ITU-2000 text, as it appeared in Document 13, in square brackets.

3.20 It was so **agreed**.

## 4 Consideration of a draft text on reservations (Document DL/22)

4.1 The **delegate of Spain**, introducing Document DL/22, said that, it contained a draft text, based on proposals by Spain set out in Document 7, concerning reservations. As indicated in Document DL/22, it was suggested that the new text be incorporated in the Convention. The new proposal stated that reservations with regard to amendments to the Constitution and Convention

could be formulated only up to the date of ratification. The procedure regarding revisions of the Administrative Regulations remained unchanged. Paragraph 4 of proposal E/7/2 stated that, when announcing the act of ratification, acceptance, approval or accession on the part of a Member State, the Secretary-General would also notify other Member States of any reservations made so that they in turn might formulate any objections they considered appropriate.

4.2 The **delegate of Greece** did not believe that it was customary within the United Nations system to include provisions in the Constitution with regard to reservations to an international treaty.

4.3 The **delegates of Argentina** and **Portugal** supported the proposal by the delegate of Spain.

4.4 The **Chairperson** invited the Committee to consider the proposal E/7/2 paragraph by paragraph.

**Paragraph 1**

4.5 The **delegate of Greece** said that he could agree to the inclusion of paragraph 1 if the text after "Administrative Regulation" were placed in square brackets.

4.6 Paragraph 1, as amended, was **approved**.

**Paragraph 2**

4.7 The **delegate of the Netherlands**, supported by the **delegate of Australia,** said that it was important to maintain transparency in respect of the Union's instruments. The possibility that a Member State could enter a reservation to a provision of the Constitution or the Convention or the Administrative Regulations up until the time it had signed the final acts of the competent conference would lead to legal uncertainty and confusion, and was therefore unacceptable.

4.8 The **delegate of Greece** proposed that paragraph 2 should be replaced by a text to the effect that any Member State could make reservations to the texts contained in the final acts adopted by any conference of the Union at any time which it deemed to be appropriate between the time of signing and ratification.

4.9 The **Chairperson** suggested that the **delegates of Spain, Greece, the Netherlands** and **Australia** confer with a view to drawing up a text, to be submitted in square brackets along with the text of Nos. 445 and 446 of the Convention which would also appear in square brackets.

4.10 It was so **agreed**.

## 5 Consideration of provisions left pending (continued) (Document DT/23(Rev.3))

5.1 The **Chairperson of Committee 5** said that, as indicated in his note to the Chairperson of Committee 6 (Document 253), Committee 5 had been unable to reach a consensus on several proposals presented in Document 25, while proposed amendments to the Constitution (Articles 8, 10 and 11) and the Convention (Articles 4 and 15) had not been discussed owing to the shortage of time. Committee 6 was therefore invited to take whatever action it deemed appropriate.

5.2 The **Chairperson**, noting that a decision had already been reached with respect to ADD 28C of the Constitution, invited the Committee to consider the provisions contained in Document DT/23(Rev.3).

**Provision MOD 48**

5.3 The **delegate of Ecuador** said that he could agree to the text set out in Document DT/23(Rev.3) although he believed that it would be more appropriate to change the word order, so that the proposals of Member States were mentioned before the reports by the Council.

5.4 The **delegate of Algeria** said that the text accurately reflected the two types of document submitted to plenipotentiary conferences and he therefore supported MOD 48. His views were endorsed by the **delegate of Cuba**. The **delegate of Saudi Arabia** also expressed support for the amendment.

5.5 The **delegates of Greece, the Netherlands, South Africa, Mexico, the United States, Argentina, Germany** and **Luxembourg** saw no necessity to change the original text and therefore opposed the amendment.

5.6 The **Chairperson** suggested that MOD 48 should be forwarded to the Plenary for consideration.

5.7 It was so **agreed.**

**Provision MOD 50**

5.8 The **Chairperson**, noting that the basic text that appeared in Document DT/23(Rev.3) had not been drawn from Article 8 of the Constitution (Kyoto, 1994), suggested that consideration of the provision should be deferred until the wording had been corrected.

5.9 It was so **agreed.**

**Provision MOD 51**

5.10 **Approved.**

**Provision ADD 58A**

5.11 The **Chairperson** suggested that discussion of the provision be deferred pending the outcome of deliberations by the ad hoc group dealing with Rules of Procedure of conferences and other meetings.

5.12 It was so **agreed.**

**Provision MOD 70**

5.13 **Approved.**

**Provision ADD 74A**

5.14 **Approved**

**The meeting rose at 1235 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 330-E**
**27 November 1998**
**Original: English**

**COMMITTEE 5**

SUMMARY RECORD

OF THE

TENTH MEETING OF COMMITTEE 5

(STRATEGIC POLICY AND PLANS)

Tuesday, 27 October 1998, at 0935 hours

**Chairperson:** Mr. M. BOSSA (Argentina)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Alternative approval process - Report by the Chairperson of ad hoc Group 5/2 (continued) | DT/18(Rev.1) |
| 2 | Draft Strategic Plan for the Union - Report by the Chairperson of ad hoc Group 5/3 (continued) | DT/19(Rev.1) |
| 3 | World Telecommunication Policy Forum (continued) - Report by the Chairperson of ad hoc Group 5/4 | DT/24 |
| 4 | Memoranda of understanding and the depositary and registry role of the Secretary-General (continued) - Report by the Chairperson of ad hoc Group 5/5 | 25, DT/25 |
| 5 | Periodicity of meetings (continued) - Timing and convening of future radiocommunication assemblies - Report by the Chairperson of ad hoc Group 5/6 | DT/26 |
| 6 | Radio Regulations Board (continued) | 111, 138 |

## 1 Alternative approval process - Report by the Chairperson of ad hoc Group 5/2 (continued) (Document DT/18(Rev.1))

1.1 The **Chairperson of ad hoc Group 5/2** said that the 23 participants in the ad hoc group, at its third meeting, had been unable to reach a consensus on the final wording of items 6 and 7 of ITU-2000 recommendation 17. A major concern was whether or not the alternative process should apply to the Radiocommunication Sector. Several participants had requested a further meeting to draft a resolution regarding the approval of Questions and Recommendations taking into account proposals by the Arab States, the European States and a draft resolution by Canada.

1.2 The **delegate of Finland** supported the suggestion. There was a sharp division in the ad hoc group as to precisely what should or should not be covered by the alternative process. A possibility would be two processes: one which would apply only to Recommendations with no regulatory implications, in which Sector Members could participate in the decision-making, and a second in which only administrations could participate in the decision-making, by correspondence, which was not covered by recommendation 17 as it stood. He therefore proposed that ad hoc Group 5/2 should be given a further opportunity to consider item 7.

1.3 The **delegate of Spain** said that his delegation was still of the view that financial aspects should not be subject to the alternative process.

1.4 The **Chairperson** suggested that, in the light of the concerns expressed, the ad hoc group should hold a further meeting to draft a resolution, and to give further consideration to item 7. The delegate of Spain could raise his point at that meeting.

1.5 It was so **agreed**.

## 2 Draft Strategic Plan for the Union - Report by the Chairperson of ad hoc Group 5/3 (continued) (Document DT/19(Rev.1))

2.1 Document DT/19(Rev.1), which contained the amendments agreed at the seventh meeting of Committee 5, was **approved**.

## 3 World Telecommunication Policy Forum (continued) - Report by the Chairperson of ad hoc Group 5/4 (Document DT/24)

3.1 The **Chairperson** recalled that there had been broad consensus in the Committee that the world telecommunication policy forum should retain its present characteristics and that Japan's proposed Resolution [AD HOC 5/4] was closest to the wishes of the Committee.

3.2 The **Chairperson of ad hoc Group 5/4** drew the Committee's attention to the three unresolved parts of the draft resolution, which had been placed in square brackets. In *conscious a),* one delegation had been opposed to the additional text focusing on developing countries in particular and the majority had considered it to be unnecessary. In *resolves* 3, the idea of restricting some sessions to Member States only had been proposed by one country but had been strongly opposed by others, and no compromise had been achieved. In *further instructs the Council*, the majority had considered the phrase concerning the possibility of formalizing the forum in the basic instruments to be unnecessary, but a number of countries had either supported it or wished to discuss it again in the Committee.

3.3 The **delegate of Spain**, referring to *conscious a)*, said that the text had been taken from Nos. 9, 6 and 8 of Article 1 of the Constitution, which made no specific reference to the developing countries. The phrase in square brackets should therefore be deleted. With regard to *resolves* 3, as administrations were entitled to meet in any forum anyway, the text should be retained. However, he was prepared to be flexible both on that point and also on the text in the paragraph *further instructs the Council.*

3.4 The **delegate of the United States** said that, in *conscious a)*, developing countries were covered by "all the world's inhabitants" and did not need specific mention. The phrase in square brackets in *resolves* 3 was unusual and appeared to be unprecedented. The intention in instituting the forum had been to include Member States and Sector Members in an open dialogue on issues of importance to the Union and to the telecommunication environment. The restriction was therefore unnecessary and should be deleted. With regard to *further instructs the Council*, it was to be hoped that the Plenipotentiary Conference could address the issue and not leave it to the Council.

3.5 The **delegates of Russia** and **Switzerland** were also in favour of deleting all the texts in square brackets.

3.6 The **delegate of Syria** said that although the text in *conscious a)* had been a Syrian proposal, taken from the Constitution and the Convention, he could agree to its deletion. He had no objection to deleting the text in square brackets in *resolves* 3 and in *further instructs the Council.* At its previous meeting, the Committee had agreed to additional wording in *resolves* 5 which had not been reflected in the document: the words "allowing ample time for preparation" should therefore be inserted between the words "date" and "venue". In *resolves* 7 he suggested that the words "taking into account the ..." should be replaced by "and based on ...". In *instructs the Secretary-General*, he proposed that the paragraph should end after the words "*resolves* above", and that the remainder should be deleted.

3.7 The **delegate of Turkey** was in favour of deleting the text in square brackets in *conscious a)* but of retaining it in *resolves* 3. In *further instructs the Council* it should be deleted. In *resolves* 8, to make it easier for countries to attend the policy forums, he proposed that the word "may" be replaced by "should" and that the words "as far as possible" be inserted after "convened".

3.8 The **delegate of Norway** was in favour of deleting the text in square brackets from *conscious a)*. In *resolves* 3 it could also be deleted, since if Member States wished to convene a meeting for Member States only, they were free to do so at any time.

3.9 The **delegate of Denmark** agreed that the text in square brackets in *conscious a)* and *resolves* 3 could be deleted for the reasons given by Norway; in *further instructs the Council* it could also be deleted, as proposed by previous speakers.

3.10 The **delegate of the Islamic Republic of Iran** said that although he would prefer to retain the text in square brackets in *conscious a)*, he would agree to its deletion in the interests of consensus. In *resolves* 3 it should be retained, in *further instructs the Council* deleted.

3.11 The **delegate of Germany** was in favour of deleting all the phrases in square brackets, and supported Syria's proposals in respect of *resolves* 5 and 7.

3.12 The **delegate of the Netherlands** was in favour of deleting the text from *conscious a)*, and of retaining it in *resolves* 3, but was prepared to be flexible in the interest of consensus. He was unable to support the Syrian proposal in respect of *resolves* 5 and supported Turkey's proposal in respect of *resolves* 8. In *further instructs the Council*, he preferred the text as it stood but would not block a consensus.

3.13 The **delegate of New Zealand** said that for the reasons given by the United States, Norway, Denmark and Syria, he was in favour of deleting the text in square brackets in *resolves* 3.

3.14 The **delegate of Thailand** said that the reference to developing countries in *conscious a)* could be deleted, as they were covered by *emphasizing d)*. If Member States and Sector Members were equal in the new Constitution and Convention, the text in square brackets in *resolves* 3 would not be necessary.

3.15 The **Chairperson** said that the general consensus appeared to be in favour of deleting the text in square brackets in *conscious a)*, *resolves* 3 and *further instructs the Council*. Since the need for allowing adequate preparation time for a forum was reflected in *emphasizing e)*, the Syrian delegation might wish not to insist on its proposed amendment to *resolves* 5. The **delegates of India** and **Bulgaria** shared the Chairperson's interpretation.

3.16 The **delegate of Syria** said that the wording of *emphasizing e)* would not compensate for failure to expand the text of *resolves* 5 as he had proposed.

3.17 The **delegate of Saudi Arabia** supported the Syrian delegation's proposal, and thought that the need for adequate preparation time reflected in *emphasizing e)* should be reiterated in *resolves* 5.

3.18 The **delegate of Japan**, referring to *resolves* 3, said that the square brackets and the enclosed text should be retained. He recalled that considerable discussion had taken place about the words "if appropriate" at the Kyoto Plenipotentiary Conference.

3.19 The **delegate of the Islamic Republic of Iran** said that the text referred to by the previous speaker should be retained and the square brackets removed. He could agree, however, to reporting the matter to the Plenary Meeting.

3.20 The **delegate of South Africa** said that her delegation could accept deletion of that text, subject to placing on record that the possibility of restricting some sessions to Member States should exist.

3.21 The **Chairperson**, responding to a question by the **delegate of South Africa** relating to *resolves* 7, said he took it that the Committee could accept the amendment proposed by the Syrian delegation to replace the words "taking into account" by "based on". He also thought, with regard to *instructs the Secretary-General*, that the Committee might agree to delete the last phrase on facilitating broad participation and operational efficiency; following interventions by the **delegates of Senegal** and **the Netherlands**, however, he said that the phrase should perhaps be retained for the time being.

3.22 The **delegate of Syria**, supported by the **delegates of Saudi Arabia**, **Senegal** and **Tanzania**, said he could agree to retaining the phrase in question, on condition that it was removed from *instructs the Secretary-General* and included as *resolves* 9.

3.23 The **delegate of Pakistan** said that he could agree to retain of the text as *resolves* 9. His delegation still had difficulty, however, with *resolves* 3, which he hoped would be reported to the Plenary Meeting.

3.24 The **Chairperson** said that, in the absence of any objection, he took it that the Committee agreed to move the second phrase in *instructs the Secretary-General* to a new *resolves* 9; that *resolves* 5 would be amended to reflect the need for adequate preparation time, as proposed by the Syrian delegation; and that the question of the wording currently within square brackets in *resolves* 3 would be drawn to the attention of the Plenary Meeting.

3.25 On that understanding, draft Resolution [AD HOC 5/4] was **approved**.

## 4 Memoranda of understanding and the depositary and registry role of the Secretary-General (continued) - Report by the Chairperson of ad hoc Group 5/5 (Documents 25, DT/25)

4.1 The **Chairperson of ad hoc Group 5/5** introduced Document DT/25 containing draft Resolution [WG5/5]. She said that Committee 5 needed to decide whether the role of depositary should be formalized by an amendment to the Constitution or Convention; to that end, the proposal contained in Document DT/25 might be used as guidance, and might be transmitted to Committee 6 for consideration once Committee 5 had approved the resolution. In addition, a definition of an "MoU" had been requested and the assistance of the representative of the Legal Affairs Unit had been sought for the definition appearing in *considering b)* of the draft resolution. Committee 5 might prefer, however, not to define an "MoU" but to treat such instruments as "special arrangements" covered under Article 42 of the Constitution.

4.2 The **delegate of Syria**, referring to draft Resolution [WG5/5], proposed that, under *believing*, the word "should" be replaced by "shall"; the *resolves* section should be amended editorially to the effect that the Council would be instructed to propose guidelines to enable the Secretary-General to act in accordance with the principles set out in *resolves* 2; and wording should be added to *instructs the Council* to the effect that criteria and guidelines for evaluating requests for the ITU Secretary-General to serve as depositary for MoUs should be formulated for ITU in general, and for the Secretary-General. He also thought that the *instructs the Council* section should precede the *resolves* section in the operative part of the draft resolution.

4.3 The **delegate of Senegal** said that *considering c)*, relating to a proposed set of criteria and guidelines, should be amended to reflect Committee 5's recognition of the need for further studies. In addition, the text of *instructs the Council* should contain wording to the effect that the evaluation of requests should be based on criteria accepted by the Council; in his view, too, that section of the operative part should precede the *resolves* section.

4.4 The **delegate of Saudi Arabia** supported the delegate of Syria, and wondered whether any steps had been taken to define memoranda of understanding.

4.5 The **Chairperson** said that *considering b)* provided a definition.

4.6 The **delegate of the Islamic Republic of Iran** said that the wording of *resolves* 1 should be more specific. It was not clear, moreover, how the Secretary-General could ensure implementation of *resolves* 2a). He supported Syria's proposal with regard to *instructs the Council*.

4.7 The **delegate of the Philippines** said that her delegation thought the wording of *considering a)* too expansive as a framework for the Secretary-General's role as depositary for memoranda of understanding; it was also unsure about the scope of cooperation implied in *considering b)*. It was important that the text should relate precisely to the purposes of the Union and in no way impinge on the sovereign rights of States. There were surely relevant provisions of the basic instruments of the Union which could be cited instead of the current rather vague wording.

4.8 The **delegate of Tanzania** said that he supported moving *instructs the Council* to precede *resolves*, and that the text of the former should be amended to make it clear that the Secretary-General's role, as stated in *believing*, should follow established criteria and guidelines.

4.9 The **delegate of Syria** said that, as a co-author of Document 25, he thought it up to Committee 5 to decide that the role of depositary be formalized by an amendment to the Constitution or Convention. The **delegate of Saudi Arabia** agreed.

4.10 Following a request for clarification by the **delegate of the United States**, who stressed the need for a specific text proposing an amendment to the Constitution and Convention concerning the role of the Secretary-General of ITU as depositary for memoranda of understanding, the **delegate of Syria** drew attention to Part 4 of Document 25 containing proposals KWT/MRC/SYR/25/20 (ADD 76A) and KWT/MRC/SYR/25/21 (ADD 102A), which concerned Article 11 of the Constitution and Article 5 of the Convention, respectively, and which might serve as a basis for a draft amendment.

4.11 The **delegate of the United States**, supported by the **delegates of the Netherlands** and **Tanzania**, proposed that a revised version of the proposed amendments in Document 25, which might also reflect proposals and comments made during the previous discussions on the subject, should be produced before a decision was taken on the matter.

4.12 The **Chairperson** suggested that a revised and consolidated version of the texts in Document 25, as proposed by the delegate of the United States, might be prepared by the Vice-Chairperson of the Committee for subsequent consideration by the Committee. The **delegate of Syria** suggested that the Committee approve the principle of the Secretary-General acting as depositary for memoranda of understanding, so as to enable Committee 6 to discuss the matter, and to postpone approval of a draft resolution until the revised text was available.

4.13 It was so **agreed**.

## 5 Periodicity of meetings (continued) - Timing and convening of future radiocommunication assemblies - Report by the Chairperson of ad hoc Group 5/6 (Document DT/26)

5.1 The **Chairperson of ad hoc Group 5/6**, introducing Document DT/26, said that after formal discussion and informal consultations a compromise text had been drafted in the form of a statement of principle to the effect that each radiocommunication assembly should make a recommendation to the Council on the timing and convening of the next radiocommunication assembly and inform the following world radiocommunication conference of that action. The world radiocommunication conference might then forward to the following Council any relevant comments on that recommendation.

5.2 The **delegates of Norway, India** and **the Netherlands** supported the text proposed in Document DT/26. The **delegate of Syria**, supported by **delegate of South Africa**, said that he had no objection to the text but asked how it should be handled by the Committee, as it was a statement of principle rather than a draft resolution.

5.3 The **delegate of Saudi Arabia**, supporting the proposed text, suggested that it be reworded to reflect the chronological sequence of events: recommendations should be made by the RA to the WRC, and by the latter to the Council.

5.4 The **delegate of Turkey** proposed that the phrase "Thus, the decision on the exact date of the next radiocommunication assembly shall be taken by the Council" be added at the end of the text. The **delegate of Pakistan** supported the text, as thus amended.

5.5 The **delegate of the United Kingdom** suggested that, as there appeared to be agreement on the principle, the text, as amended by the delegate of Turkey, should be referred to Committee 6 for consideration.

5.6 It was so **agreed**.

## 6 Radio Regulations Board (continued) (Documents 111, 138)

6.1 The **Chairperson** reminded the meeting that, having failed to reach consensus on the membership of the Radio Regulations Board in its previous discussion, the Committee had agreed that the matter should be referred to the Plenary Meeting. Since then, however, it had been brought to his attention that the delegation of Lebanon had submitted a relevant proposal (LBN/111/1), which he invited the Committee to consider, along with a further proposal by the delegate of the United Kingdom in Document 138.

6.2 The **delegate of Lebanon**, said that proposal LBN/111/1 to increase the membership of RRB from nine to twelve members had been put forward because the present situation made it impossible to achieve a balanced distribution on the Board among the ITU administrative regions. Despite the fact that members of the Board, once in office, no longer represented their administrative region, a certain regional balance in the Board's membership was desirable. The **delegate of Syria** supported the Lebanese proposal.

6.3 The **delegate of Japan** said that his Administration would have been prepared to accept an increase to ten members to allow Region A to have one more seat, but a further increase to twelve members was not acceptable, as it placed undue emphasis on regional composition.

6.4 The **delegate of the United Kingdom** introduced Document 138 containing a proposal to amend the Constitution and the Convention in order to provide sufficient flexibility for a world radiocommunication conference to appoint an RRB member (other than the Chairperson and the Vice-Chairperson of RRB) to chair a group or committee during a WRC. That text, which was the outcome of informal consultations at which other related issues had been discussed, should be considered as part of a package, to be approved in its entirety, which comprised also the proposal to increase membership of the Board to twelve members and include a clause to that effect in the Constitution, thus giving the composition of RRB greater permanence, and clarification of the status of Board members, giving them the same rights and immunities as the elected officials of the Union.

6.5 The **Chairperson** invited the Committee to consider the Lebanese proposal in conjunction with the proposals presented by the United Kingdom, as a composite whole.

6.6 The **delegate of France** approved the Lebanese proposal in principle, pending examination of the United Kingdom proposal to include in the Constitution a clause relating to membership of RRB.

6.7 The **delegate of Algeria**, stressing the sensitivity of the question of equitable geographical distribution, reserved the right to speak on the matter at a later date.

6.8 The **delegate of the Netherlands** said that he was prepared to support the proposals, but with great reluctance. The combined proposals were also supported by the **delegates of Germany, India, Canada, Russia,** and **Tanzania**, and by the **delegate of Indonesia** who clarified the wording of the Lebanese proposal to indicate that the three additional Board members should be elected one from the region of origin of the Director of BR, and one from each of Regions D and E.

6.9 The **delegate of the United States** supported the combined proposals, as clarified by the delegate of Indonesia, but requested that the Chairperson reflect in his report the fact that the question of the rights and immunities of RRB members was still being studied in consultation with the legal experts. The **delegate of Italy** supported the combined proposals but reserved his position pending consultations on the legal aspects of the matter.

6.10 The **delegate of Syria**, supporting the combined proposals, requested that no date limit be set for elections to RRB until the Plenary had taken its decision on the matter.

6.11 The **Chairperson** suggested that, in the absence of any objections, all the proposals by the delegates of Lebanon and the United Kingdom be approved in principle for inclusion in the Constitution and Convention, on the understanding that the question of the rights and immunities of Board members was still the subject of consultations on the legal aspects of the matter.

6.12 It was so **agreed**.

**The meeting rose at 1235 hours.**

The Secretary:
D. SCHUSTER

The Chairperson:
M. BOSSA

INTERNATIONAL TELECOMMUNICATION UNION

**PLENIPOTENTIARY CONFERENCE (PP-98)**

**Document 331-E**
**30 November 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 5**

SUMMARY RECORD

OF THE

ELEVENTH MEETING OF COMMITTEE 5

(STRATEGIC POLICY AND PLANS)

Wednesday, 28 October 1998, at 1435 hours

**Chairperson:** Mr. M. BOSSA (Argentina)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Implementation of Resolutions 33, 34, 36 and 37 (Kyoto, 1994) | 38, 164 + Corr.1, 184 + Corr.1 |
| 2 | Election procedures (continued) | DT/22(Rev.1) |
| 3 | Draft Strategic Plan for the Union (continued) - Draft Resolution [1] | DT/27 |
| 4 | Resolution 18 (Kyoto, 1994) | 9(Add.1), 21, 32, 66, 70, 76, 93 |

## 1 Implementation of Resolutions 33, 34, 36 and 37 (Kyoto, 1994) (Documents 38, 164 + Corrigendum 1, 184 + Corrigendum 1)

1.1 The **Director of BDT** introduced Document 38, containing the report on implementation of Resolutions 33, 34, 36 and 37 (Kyoto, 1994), dealing respectively with assistance and support to the Republic of Bosnia and Herzegovina for rebuilding its telecommunication network; assistance and support to Liberia, Rwanda and Somalia for rebuilding their telecommunication networks; telecommunications for disaster mitigation and disaster relief operations; and training of refugees. He pointed out that action taken pursuant to Resolution 34 now included assistance and support to Burundi in addition to Liberia, Rwanda and Somalia.

1.2 The **delegate of the United States**, introducing the draft resolution contained in Document 164, on assistance and support to Bosnia and Herzegovina, said that the sponsors hoped that the text would be adopted by consensus; they greatly appreciated the work carried out by the Secretary-General and the Director of BDT towards the implementation of Resolution 33 (Kyoto, 1994).

1.3 The **delegate of Kenya** introduced the draft resolution contained in Document 184, on assistance and support to Burundi, Liberia, Rwanda and Somalia, and drew attention to an editorial correction to remove the square brackets from the name of Burundi in *recognizing b)*. He hoped that the draft resolution would be adopted by consensus.

1.4 The **delegates of Pakistan, Turkey, Trinidad and Tobago** and **the Islamic Republic of Iran** supported the draft resolution contained in Document 164.

1.5 The **delegate of Saudi Arabia** said that his delegation supported the draft resolution contained in Document 164, of which it was a sponsor, and that contained in Document 184, which it wished to co-sponsor also. The **delegate of Syria** supported both draft resolutions, but felt, that in such texts the word "assistance" was enough, without the addition of "special". With regard to assistance to Somalia, his delegation encouraged BDT to continue to monitor the situation, with a view to resuming aid activities as soon as it was safe to do so. The **delegate of Egypt** supported both draft resolutions.

1.6 The **delegate of Bosnia and Herzegovina** expressed his country's gratitude to the sponsors of the draft resolution in Document 164 and for all the assistance rendered to it, including the project for donation of 100 000 telephone lines by Swisscom. His Administration also voiced its thanks to the Secretary-General, the Director of BDT, the ITU Special Adviser and the Union's team of experts for their invaluable assistance. The Council of Ministers, in a letter addressed to the Secretary-General, had expressed the Government's appreciation of ITU's capable work.

1.7 The draft resolutions contained in Documents 164 and 184 were **approved**.

## 2 Election procedures (continued) (Document DT/22(Rev.1))

2.1 The **Chairperson** invited the Committee to consider draft Resolution [COM5/3], contained in Document DT/22(Rev.1), relating to permanent procedures for the election of Members States to the Council, elected officials, and members of RRB.

2.2 The **delegate of Turkey** said that his delegation generally supported the draft resolution.

2.3 The **delegate of Russia** proposed the addition of an indent, under *considering*, worded "that one of the basic principles in ITU is equitable geographical distribution of posts for all levels of staff, elected and appointed".

2.4 The **delegate of South Africa** supported the principle of the Russian proposal.

2.5 The **delegate of Syria** said that he could accept the idea of the Russian proposal, relating to equitable geographical distribution, but wondered whether such a broadly accepted principle needed reiteration. The **delegate of Belgium** agreed, adding that, in the view of the CEPT administrations, the overall competence of candidates was the foremost consideration.

2.6 The **delegate of the United States** said that his delegation could support Russia's proposal, expanded to reflect the principle of gender perspective.

2.7 The **Chairperson** proposed that the Committee accept Russia's proposal, with the addition suggested by the United States.

2.8 It was so **agreed**.

2.9 Regarding *considering e)*, the text of which had originally been proposed by the delegate of Argentina, the **delegate of Syria** considered that if that clause were maintained it would have to be redrafted. He suggested a wording which was supported by the **delegates of South Africa** and **Belgium**.

2.10 The **delegates of Saudi Arabia, Comoros, Tanzania, Trinidad and Tobago** and **Pakistan**, however, proposed deleting the whole clause on the grounds that its implementation would prove highly impracticable.

2.11 The **delegate of Argentina** agreed that *considering e)* could be deleted.

2.12 The **delegate of Syria** proposed the deletion of the word "permanent" in *resolves to instruct the Council* 1, in order not to prejudge the outcome of any discussions in the Council on the matter of draft procedures for elections. In the ensuing discussion, the **delegates of Russia, Turkey, Belgium, Finland, the Netherlands** and **Norway** spoke in favour of retaining the word "permanent" on the grounds that the present election procedures were inefficient, time-consuming and extended the duration of each plenipotentiary conference, at a time when certain delegations were seeking to reduce its duration and even to extend the interval between plenipotentiary conferences. Furthermore, ITU was one of the few international organizations without permanent election procedures.

2.13 The **delegate of South Africa**, supported by the **delegate of Kenya**, suggested that the word "standing" might be more appropriate in English.

2.14 The **delegates of Saudi Arabia, Trinidad and Tobago, Tanzania** and **Comoros** proposed that the word "permanent" be deleted throughout the whole text, as any permanent mechanism would tend to impose a rigid framework on the election procedures, and in the present text the word "permanent" lacked precision.

2.15 The **Chairperson** suggested that the word "permanent" be placed in square brackets throughout the text of the draft resolution for further consideration in the Plenary Meeting. The **delegates of Syria** and **Saudi Arabia** supported that suggestion.

2.16 It was so **agreed**.

2.17 Following a proposal by the **delegate of Syria**, supported by the **delegates of Saudi Arabia** and **Turkey**, it was **agreed** to delete the phrase "through the Secretary-General" in *resolves to instruct the Council* 2.

2.18 Draft Resolution [COM5-3], as amended, was **approved**.

## 3 Draft Strategic Plan for the Union (continued) - Draft Resolution [1] (Document DT/27)

3.1 The **Chairperson**, recalling that the delegate of Syria had been asked to draft a text based on Resolution 1 (Kyoto, 1994), invited the Committee to consider draft Resolution [1] in Document DT/27 presenting the Strategic Plan for the Union, 1999-2003.

3.2 The **delegate of Syria**, introducing Document DT/27, said that the text followed closely the text of Resolution 1 (Kyoto, 1994), with some editorial adjustments. It contained a number of square brackets, pending consideration of certain items by another committee or by the Plenary Meeting. In particular, square brackets had been placed around *considering b)*, as that clause might be handled in two ways - it might either be placed in square brackets pending the final text of Article 19 approved by Committee 6, or be deleted and the phrase "and on strengthening the role of Sector Members in ITU" added to *considering a)*. The clause *considering d)* of Kyoto Resolution 1 had not been reproduced because Resolution 15 (Geneva, 1992) was no longer valid. In accordance with the Committee's previous discussions, it was proposed to present part V of the Strategic Plan, which was addressed to the ITU secretariat, as a separate annex. The text consisted therefore of a single draft resolution with two annexes: Annex 1 - Strategic Plan for the Union 1999-2003 and Annex 2 - Goals, strategies and priorities for the General Secretariat and the three Bureaux.

3.3 Draft Resolution [1] was **approved**, pending drafting of the final text of Article 19 by Committee 6, for transmission to the Plenary Meeting.

## 4 Resolution 18 (Kyoto, 1994) (Documents 9(Add.1), 21, 32, 66, 70, 76, 93)

4.1 The **Chairperson** invited those delegations which had submitted proposals concerning Resolution 18 (Kyoto, 1994) to introduce the relevant documents.

4.2 The **delegate of Canada**, introducing Document 9(Add.1), said that the matter of ITU's frequency coordination and planning framework for satellite networks had been the subject of lengthy and repeated discussions over the past four years. Concern had been expressed by many administrations, including his own, on the filing of satellite networks which incurred costs for all administrations, directly or indirectly. Although the administrative due diligence process had been approved at WRC-97, in case those measures proved ineffective in solving the problem of overfiling consideration should be given to the need for further measures, including financial provisions in addition to the cost recovery provisions.

4.3 The **delegate of Australia**, introducing part I of Document 21, said that the intention of the proposal was similar to that of the Canadian proposal. He drew attention to draft Resolution [AUS-1] in Annex A of the document, and in particular to the *resolves* part of the text, which was intended to establish the principle that a world radiocommunication conference was competent to adopt a financial due diligence process for satellite networks should that be considered necessary, and proposed that consideration of the matter be included in the agenda of WRC-2000. He stressed that his Administration was not saying that financial due diligence measures were required, but wished to establish the principle of competence, should the need arise.

4.4 The **delegate of Luxembourg** introduced the European common proposal EUR/32/226 set out in part 7 of Document 32, drawing attention to Figure 1 in the introductory part of the text, which showed the magnitude and urgency of the problem. The proposal was intended to request the Plenipotentiary Conference to agree in principle that a WRC was competent to adopt financial due diligence measures if appropriate, and to mandate the Council to approve the necessary financial measures.

4.5 The **delegate of the Islamic Republic of Iran**, introducing his Administration's proposal in part 3 of Document 66, said that the question of financial due diligence should not be addressed until the effectiveness of administrative due diligence was properly assessed by WRC-2000. It would then be up to the Plenipotentiary Conference in 2002 to take the matter further.

4.6 The **delegate of Australia** said that the proposal by APT in Document 70 was identical to Australia's own proposal and needed no further introduction.

4.7 The **delegate of Malaysia**, introducing his delegation's draft resolution in Document 76, reminded the Committee of the strong opposition by many countries at WRC-97 to the proposal to introduce financial due diligence. Malaysia was particularly anxious about the impact of financial due diligence on the developing countries' ability to secure orbital positions or frequency bands, and concerned that uncertainty about the outcome of frequency coordination would deter them from making a financial commitment. Administrative due diligence should first be evaluated and improved before the question of financial due diligence was addressed by appropriate conferences. The cost recovery charges agreed by the Council in 1998 should also be considered in greater detail by appropriate conferences as the combination of administrative due diligence and cost recovery charges might be a better way of addressing the problem of paper satellites.

4.8 The **delegate of Tonga**, introducing his Administration's proposal in Document 93, said that there had been strong opposition to financial due diligence at WRC-97 as a matter of principle. The proposals put forward by Canada, Australia, APT and the European countries would result in even greater uncertainty in the matter of satellite network filings. As Figure 1 of the document showed, there had been a marked increase in the number of filings since the adoption of Resolution 18 in Kyoto, undoubtedly to beat its implementation deadline. To discourage any further increase, the present Plenipotentiary Conference should establish a period of stability, free from financial procedures. That would not be achieved by taking the apparently minor step of agreeing that WRCs were competent to adopt financial procedures. Such a period would also allow time for the administrative due diligence procedure to mature and to be evaluated. It would then be the task of future WRCs and the 2002 Plenipotentiary Conference to review the situation. To continue to attempt to introduce a financial due diligence regime at the present stage would have a destabilizing effect.

4.9 The **Chairperson** suggested that the main areas of agreement and disagreement might more easily be identified if the administrations which had made proposals were to discuss them together in a small working group.

4.10 The **delegate of Mexico** was against that suggestion. The issue was a very delicate one which should be left to a later plenipotentiary conference.

4.11 The **delegate of Turkey** said that the 1998 Plenipotentiary Conference was not competent to tackle the issue of financial due diligence in detail. It should confine itself to the principle and authorize the next competent WRC to address satellite filings and radiocommunication issues. Interested parties might meet, as the Chairperson had suggested, and draft a recommendation on the principle.

4.12 The **delegate of Tonga** was unable to support the Chairperson's suggestion. The principle was whether or not the Union should be introducing discriminatory pricing which would make it easier for some of its members to follow the procedures than for others. The issue would become polarized in a small group and a solution would not be found quickly. It would be more expedient for the Committee to decide on the question of principle and give some direction to a small group.

4.13 The **delegate of Spain** said that Spain was one of the European countries that did not subscribe to the proposal in Document 32. Financial matters should be dealt with by plenipotentiary conferences and, by delegation, by the Council. WRCs should not be burdened by such questions. Spain maintained its view that cost recovery should be applied when necessary and not as a matter of course to all activities of the Union. The due diligence procedure did not apply to all Member States and should not be addressed by WRCs.

4.14 The **delegate of Saudi Arabia** agreed with the delegates of Malaysia, the Islamic Republic of Iran and Tonga that existing procedures had not been in place long enough for a proper evaluation to take place. It should therefore be left to WRC-2000 to assess the impact of those procedures and to the 2002 Plenipotentiary Conference to decide whether nor not financial due diligence was necessary.

4.15 The **delegate of Luxembourg** agreed with Turkey that the Committee should be addressing the principle of financial due diligence. The effectiveness or otherwise of administrative due diligence would be clear by WRC-2000. In the light of the result, that Conference should then be competent to decide whether or not financial procedures were also necessary. Given the seriousness of the paper satellite problem, the matter should not be deferred to 2002.

4.16 The **delegate of the United States** said that as a matter of fundamental principle, it was within the purview of a plenipotentiary conference to decide on matters relating to the financial basis of the Union, whether they were overall issues of the budget or specific cases of cost recovery. Administrative due diligence would have been in place long enough to enable WRC-2000 to review the situation for the purposes of further consideration by the 2002 Plenipotentiary Conference.

4.17 The **delegates of Japan**, **India** and **Pakistan** strongly supported the view of Malaysia, Tonga and Saudi Arabia that a proper evaluation of administrative due diligence was needed before financial due diligence could be considered. Bearing in mind that administrative due diligence had only been implemented recently, the matter should be deferred to the 2002 Plenipotentiary Conference.

4.18 The **delegate of the Netherlands** emphasized the need to decide in principle whether or not WRCs were competent to adopt a financial due diligence process if and when it was decided that administrative due diligence alone was not effective. Although there should be sufficient experience by 2000 to enable WRC-2000 to take a decision, an earlier decision should be possible.

4.19 The **delegate of the Islamic Republic of Iran** strongly emphasized that WRCs were not competent to deal with financial issues. WRC-2000 could consider the effectiveness of administrative due diligence and the 2002 Plenipotentiary Conference would be the competent body to decide on the question of financial due diligence. The **delegate of Jordan** supported that view.

4.20 The **delegate of China** agreed with Malaysia that it was too early to introduce financial due diligence and that WRC-2000 should first evaluate the effectiveness of the administrative due diligence approach. If it proved not to be effective, WRC-2000 could refer the matter to the 2002 Plenipotentiary Conference for a final decision.

4.21 The **delegate of Canada** said that the Committee was not deciding whether or not to introduce financial due diligence but was seeking to clarify the right of WRC-2000 to address the issue and to propose or implement financial due diligence if by that time administrative due diligence had not proved to be effective. The problem was too serious to be left for a further four years. Tonga's comment about discriminatory charges was difficult to understand and might best be left for informal discussion.

4.22 The **Chairperson**, summing up, said that out of the many views, mechanisms and timings that had been put forward, two major positions had emerged, one that WRC-2000 should be given the competence to decide on financial due diligence if necessary, the other that such a decision was the task of the 2002 Plenipotentiary Conference. The Committee should try to decide on one of these positions and not leave the matter to the Plenary. On balance, there appeared to have been more support for the second position. The most reasonable course of action might be to prepare a concise draft resolution asking WRC-2000 to evaluate the effectiveness of administrative due diligence and asking the 2002 Plenipotentiary Conference to take a final decision. If the Committee failed to agree, the interested parties might convene to draft a document for the Plenary.

4.23 The **delegate of Colombia** could not accept that suggestion. The main reason for the proliferation of paper satellites was the failure to apply the constitutional principles governing the use of the geostationary-satellite orbit. With the administrative due diligence procedure and due diligence in the application of the Constitution principles, it should not be necessary to establish additional procedures.

4.24 The **delegate of Luxembourg** emphasized that in calculating the support for the various positions, it should be borne in mind that part 7 of Document 32 was submitted on behalf of 31 countries, only two of which had spoken.

4.25 The **delegates of Tonga, the United States, the Islamic Republic of Iran, Pakistan, Saudi Arabia, Mexico** and **Syria** supported the Chairperson's proposal.

4.26 The **delegate of Japan** said that his Administration wanted to wait until the 2002 Plenipotentiary Conference for discussion to be initiated.

4.27 The **delegate of Uruguay** said the situation could only be analysed or evaluated by the Plenipotentiary Conference in 2002.

4.28 The **Chairperson** said that despite the large number of countries which had signed Document 32, the majority view appeared to be that the next WRC should evaluate administrative due diligence and the 2002 Plenipotentiary Conference would decide the question of financial due diligence. He would therefore prepare a working paper on those lines for the Committee's next meeting.

4.29 It was so **agreed**.

**The meeting rose at 1735 hours.**

The Secretary:
D. SCHUSTER

The Chairperson:
M. BOSSA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 332-E**
**14 December 1998**
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MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 5**

SUMMARY RECORD

OF THE

TWELFTH MEETING OF COMMITTEE 5

(STRATEGIC POLICY AND PLANS)

Thursday, 29 October 1998, at 1430 hours

**Chairperson:** Mr. M. BOSSA (Argentina)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Resolution 18 (Kyoto, 1994) (continued) | DT/43 |
| 2 | Follow-up of Resolution 18 (Kyoto, 1994) | 97 |
| 3 | Implementation of processing charges for satellite network filings | 67 |
| 4 | International Telecommunication Regulations | 21, 70 |
| 5 | Alternative approval process - Report by the Chairperson of ad hoc Group 5/2 (continued) | DT/36 |
| 6 | Memoranda of understanding and the depositary and registry role of the Secretary-General - Report by the Chairperson of ad hoc Group 5/5 (continued) | 25; DT/25(Rev.1) |
| 7 | Internet (continued) - Report by the Chairperson of ad hoc Group 5/7 | DT/38 |

## 1 Resolution 18 (Kyoto, 1994) (continued) (Document DT/43)

1.1 The **Chairperson**, introducing the draft resolution in Document DT/43, said that it was based on the consensus reached at the previous meeting. After listing chronologically the various steps that flowed from the application of Resolution 18 (Kyoto, 1994), it presented a *resolves* section calling on WRC-2000 to evaluate the results of administrative due diligence and to inform the 2002 Plenipotentiary Conference of its conclusions, and an *invites* section under which that Conference would study the conclusions and take any measures it considered appropriate regarding the application of financial due diligence.

1.2 The **delegate of Mexico** said that while he was in general agreement with the proposed text, he considered that the final phrase of *invites*, "regarding the application of financial due diligence", prejudged the decision to be taken by the Plenipotentiary Conference and should be deleted. His proposal was supported by the **delegates of Uruguay, Malaysia, the Islamic Republic of Iran, Japan** and **the United States**. The **delegates of the Netherlands, Denmark** and **the United Kingdom** opposed such deletion.

1.3 The **delegate of Luxembourg** noted that most of the *considering* subparagraphs and the operative paragraphs flowed from Resolution 18, whereas subparagraphs f), g) and h) related to cost recovery under Resolution 39 (Kyoto, 1994) and should therefore be deleted. His proposal was supported by the **delegates of the Netherlands, the Islamic Republic of Iran, Denmark, the United Kingdom, Japan** and **the United States**.

1.4 The **Chairperson** observed that there was a consensus to delete subparagraphs f), g) and h). Opinions were, however, divided on the proposal to delete the words "regarding the application of financial due diligence" so the best solution might be to put them in square brackets and refer the matter to the Plenary. His summing-up was endorsed by the **delegates of Tonga** and **Tanzania**.

1.5 It was so **agreed**.

1.6 The **delegate of the United Kingdom** proposed that the title of the draft resolution should be amended to read "Evaluation of the administrative due diligence procedure for satellite networks adopted by the 1997 World Radiocommunication Conference". That proposal was supported by the **delegate of Syria**, who said that he still had some problems with the wording of the draft resolution which he would bring up in Plenary.

1.7 The United Kingdom proposal was **approved**.

1.8 The draft resolution in Document DT/43, as amended, was **approved**.

## 2 Follow-up of Resolution 18 (Kyoto, 1994) (Document 97)

2.1 The **delegate of Sweden**, introducing proposal LUX/HOL/S/97/1 on behalf of the sponsors, said that it requested WRC-2000 and subsequent WRCs to continually review and update the advance publication, coordination and notification procedures of the Radio Regulations in order to achieve additional simplification and cost savings for BR and administrations. The proposed *resolves* section should be included in an updated Resolution 18 or as part of another resolution dealing with WRCs. Taking into account the sensitivity of the issue of due diligence, it should not be incorporated in the resolution that had just been discussed: it had nothing to do with the financial issue, being related only to a review of existing procedures in the Radio Regulations.

2.2 The **delegate of Malaysia** said that he was not clear about what the proposal meant by simplification of the advance publication, coordination and notification procedures, which were dealt with in Articles 11 and 13 of the Radio Regulations. As he understood it, such matters were handled by WRCs, not plenipotentiary conferences. The **delegate of the Islamic Republic of Iran** pointed out that the issue was extremely complicated and that no conclusions had as yet been reached on certain points. The question of simplifying the procedures would create difficulties for the developing countries and some others, so he would prefer to wait and see the results of the review of administrative due diligence procedures and take the matter up again at the next WRC or plenipotentiary conference.

2.3 The **delegates of Italy, Denmark, Germany** and **Luxembourg** supported the proposal, the last-named pointing out that it in no way related to either administrative or financial due diligence, but only to regulatory procedures, notification, types of data and so on. It was a very costly process for both administrations and BR, and its simplification could result in considerable savings.

2.4 The **Chairperson** noted that the proposal had not been totally rejected by those who opposed it and wondered whether, in the light of the explanations that had been given, it could be approved and transmitted to the Editorial Committee for inclusion in a Resolution 18*bis*.

2.5 The **delegate of the Islamic Republic of Iran** said that he could not accept the proposal at that stage and requested more time to study it. The **delegates of Syria, Malaysia** and **Tanzania** supported that position.

2.6 The **delegate of Sweden**, supporting the Chairperson's suggestion, proposed the addition to the proposal of wording making it clear that there was no intention to review the administrative due diligence procedure. The **delegates of Norway, the Netherlands, Finland, Switzerland** and **Germany** endorsed the Swedish approach, the last-named pointing out that the proposal did in fact call upon WRC-2000 to decide whether the Radio Regulations should be modified for the purpose of making savings - savings that would be of benefit to all concerned.

2.7 The **Chairperson** suggested that the authors of the proposal should consult with those who opposed it with a view to presenting an agreed text at the next meeting.

2.8 It was so **agreed**.

## 3 Implementation of processing charges for satellite network filings (Document 67)

3.1 The **Director of BR**, introducing Document 67, said that the report it contained reviewed the development of the cost recovery processing charges stemming from the intent expressed in Resolution 39 (Kyoto, 1994) to strengthen the financial base of the Union. In 1997, the Council had adopted the principle of full cost recovery for the processing of satellite filings. In 1998, it had decided to implement a specific approach to such charges but had not succeeded in choosing a definitive date from which the filings would be subject to charges. A footnote to Annex B of the report, which set out Council Decision 480, called upon the present Plenipotentiary Conference to decide that date. The Bureau had calculated possible processing charges on the basis of the average number of pages published in 1996-1997 in the special sections of the Weekly Circular. The results would be found in Annex C.

3.2 The **delegate of France**, speaking as Chairperson of the Council, confirmed the information provided by the Director of BR. Only one question had remained outstanding at the 1998 Council session, namely the date of application. Three possible dates had been proposed: 27 June 1997, 1 June 1998 and 1 January 1999, but no agreement had been reached. The Conference was called upon to determine the date.

3.3 The **delegate of Malaysia** sought clarification on five issues which were not fully explained in the report. First, the proposed charges were not adequately justified. Secondly, what was the basis for allowing 100 free pages per year and could unused pages be carried over? Thirdly, if filings were submitted electronically, BR processing costs would be much lower. Fourthly, if several filings with substantially the same parameters were submitted by the same administration, the processing costs for the later filings would presumably be lower. Fifthly, since pages in the Weekly Circular containing figures and notes would be less expensive to process, the fixed free page allowance seemed unusual. As far as the date of application was concerned, he favoured 7 November 1998, the closing date of the Conference.

3.4 The **Chairperson** pointed out that matters of detail should be taken up in Committee 7 and invited participants to focus their remarks on the date of application, which was a strategic and policy issue.

3.5 The **delegate of the Netherlands** said that he would prefer 27 June 1997 to be the date from which processing charges were applied; any later date could increase the backlog of submissions.

3.6 The **delegate of Syria** pointed out that the issue of the date was being discussed informally and no agreement had yet been reached.

3.7 The **delegate of Tonga** shared the concerns expressed by the delegate of Malaysia and wondered when the questions raised would be taken up, as delegates had been instructed not to discuss any specific aspects of the subject in Committee 7; the Chairperson should consult with the Chairperson of Committee 7 to resolve that issue. The question of the date was a matter of principle for his Administration; on no account could it accept a date with a retroactive effect.

3.8 The **Chairperson** reiterated that the Committee could not discuss substantive aspects of the issue, and assured the delegate of Tonga that he would take up the matter with the Chairperson of Committee 7.

3.9 The **delegate of Norway**, supported by the **delegates of Denmark, Canada** and **the United Kingdom**, said that 27 June 1997 was the date from which processing charges for satellite network filings should take effect. He did not consider that such a date would have a retroactive effect; the process leading up to the Council's decision in 1997 had been well-planned, open and transparent to all parties concerned.

3.10 The **delegate of the Islamic Republic of Iran** said that it would be preferable to defer the discussion on the date until the substantive issues of concern had been discussed.

3.11 The **delegate of Spain**, supported by the **delegate of Germany**, said that he would prefer processing charges to be applied as from 1 January 1999 in order to avoid any legal difficulties that might arise from the retroactive application of such charges.

3.12 The **delegate of Mexico** said that his Administration would have legal difficulties if a date before the end of the present Conference was selected. Mexico would therefore reserve its position if an earlier date were chosen, but might be prepared to go along with it under certain circumstances.

3.13 The **delegate of Italy** said that, although he would favour 27 June 1997, he would be prepared to go along with 1 January 1999.

3.14 The **delegate of Pakistan** said that the matter should be referred to the Plenary to allow more time for informal consultations to take place.

3.15 The **delegate of Saudi Arabia**, supported by the **delegate of India**, said that he would have serious difficulties if a date before the end of the Conference were chosen. The issue should be referred to the Plenary for further discussion.

3.16 The **delegate of South Africa**, referring to the concerns expressed with regard to the substantive aspects of the matter, pointed out that the plenipotentiary conference had the authority to nullify a decision of the Council if it saw fit; at the present juncture, however, she thought that the Committee should focus on the issue of the date.

3.17 The **delegate of the United States** recalled that there were a number of outstanding issues relating to the implementation of processing charges for satellite network filings, such as the required modifications to the Financial Regulations for the implementation of a cost recovery system, and the methodological basis for such a system, which had not been agreed upon at the Council and which should be addressed by the Plenipotentiary Conference. Those issues should be brought to the attention of the Chairperson of Committee 7.

3.18 The **Chairperson**, noting that there was no consensus in the Committee on a specific date, suggested that the date from which the processing charges should apply should remain blank in Council Decision 480; the matter should be referred to Plenary where a final decision on the date would be taken and Council Decision 480 would be adopted. He encouraged delegates to continue their informal consultations in the meantime and said that he would inform the Committee at a subsequent meeting of the outcome of his discussions with the Chairperson of Committee 7.

3.19 It was so **agreed**.

## 4 International Telecommunication Regulations (Documents 21, 70)

4.1 The **delegate of Australia**, introducing proposals AUS/21/3 and APT/70/1, which were identical, said that the Radio Regulations and the International Telecommunication Regulations (ITR) had equivalent status in ITU; however, the ITR had not been reviewed since 1988 and were becoming increasingly irrelevant in the modern telecommunication environment. Moreover, national legislation and other international treaty commitments, such as those entered into with WTO, now limited the ability of a number of administrations to apply the ITR strictly. If the ITR continued to lose their credibility, the status of ITU would be undermined. Australia and the APT countries did not consider that a world conference would be the best way of proceeding with a review of the ITR, and had therefore submitted a draft resolution inviting the Council to review the rights and obligations of Member States in connection with changing domestic legislation and multilateral treaty obligations, and suggesting that amendments to the ITR could be considered and adopted at plenipotentiary conferences.

4.2 The **delegate of Syria** said that if the ITR were to be reviewed at the next Plenipotentiary Conference, an additional two to three day conference should be convened, possibly in parallel with the Council, in order to consider all relevant issues. Syria supported a review of the ITR, which should not be delayed, and believed that preparation was the key to success.

4.3 The **delegate of Thailand** expressed his support, in principle, for the draft resolution. Many changes had taken place in the telecommunication environment since 1988, and it would be appropriate for the ITR to be reviewed regularly from now on. However, given the cost of convening a world conference for that purpose, it would be preferable for any proposals for amendment of the ITR to be considered and adopted by a plenipotentiary conference.

4.4 The **delegate of the United Kingdom** expressed surprise at the assumption implicit in Documents 21 and 70 that a conflict existed between a country's international commitments in regard to WTO and ITU; the United Kingdom would not have signed the basic agreement on telecommunication services with WTO if, in so doing, it had breached any of its existing international commitments. Although he recognized the need to review the ITR, he was concerned at the speed of the proposed review, and suggested that *instructs the Secretary-General* in the draft resolution should be amended to read: "to report to the Council, no later than 2000, identifying any need for changes ...". Lastly, it was common practice in ITU to amend regulations at relevant conferences, and he would therefore propose the deletion of the *further resolves* section.

4.5 The **delegate of Viet Nam** said that in view of the major changes that had taken place in the telecommunication environment since 1988, he could support the principle of a review of the ITR.

4.6 The **delegate of the United States**, supporting the amendment to *instructs the Secretary-General* proposed by the delegate of the United Kingdom, suggested that the words "in coordination with the Director of TSB" should be inserted before the words "to report to the Council no later than 2000 ...". He would also support the deletion of *further resolves*.

4.7 The **delegate of the Islamic Republic of Iran** expressed concern with regard to *acknowledging c),* since the ITR should be amended only at a world conference. Furthermore, *resolves* 1 was unnecessary and the words "Member States, administrations and recognized operating agencies" in *resolves* 2 should be clarified. With regard to *instructs the Council*, he said that the Council should not have the authority to review the rights and obligations of Member States in the manner suggested: domestic legislation, for example, was the responsibility only of the Member State concerned. Lastly, he too would support the deletion of *further resolves*.

4.8 The **delegate of New Zealand** said that it would be extremely expensive to convene a world conference on international telecommunications; the best approach would be to find a rapid solution for the detailed review of the ITR, so as to ensure that they did not become increasingly irrelevant in the modern world.

4.9 The **delegate of China** considered that it would be unnecessary to convene a world conference to amend the ITR; a resolution could be adopted by the present Conference that would instruct the Secretary-General and the Director of TSB on how the Regulations should be amended. Their proposals could then be submitted to the Council for further consideration.

4.10 The **delegate of Norway** said that attempting to amend the ITR during a plenipotentiary conference would be a nightmarish experience that would be no less expensive than calling a world conference. He agreed with other delegates that *further resolves* should be deleted.

4.11 The **delegate of Pakistan** said that, owing to the complexity and interrelationships of the Regulations, great caution should be exercised in amending them, and specific areas in which changes were needed should be identified *a priori*. Although the plenipotentiary conference was by definition omnipotent, it did not allow enough time to consider the ITR, and they should be reviewed at a world conference. He noted that *resolves* 1 was unnecessary, particularly as the Regulations were to be revised.

4.12 The **delegate of Canada** agreed that revision of the ITR was too complex a task to be undertaken at a plenipotentiary conference. He suggested that the Secretary-General identify the necessary changes and report to the Council in either 1999 or 2000. The draft resolution proposed by Australia could be modified to set the basis for the revision.

4.13 The **delegate of Japan** agreed with previous speakers about the need to amend the Regulations, and to delete *resolves* 1 and *further resolves*.

4.14 The **delegate of France** considered that the draft resolution proposed by Australia and the APT countries was courageous, as the issue had hitherto been ignored. He concurred with previous speakers on the need to revise the ITR; that should be done at a world conference convened for the purpose. As had been suggested, the Council could do the preliminary work, but it would be necessary to involve as many Member States and Sector Members as possible, and their suggestions would have to be incorporated by the Secretary-General in collaboration with TSB. Certain parts of the Regulations, such as the appendices, would have to be examined carefully by a group of experts representative of the various regions.

4.15 The **Chairperson** concluded that the basic proposal had clear support, although it would require some revision. There appeared to be full agreement that the ITR should not be revised at a plenipotentiary conference and that *further resolves* should be deleted. The changes suggested by the delegates of the United States and the United Kingdom to *instructs the Secretary-General* should go some way towards resolving the doubts of a number of delegates. There had also been some objection to the content of *resolves* 1.

4.16 The **delegates of Mexico, Syria** and **Tanzania** said that consensus had also been reached on the need to revise the Regulations and to convene a world conference for that purpose, with the Council doing the preparatory work.

4.17 The **Chairperson** suggested that the Australian delegation should redraft the proposal for further consideration.

4.18 It was so **agreed**.

## 5 Alternative approval process - Report by the Chairperson of ad hoc Group 5/2 (continued) (Document DT/36)

5.1 The **Chairperson of ad hoc Group 5/2** said that the Group's conclusion was that ITU-2000 recommendation 17 should be approved with no further amendments. He drew the Committee's attention to a number of square brackets in the text, which would require editorial adjustments after the draft resolution had been submitted to Committee 6. Although most of the concerns of Spain raised in Document 156 had been taken into account, the Group had not been inclined to adopt the text of proposed No. 247B of the Convention.

5.2 The **delegate of Spain** indicated that the issue raised in the proposed provision was pertinent and should be included somewhere in the Convention. He would reserve further comment for a subsequent stage.

5.3 The draft resolution was **approved**.

## 6 Memoranda of understanding and the depositary and registry role of the Secretary-General - Report by the Chairperson of ad hoc Group 5/5 (continued) (Documents 25; DT/25(Rev.1))

6.1 The **Chairperson of ad hoc Group 5/5** highlighted the changes that had been introduced into the draft resolution in her ad hoc Group. Under *considering*, two purposes of the Union were now expressed, in response to the comment that memoranda of understanding might be between not only organizations but also Member States; and a fourth guiding principle, 1*c)*, had been added under *instructs the Council* in order to increase the transparency of the process by allowing all Member States to participate in formulating and drafting memoranda of understanding.

6.2 The **delegates of Syria** and **Tanzania** supported the draft resolution as revised.

6.3 In response to a proposal by the **delegate of the Philippines**, the **Chairperson** suggested that the *resolves* section be altered to read "... may, with the approval of the Council, serve as depositary...".

6.4 The **delegate of the Netherlands** said that *instructs the Council* 1*c)* made no sense, since by the time the Secretary-General was asked to act as depositary, the memoranda of understanding had already been developed.

6.5 The **delegate of Germany** agreed, saying that memoranda of understanding were developed by entities which wished to become parties to them; others would not be involved in their development.

6.6 The **Chairperson of ad hoc Group 5/5** explained that the idea behind *instructs the Council* 1*c)* had been to allow ITU Member States to become involved when memoranda of understanding were in the process of being developed. She suggested that additional text could be added to cover the situation of memoranda that had already been developed.

6.7 The **Chairperson** invited the ad hoc group to prepare a further draft of the resolution in the light of the discussion.

## 7 Internet (continued) - Report by the Chairperson of ad hoc Group 5/7 (Document DT/38)

7.1 The **Chairperson of ad hoc Group 5/7** regretted the fact that developing countries had been poorly represented at the meetings of his Group, but hoped that their needs and concerns were reflected in Document DT/38. In order to reach a consensus in the Group, two draft resolutions had had to be prepared. As they were closely interrelated, changes to the language of one might necessitate alterations to the other.

7.2 The first draft resolution outlined ITU's current involvement in IP-based networks and proposed full support for the existing cooperation with the Internet Society and its Internet Engineering Task Force. It instructed the Secretary-General to prepare a report that would form the basis for further collaborative efforts and initiatives. Although most of the officers on the management team of ITU were changing, he hoped that the report would be ready for consideration by the Council in 1999. The report should be easily readable, as it would be widely distributed and used. He noted that the word "should" in *resolves* 1, 2 and 3 and in *instructs the Secretary-General* 1 should be changed to "shall".

7.3 The scope of the second draft resolution was restricted to the management of Internet names and addresses, a subject that had raised great interest in the international community over the previous two years. The draft resolution, while recognizing that the private sector had played a leading role in the development of the Internet as a whole, emphasized the necessity for involving governmental and international organizations. Although there had been some discussion in the past about whether the Secretary-General should be involved in Internet domain names and numbers, the draft resolution proposed that he now take an active role in international discussions on the topic.

7.4 The **Chairperson** said that Document DT/38 would be taken up at the next meeting of the Committee.

**The meeting rose at 1730 hours.**

The Secretary:
D. SCHUSTER

The Chairperson:
M. BOSSA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 333-E**
**14 December 1998**
**Original: English**

**COMMITTEE 5**

SUMMARY RECORD

OF THE

THIRTEENTH MEETING OF COMMITTEE 5

(STRATEGIC POLICY AND PLANS)

Thursday, 29 October 1998, at 1830 hours

**Chairperson:** Mr. M. BOSSA (Argentina)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Internet - Report by the Chairperson of ad hoc Group 5/7 (continued) | DT/38 |
| 2 | Memoranda of understanding and the depositary and registry role of the Secretary-General - Report by the Chairperson of ad hoc Group 5/5 (continued) | DT/25(Rev.1) |
| 3 | Alternative approval process (continued) | 156 |
| 4 | DRM consortium agreement | 57 |
| 5 | Resolutions 21 and 22 (Kyoto, 1994) | 53, 54, 75(Rev.1) 94(Rev.1), 209, |

## 1 Internet - Report by the Chairperson of ad hoc Group 5/7 (continued) (Document DT/38)

1.1 The **Chairperson of ad hoc Group 5/7** reintroduced the two draft resolutions contained in Document DT/38, the first concerning ITU's involvement in Internet protocol (IP)-based networks, in which the phrase in square brackets in *resolves* 3 had been left to Committee 5 for decision, and the second concerning management of Internet names and addresses. Much sustained work had gone into the drafting of the two texts, which should be examined together as a balanced package.

1.2 The **delegate of Japan** expressed full support for the two draft resolutions, the first of which reflected the essence of the proposals put forward by the APT countries on Internet-related matters - an area in which ITU should clearly identify its field of activity.

1.3 The two draft resolutions were supported by the **delegates of the Republic of Korea, Australia** and **Mexico**, and by the **delegate of Pakistan** who stressed the importance of the use of the Internet in the developing countries.

1.4 The **Chairperson** invited the Committee to take up the draft resolution on ITU's involvement in IP-based networks.

**Draft resolution on ITU's involvement in Internet protocol (IP)-based networks**

1.5 The **delegate of Hungary**, welcoming both draft resolutions, which covered ongoing studies in ITU, future tasks and the special importance of management issues, proposed that the title of the one on IP-based networks should read "Studies related to Internet protocol (IP)-based networks". He supported the text of *resolves* 3, with or without the phrase in square brackets.

1.6 The **delegate of Canada**, welcoming the reference to electronic commerce in *considering c)*, suggested that a similar reference be included in the identification of Internet-related issues referred to in *resolves* 2.

1.7 The **delegate of the United States** proposed that the phrase "growth in IP communications" in *resolves* 3 should read "growth in IP networking" and that the end of that paragraph should read "in any directly related international initiative". Her suggestion was supported by the **delegate of France**. The **delegate of Saudi Arabia** said that the wording of *resolves* 2 should be clarified to indicate whether it referred to Member States or Sector Members.

**Draft resolution on the management of Internet names and addresses**

1.8 The **delegate of France**, supporting both draft resolutions, said that he would submit editorial modifications to the French version of the second resolution and proposed that its title be reworded "Management of Internet domain names and addresses".

1.9 The **delegate of the Islamic Republic of Iran** proposed deleting the phrase "and the private sector" in *emphasizing a)*.

1.10 The **delegate of the United States** proposed that *instructs the Secretary-General* 1 should read "to take part in the international discussions and initiatives that facilitate the private sector management of Internet domain names and addresses, with special attention to the activities conducted by WIPO, bearing in mind the purposes of the Union;". She also proposed replacing the text under *instructs the Council* by "to undertake ongoing review of activities undertaken under this resolution", and to add a new *invites the Secretary-General* section to read: "to participate in the government advisory council of the new private sector corporation which is recognized to manage Internet names and addresses".

1.11 The **delegates of Syria** and **France** said that they could not accept the United States' proposals as they departed substantially from the spirit of the original text.

1.12 The **Chairperson of ad hoc Group 5/7** said that as the proposals of substance put forward by the delegate of the United States did not reflect the consensus reached in the Group, he would be prepared to hold informal consultations in an attempt to produce a consolidated text.

1.13 The **Chairperson** suggested that the text of the draft resolutions be reproduced with the amendments proposed by the United States' delegate in square brackets, and that the Chairperson of ad hoc Group 5/7 be invited to include all editorial changes and further discuss the United States' proposals with a view to producing a consolidated text.

1.14 It was so **agreed**.

## 2 Memoranda of understanding and the depositary and registry role of the Secretary-General - Report by the Chairperson of ad hoc Group 5/5 (continued) (Document DT/25(Rev.1))

2.1 The **Chairperson of ad hoc Group 5/5** introduced the revised draft resolution now proposed by her ad hoc Group, indicating that *instructs the Council* 1 *c)* should read "that interested Member States and Sector Members will be kept informed of all the activities of the Secretary-General in serving as depositary of MoUs and will not be restricted from joining relevant MoUs".

2.2 In a spirit of compromise, the **delegate of Syria** supported that amendment.

2.3 The draft resolution in Document DT/25(Rev.1), as amended, was **approved**.

2.4 The **Chairperson** having asked whether the draft resolution should be referred to Committee 6 for consideration, the **delegate of Saudi Arabia** wondered whether it might be preferable for the Conference to approve the draft resolution and await its implementation before including relevant provisions in the Convention or Constitution. Noting that no other objection had been voiced, however, the **Chairperson** took it that the draft resolution should indeed be referred to Committee 6 for possible consequent amendment of the instruments of the Union.

2.5 It was so **agreed**.

## 3 Alternative approval process (continued) (Document 156)

3.1 The **Chairperson** reminded the meeting that Document DT/36, containing the draft resolution on the approval of Questions and Recommendations, had been approved by the Committee. The delegate of Spain, however, had submitted a related proposal in Document 156.

3.2 The **delegate of Spain** said that the purpose of the proposal, which contained two draft provisions for inclusion in the Convention (246D and 247B), was to clarify procedures for resolving possible contradictions between Recommendations approved solely by Member States and others approved by Sector Members. Where such contradictions arose, his Administration considered that Recommendations approved solely by Member States should take precedence over those approved by Sector Members. The Recommendations approved by Member States, as indicated under the *resolves* section of the resolution in Document DT/36, had policy or regulatory implications and might be taken as playing a mandatory role in national telecommunication regulations. If a technical Recommendation approved by the alternative process were to contradict a policy or regulatory

Recommendation approved in the normal way, it was important to have some provision to indicate which of the Recommendations should prevail. He therefore proposed that the text of 247B in Document 156 be added to the draft resolution.

3.3 The **delegates of Saudi Arabia** and **Mexico** supported the proposal.

3.4 The **delegate of the United Kingdom** said that he was not in favour of having two classes of Recommendations, as such a system would be impractical and might create complications for the users.

3.5 The **delegate of Canada** said that she was perplexed, as there was no situation in which Sector Members alone would approve Recommendations - the alternative process consisted of Member States and Sector Members acting together. Similar concerns were expressed by the **delegates of Denmark, Australia, the Netherlands** and **Norway**, by the **delegate of Sweden**, who also pointed out that no Recommendation had any regulatory force until it was included by an administration in national legislation, and by the **delegate of the United States**, who said that the proposal might not be consistent with procedures already approved.

3.6 The **delegate of Spain** said that he was not attempting to establish new procedures, merely to clarify the situation in the event of contradictory Recommendations emerging on related subjects from several study groups.

3.7 The **Chairperson**, noting that the Spanish proposal had received little support, asked the delegate of Spain if he would be prepared to withdraw it or to redraft it for submission to the Plenary Meeting.

3.8 The **delegate of Spain** said that he considered that the exception made in relation to Nos. 246A to 246C of the Convention by means of the *resolves* section of the draft resolution in Document DT/36 was inappropriate and raised legal difficulties. Either the Convention should cover the points set out in that *resolves* section, or the decisions taken by the Conference should be mentioned in a reference in the Constitution and Convention.

3.9 The **delegate of Italy** suggested that, in order not to reopen the debate, § 2 of 246D in Document 156 might be approved without the rest of the proposals.

3.10 The **Chairperson** said that since the draft resolution in Document DT/36 had been approved, and referred to Committee 6 within the framework of ITU-2000 recommendation 17, it would be preferable for the delegate of Spain to raise the matter again in the Plenary, in order to avoid reopening the debate in Committee 5.

## 4 DRM consortium agreement (Document 57)

4.1 The **Director of BR**, introducing Document 57, said that the convergence of interests among players and the telecommunication industry to develop a single common standard for a digital system to replace current AM audio broadcasting in the HF, MF and LF bands had led to the establishment of a non-profit consortium, Digital Radio Mondiale (DRM), whose aim was to produce a non-proprietary consumer-oriented digital sound broadcasting world standard. Annex A to the document contained a list of DRM members, many of which were ITU-R Sector Members and participants in ITU-R Study Group 10.

4.2 The wish of the DRM consortium to develop standards in close cooperation with ITU had been brought to the attention of the Council at its 1998 session and the Council had asked the Secretary-General to develop criteria on the question of MoUs generally and submit them to the 1998 Plenipotentiary Conference, together with any pending requests. The draft criteria were set out in Document 52.

4.3 Having decided, in Document DT/25(Rev.1), that the Council should further develop the criteria, and that a mechanism should be established for the Secretary-General to approve such requests, the Committee was invited to consider the possibility of the Plenipotentiary Conference accepting a specific request for the Secretary-General to be the depositary for the DRM consortium agreement without referring the matter back to the Council. In that connection, the Committee should bear in mind that the DRM consortium had also invited ITU to become an associate member. The representative of the Legal Affairs Unit had participated in meetings of the DRM Steering Board and was available to clarify legal questions if necessary.

4.4 The **delegate of Germany**, supported by the **delegates of the Netherlands** and **Switzerland**, proposed that, as the matter was a straightforward one which need not be left to the Council, the Conference could agree for the Secretary-General to act as depositary for the DRM consortium agreement and sign the application for DRM associate membership.

4.5 The **delegate of Mexico** agreed that the Secretary-General should become the depositary of the DRM consortium agreement, but did not understand the question of associate membership. It might be preferable to conclude a cooperation agreement or some other mechanism that would enhance cooperation between the two organizations.

4.6 The **delegate of the United Kingdom** fully supported Germany's proposal. The DRM group was working very fast to produce the new digital standards and it was important that ITU should become involved as soon as possible.

4.7 The **delegate of Syria** said that if it was the feeling of the Committee, his delegation could agree, as an exception, that the Secretary-General be authorized to sign the MoU and become a depositary on a full-cost recovery basis, provided that a clear analysis of what had been agreed was submitted to the next session of the Council, bearing in mind that the Committee had no guidelines for evaluating the document. He did not understand the implications of associate membership. The arrangement might nevertheless serve to increase Sector membership.

4.8 The **delegate of the United States** asked for clarification as to the acceptability of the approach whereby ITU entered into an agreement with a body, some of whose members were also ITU-R Sector Members, which was proposing a standard already under consideration in Study Group 10.

4.9 The **delegate of Saudi Arabia** asked for clarification as to the status of the document and whether the MoU represented an agreement between ITU and a consortium.

4.10 The **Director of BR**, replying to the United States, said that many of the organizations listed in Annex A as DRM consortium members were ITU-R Sector Members. Study Group 10 had a programme to develop the same global standard and was moving very quickly to develop that standard. The work carried out by the consortium would be an input to Study Group 10 and the standard would be finalized in Study Group 10 through the normal ITU process. The agreement was also a means of building partnerships with organizations and companies which were already Sector Members, and of increasing Sector membership, as Syria had suggested. The close cooperation between ITU and DRM would be mutually beneficial.

4.11 With regard to the question raised by Saudi Arabia, he said that the document had been submitted to the Plenipotentiary Conference for decision, as the Council had instructed. While the arrangement appeared to meet the criteria referred to in Document DT/25(Rev.1), plenipotentiaries should satisfy themselves of that before taking a decision.

4.12 The **Chairperson** noted that support for the request had been expressed, but also doubts as to what precisely it represented. The question concerning associate membership could give rise to a debate which went beyond the Committee's terms of reference. He therefore suggested that the Committee propose to the Conference that the Secretary-General be authorized to act as depositary for the MoU, subject to the Council's views when it came to establish the criteria and guidelines as instructed by the Plenipotentiary Conference in the draft resolution in Document DT/25(Rev.1).

4.13 It was so **agreed**.

## 5 Resolutions 21 and 22 (Kyoto, 1994) (Documents 53, 54, 75(Rev.1), 94(Rev.1), 209)

**Resolution 21 (Kyoto, 1994): Special measures concerning alternative calling procedures on international telecommunication networks**

5.1 The **delegate of Syria** said that the Committee could not consider Resolution 21 (Kyoto, 1994) without reference to Resolution 22 adopted by WTDC (Valletta, 1998).

5.2 The **Chairperson** said that the report on WTDC-98 was contained in Document 30 and would be discussed under a later agenda item. Delegates were nevertheless free to take it into account in their consideration of Resolution 21.

5.3 The **delegate of France**, speaking as Chairperson of the Council, introduced Document 53, saying that Resolution 21 had given rise to much work in ITU-T and to the adoption of a number of resolutions: Council Resolution 1099 (1996), WTSC-96 Resolution 29, and WTDC-98 Resolution 22.

5.4 The results of the work involving ITU-T Study Groups 2, 3 and 11, which had formed the basis for a number of preliminary conclusions, were summarized in paragraphs 7, 8 and 11 of Document 53, respectively. In particular, Study Group 3 had analysed problems that might arise particularly for developing countries with the development of call-back, had defined a framework of cooperation, and had made a study of those countries in which call-back was prohibited.

5.5 The Tariff Group for Africa had studied the issue at the regional level and had recommended that African member countries should regulate and acquire the means to enforce regulation. The question of a more detailed economic study of the development of call-back would be discussed at the next meeting of Study Group 3. Call-back procedures would continue to develop in line with the development of technology and of customer needs, particularly following the development of a regulatory framework in a large number of countries, and progressive liberalization.

**Resolution 22 (Kyoto, 1994): Apportionment of revenues in providing international telecommunication services**

5.6 The **delegate of Bahrain**, introducing Document 94(Rev.1) on accounting rate reform - termination fee, said that the intention of the signatories was to preserve stability in respect of the termination fee and thereby prevent a waste of effort and resources on new concepts. The

termination fee principle had been discussed at many meetings and represented the views of many developing countries. Attention was drawn in § 3.3 to the tasks of ITU-T Study Group 3. The signatories also attached special importance to the establishment of a dispute settlement procedure, as contained in Document 75(Rev.1) presented by Trinidad and Tobago, and to the establishment of a focus group that would devise the dispute settlement mechanism.

5.7 The **delegate of the United Kingdom**, introducing Document 209 on the work of ITU-T Study Group 3 on international accounting rates, said that, as noted in Document 54, the Study Group had made real progress in its work and promised real results in the coming months. The purpose of the draft resolution in Document 209 was to recognize the importance of the work of Study Group 3 and to urge it to step up its efforts to reach a successful conclusion. The sponsors, which now included Germany and Italy, were of the view that their concerns were not met in Document 94(Rev.1), which prejudged the ongoing work in the Standardization Sector.

5.8 The **delegate of Trinidad of Tobago**, introducing the draft resolution on settlement of dispute procedures in the establishment of settlement rates between administrations in Document 75(Rev.1), said that it sought, by amending Article 41 of the Convention, to establish a mechanism in ITU to facilitate and guarantee transparency, objectivity and equity in dealing with differences which might arise between Members. The Union was consequently called upon to play a more active role in aiding the reconciliation of conflicts and thereby remain relevant to its wider membership. The amendments to Article 41 of the Convention were not substantial, and related, *inter alia*, to No. 508, to take account of the growing importance of Sector Members, and No. 509, to give the Union increased responsibilities. In addition to the amendments proposed in Document 75(Rev.1), No. 518 should also be amended, to read: "12. The Union shall furnish all information relating to the dispute which the arbitrator(s) may need. If the parties to the dispute so agree, the decision of arbitrator(s) could be used by the Secretary-General for future reference purposes."

5.9 The **delegate of Syria** said that Resolutions 21 and 22 (Kyoto, 1994) pertained to the most important issue before the Conference, namely, the income of all telecommunication operators, whether they were government, private or ROAs. In relation to Resolution 21, call-back caused large-scale loss of income in addition to the technical degradation of networks. Despite appeals to the WTSC and study groups, the necessary action had not been taken. Resolution 22 adopted by WTDC-98 offered some hope that ITU would now respond to the needs of its Member States. The Plenipotentiary Conference should therefore adopt a new version of Kyoto Resolution 21 to take account of all developments and of WTDC-98 Resolution 22. With regard to Kyoto Resolution 22, it was regrettable that the principle adopted at WATTC (Melbourne, 1988) of dividing income on an equal basis was no longer observed. It was impossible to renegotiate a fair distribution of income unless costs could be calculated properly. Unfortunately, a request to ITU-T Study Group 3 for a cost methodology had been refused, as had a request to adopt the Asian or African Tariff Groups' cost study. All Arab States supported Document 94(Rev.1) and the draft resolution it contained, and would become signatories. They also supported the resolution on settlement of disputes which would help in particular those ITU Member States which were not signatories of WTO.

5.10 The **Chairperson of ITU-T Study Group 3** said that during the study period the Study Group had given the utmost priority to reform of the accounting rate scheme, and had greatly appreciated the personal support of the Secretary-General and the Director of TSB, thanks to which it had been able to meet more frequently than other groups. As a result of the relevant work of the policy forum and, later, the focus group, the work had involved some 250 participants, representing about 80 countries. Despite the complexity of the issues, there appeared a possibility of arriving at

new settlement arrangements, including with respect to a termination fee, at the next meeting, to be held in December. On the question of call-back or other alternative calling procedures, although he and the chairperson of the relevant working party had appealed for contribution papers, none had been received - doubtless because the call-back issue was one of many new phenomena that challenged conventional telephone services.

5.11 The **Chairperson** suggested that, in order to save time, the Committee might convene an informal group, chaired by the Chairperson of ITU-T Study Group 3 and attended by all interested delegations, in an attempt to prepare a text by consensus. Responding to an observation by the **delegate of France**, who spoke as the Chairperson of the Council, he suggested that the draft proposals contained in Document 94(Rev.1) could be used as a general guideline. The important thing was to produce an input text from the Committee to the Plenary Meeting.

5.12 The **delegate of India** said that that the Committee must find a solution which, while recognizing the concerns of those who wished to establish a benchmark, also took account of the developing world's needs. Although costs in the developing countries were falling, the reduction was nowhere near that achieved in the developed countries. One model could not fit all, therefore, flexibility and pragmatism were required. His delegation also suggested that Study Group 3 should be asked to address the issue of settlement rates, another area in which disparity in costs placed the developing countries at a serious disadvantage.

5.13 The **delegate of Trinidad and Tobago** said that he faced a difficulty with regard to the draft resolution contained in Document 209 because, despite what was said in *recognizing* b), the focus group had not made progress, chiefly on account of the insistence on a "best practice" method to which many countries were opposed; as a result, efforts to reach agreement with regard to the provisions of Recommendation D.150 were being hindered. He could support the convening of an informal group, but wondered whether, as the Chairperson of the Council had asked, it could address the juridical issues.

5.14 The **delegate of Pakistan** said that Resolutions 21 and 22 (Kyoto, 1994) were highly relevant to the current debate, as was Resolution 22 of WTDC-98, whose provisions should be endorsed by the present Conference. In particular, the developing countries needed a text which would help to alleviate the great pressure on them. The draft resolution contained in Document 75(Rev.1) was of interest and should be looked at positively.

5.15 The **delegate of the United States** said that ITU-T Study Group 3 was the appropriate forum to deal with tariff issues. It would greatly facilitate the task, therefore, if the Committee supported the draft resolution contained in Document 209. On the other hand, the draft resolution contained in Document 75(Rev.1) involved complex legal implications for domestic and international law, and he failed to see how an ad hoc group of the Committee could make any progress in considering such matters.

5.16 The **delegates of New Zealand, Singapore, the Netherlands** and **Sweden** agreed, and urged support for Document 209.

5.17 The **delegate of the United Kingdom** endorsed the appeal to support Document 209, and opposed the proposal to convene an ad hoc group, which could not deal with such a complex, and in any case separate, issue as procedures for settlement of disputes.

5.18 The **delegate of Syria** said Resolutions 21 and 22 (Kyoto, 1994), Resolutions 12 and 22 of WTDC-98 and the reports by the Chairperson of the Council provided ample material for a clear text to guide ITU-T Study Group 3. The WTDC-98 Resolutions, in any case, called for action by the Development Sector; a solution could come from the latter, therefore, and not necessarily from ITU-T Study Group 3.

5.19 The **delegate of Turkey** thought the issue too complex for the Committee to resolve. However, the matter should not be referred to the Plenary Meeting. ITU-T Study Group 3 should be requested to continue its work.

5.20 The **Director of TSB** informed the Committee that, as at 27 October, 86 countries had banned call-back procedures on their territories.

5.21 The **Chairperson** suggested that, in view of the complexity of the issues, the Committee should not take up Document 75(Rev.1), and invited the sponsors to present it at the Plenary Meeting; perhaps the respective co-sponsors of Documents 94(Rev.1) and 209 could likewise present their texts, in the form of draft resolutions, to the Plenary Meeting.

5.22 The **delegate of Switzerland** said he had no objection to that course of action, but doubted whether the Plenary Meeting could deal with the matters any better. The **delegate of Tanzania** said that it was up to Committee 5 itself to deal with the issues; the relevant resolutions of the Kyoto Plenipotentiary Conference gave a clear basis for action and called for results. The **delegate of Pakistan** agreed, adding that he saw no reason why the texts referred to by the delegate of Syria, including the resolutions adopted at WTDC-98, could not have been made available to participants as working documents.

5.23 The **delegate of Syria** said that his delegation would be prepared either to work in an informal group with the Chairperson of ITU-T Study Group 3 or to send the texts in question to the Plenary Meeting. The relevant resolutions adopted at Kyoto and WTDC-98 and the decisions of the WTSC surely provided enough material for a new text on alternative calling procedures.

5.24 The **Chairperson of ITU-T Study Group 3** said that, if he was to chair a group on an informal basis, he would take it that the task would be based on Documents 94(Rev.1) and 209, but not Document 75(Rev.1), with a view to reporting to the Committee at its next meeting.

5.25 It was so **agreed**.

**The meeting rose at 2150 hours.**

The Secretary:
D. SCHUSTER

The Chairperson:
M. BOSSA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 334-E**
**14 December 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 5**

SUMMARY RECORD

OF THE

FOURTEENTH MEETING OF COMMITTEE 5

(STRATEGIC POLICY AND PLANS)

Friday, 30 October 1998, at 1835 hours

**Chairperson:** Mr. M. BOSSA (Argentina)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Internet - Report by the Chairperson of ad hoc Group 5/7 (continued) | DT/38(Rev.1) |
| 2 | Implementation of processing charges for satellite network filings (continued) | 67, 240 |
| 3 | Follow-up of Resolution 18 (Kyoto, 1994) (continued) | DT/47 |
| 4 | International Telecommunication Regulations (continued) | DT/48 |
| 5 | Preparation for the year 2000 | 171 |

## 1 Internet - Report by the Chairperson of ad hoc Group 5/7 (continued) (Document DT/38(Rev.1))

1.1 The **Chairperson of ad hoc Group 5/7**, introducing Document DT/38(Rev.1), said that it contained all editorial and other changes agreed by the Committee at its thirteenth meeting. In draft Resolution [COM5/14], on Internet Protocol (IP)-based networks, the debated words in *resolves* 3 "[infrastructures and services]" had been replaced by "IP networking" and the word "directly" had been added. In draft Resolution [COM5/15], the word "domain" had been inadvertently deleted from the title, which should read "Management of Internet domain names and addresses". The main editorial amendment was in *instructs the Secretary General* 1, where the addition of "initiatives" made the language clearer. The wording of *instructs the Council* had been brought into line accordingly. In *invites the Member States*, "the work" had been replaced by "this work".

1.2 The **delegate of Mexico** said that in the Spanish text of *resolves* 3 in draft Resolution [COM5/14] the words "las conexiones IP" did not reflect what had been agreed the previous day. The **delegate of Spain** said that "conglomeración de redes" might be a more appropriate expression.

1.3 The **delegate of France** fully supported the English text, every word of which had been carefully thought out. IP networking was a broader concept than communication infrastructures and had been approved by almost the entire ad hoc Group. He therefore requested that the French and Spanish translations be brought fully into line with the English.

1.4 The **delegate of the United States** said she joined the consensus on the two draft resolutions, every word of which had been carefully weighed. The French and Spanish texts might best be left to the Editorial Committee.

1.5 Following a brief exchange with the **delegates of Mexico** and **Spain**, the **Chairperson** said that the French and Spanish versions would be revised editorially outside the meeting.

1.6 The **delegate of Syria**, also referring to *resolves* 3, said that "relevant organizations" would be preferable to "appropriate organizations", although he would not press the point. In draft Resolution [COM5/15], *instructs the Secretary-General*, he proposed that the words "private sector led" be deleted, because it was beyond the competence of the Plenipotentiary Conference to decide that Internet domain names and addresses should be handled by the private sector. The Conference could only instruct the Secretary-General to support the initiative. The **delegate of the Islamic Republic of Iran** endorsed that proposal.

1.7 The **delegate of France** explained that Internet structures at the international level were led by the private sector. Governments had an interest and were represented in a consultative capacity. The wording as it stood was very precise and should meet concerns as to the role or interests of governments.

1.8 The **delegate of Syria** insisted that there had been no agreement in the Committee the previous day when the United States had introduced its amendment. He therefore suggested that the phrase be placed in square brackets or that his delegation's opposition be mentioned specifically in the Chairperson's report to the Plenary. The **delegate of the Islamic Republic of Iran** supported that suggestion.

1.9 The **delegate of South Africa** expressed her delegation's concern on the same point. As the text referred to a specific type of international initiative that was currently taking place, the phrase might more appropriately read: "... initiatives currently private sector led."

1.10 The **delegate of the United Kingdom** said that that proposal was acceptable. However, the reference to the private sector was a neutral statement reflecting a development outside ITU which had already taken place. The intention was to ensure that ITU had a role in it. It was not a statement of policy.

1.11 The **delegate of the Netherlands** urged the Committee to accept the text as it stood. The **delegate of the United States** said that she concurred with that view. South Africa's concerns were understandable but its proposal altered the meaning of the text.

1.12 The **delegate of Italy** said that he had no objections to South Africa's proposal. However, the text as it stood was perfectly acceptable.

1.13 The **delegate of Syria** proposed, as a compromise, that the text should read: "... initiatives on the Internet domain names and addresses currently private sector led." The **Chairperson** suggested that "currently led by the private sector" would be more appropriate.

1.14 The **delegates of Syria** and **the Islamic Republic of Iran** said they could agree to that proposal.

1.15 The **delegate of the United States** said that in her view the proposal went further than an editorial change and was unacceptable. The private sector leadership in the management of Internet domain names and addresses was a very important principle for the United States.

1.16 The **delegate of Germany** reminded the Committee of the broad consensus the previous day which had resulted in the text now before the Committee. The words "private sector led" should be placed in square brackets and left for the Plenary Meeting to decide. The **delegate of the Netherlands** supported that proposal.

1.17 The **delegate of Syria** proposed that, according to tradition, both proposals be placed in square brackets.

1.18 The **delegate of France** said he could go along with the Chairperson's proposal on the understanding that informal discussions should continue before the Plenary in order to try to ensure that all the results achieved over the past few days were not overturned.

1.19 The **Chairperson** said there appeared to be consensus to approve the document, placing the phrase "currently led by the private sector" in square brackets and with a more appropriate translation of "IP networking" for the French and Spanish texts.

1.20 It was so **agreed**.

## 2 Implementation of processing charges for satellite network filings (continued) (Documents 67, 240)

2.1 The **Chairperson** recalled that Document 67 had been introduced by the Director of BR at the Committee's twelfth meeting.

2.2 The **delegate of Tonga**, introducing Document 240, said that it reflected the variety of questions and issues, many fundamental, raised by administrations following the introduction of Document 67 at the twelfth meeting. The draft resolution was intended to address the unanswered questions and flaws in that document and in Council Decision 480. The square brackets in *considering further* denoted work not yet completed in Committee 7.

2.3 Particular importance was attached to the paragraphs *concerned that*, which expressed concern that cost recovery should only be implemented on the basis of clearly understood and transparent procedures and through an appropriate modification of the Financial Regulations, and *resolves* 1, which stated that Decision 480 should not be implemented but, instead, following further studies, should be replaced by a new Council decision which would be taken in full consideration of the principles set out in Annex A to Document 240. *Resolves* 4 was also important in stating that cost recovery would apply only after the date of the new Council decision.

2.4 The **delegate of the Netherlands** expressed agreement only with *considering a)* and *b)* of Document 240, because it was clear in Document 67 that, following the Council's decision, the Plenipotentiary Conference's only task was to decide on a date for implementation.

2.5 The **delegate of the United Kingdom** added that if the Plenipotentiary Conference failed to make a clear decision on the implementation of satellite filing charges, the impact on the finances of the Union and the workload in the Radiocommunication Bureau would be severe. The **delegate of Denmark** fully supported that position.

2.6 The **delegate of Canada** said that Document 240 was very important in that it addressed the issues raised in Document 67, and it was unfortunate that there had not been time for a thorough evaluation of its implications. Canada could agree with some of the points made but, like the United Kingdom, was concerned about the impact on the finances of the Union if the Plenipotentiary Conference did not support the Council's decision.

2.7 The **delegate of Norway** said the Council had taken its decision in the light of the elements listed in Annex A to Document 67. The suggestion in *resolves* 1 of Document 240 not to implement the Council's decision was therefore a matter of some concern.

2.8 The **delegate of South Africa** agreed that the Council had considered the questions raised in Document 240 to the extent possible in the time available, and there could be no justification for not implementing its decision. She therefore found it difficult to support Document 240.

2.9 The **delegate of the United States** urged support for Document 240. With regard to Document 67, he had a number of observations relating to Council Decision 480, set forth in Annex B. With reference to *decides* 2, the Council had been aware that administrations whose governments were affected by questions of cost recovery would need domestic consultations, and had suggested that guidelines for that purpose should be developed; the Plenipotentiary Conference would have to reflect that consideration in its decisions. With regard to *decides* 3, the Council expected that the present Conference would take into account the many elements involved in the allocation of revenues for backlog reduction in the processing of satellite network filings. The Council also expected the Plenipotentiary Conference to develop an implementing instrument with reference to the Financial Regulations referred to in *decides* 4.

2.10 The **delegate of Mexico** said that Document 240 contained a number of interesting points but caused his delegation some concern, in that the general system of cost recovery was being applied to a specific service in a way which seemed somewhat contradictory. The Council had indeed reached agreement on the matter, but the current Conference was competent to amend its findings if it saw fit. Perhaps an informal group could be convened with a view to submitting an agreed text to the Plenary Meeting direct.

2.11 The **delegate of India** noted that the Council had discussed the basic question of delays in filings, and looked for ways to implement cost recovery as speedily as possible; at the same time, there was a need for a suitable monitoring mechanism. A number of further difficult questions arose also, such as possible repercussions on the regulatory process, and the date of filing.

2.12 The **delegate of China**, referring to Document 240, said that a decision taken by the Council did not inhibit the current Conference from considering further points raised by its participants. It had indeed been observed, in the Council itself, that Decision 480 did not solve the problems relating to cost recovery. Cost recovery could be implemented for commercial satellite network filings; but if networks were serving industrial purposes only, and were provided by governments, cost recovery could be very difficult - a problem which the draft resolution contained in Document 240 would not solve. With regard to date of implementation, countries which so wished should be enabled to implement procedures through their domestic legislation.

2.13 The **delegate of Syria** supported the text contained in Document 240 with regard to cost recovery. It should be recalled, in that connection, that the Council had decided to allocate 5 million Swiss francs; there was no pressing need, therefore, for hasty action.

2.14 The **delegate of Malaysia** supported Document 240, which addressed many ambiguities present in Document 67.

2.15 The **delegate of Saudi Arabia**, and the **delegate of the Islamic Republic of Iran** speaking also on behalf of the Lebanese delegation, supported the draft resolution contained in Document 240.

2.16 The **Chairperson**, having summed up the discussion, suggested that the delegate of India should convene an informal group, with a view to reaching conclusions which he could report to the Plenary Meeting. The **delegates of Mexico, Brazil, the United States, South Africa** and **Tonga** supported the Chairperson's suggestion.

2.17 It was so **agreed**.

## 3 Follow-up of Resolution 18 (Kyoto, 1994) (continued) (Document DT/47)

3.1 The **delegate of Sweden** introduced the draft resolution contained in Document DT/47, on coordination and notification procedures for satellite networks. The text was the outcome of informal consultations.

3.2 The draft resolution in Document DT/47 was **approved**.

## 4 International Telecommunication Regulations (continued) (Document DT/48)

4.1 The **delegate of Australia**, introducing draft Resolution [COM5/16] in Document DT/48, said that the text represented an attempt to take into account all the various views expressed in the Committee, which could be divided roughly into two groups: those concerned with the constitutional status of the Regulations and their relationship to treaty foundations; and those primarily concerned with the urgent need for action. Amendments had been made accordingly to the text of *resolves*, *instructs the Council* and *instructs the Secretary-General* of the resolution considered by the Committee at its twelfth meeting. The general view seemed to be that the preparatory process need not inevitably involve the convening of a conference; that was why the instructions were addressed to the Council and the Secretary-General.

4.2 The **delegate of Japan** expressed appreciation of the draft resolution, which his delegation could now support in view of the amendments that had been made to the *resolves* section of the original draft.

4.3 The **delegate of the Islamic Republic of Iran** proposed inserting the words "competent and" after the word "pre-eminent" in the *believing* section of the draft resolution. In *considering further*, he proposed that the phrase "for many Member States" be replaced by the phrase "for some Member States" in *a)*; that the text of *b)* read as follows: "that national legislation and other multilateral treaty obligations are considered by some Member States to limit the ability to apply strictly the Regulations that were agreed in good faith in 1988, while reiterating the responsibilities of States to fully comply with their obligation under international treaties"; and that the words "and appropriate" be added at the end of *c)*. The **delegate of the Philippines** said that she would prefer *further considering b)* to be deleted.

4.4 The **delegate of Saudi Arabia** said that *considering further c)* was not well-balanced as a number of Member States did wish to study further the possibility of holding a world conference. The **delegate of Norway** proposed the deletion of *considering further c)*.

4.5 In the *resolves* section, the **delegate of Saudi Arabia** questioned the inclusion of the word "administrations" and the **delegate of the Philippines** considered that a reference to Sector Members should be inserted. The **delegate of Pakistan** proposed that the reference to changing the Constitution and the Convention should be deleted.

4.6 In *instructs the Council* 2, the **delegate of the Islamic Republic of Iran** proposed replacing the existing text by the following: "in the above context, to review the extent to which the current needs of the Member States are reflected in the basic instruments of the Union."

4.7 In *instructs the Secretary-General*, the **delegate of South Africa** proposed the deletion of the word "legal" as being too restrictive. Her view was supported by the **delegates of Norway** and **the Philippines**, and by the **delegate of Pakistan**, who also wished to remove any reference to changes in the Constitution and the Convention. The **delegate of the Islamic Republic of Iran** proposed amending the second half of § 1 as follows: "... identifying any possible need to improve and strengthen the ITU Constitution and Convention...".

4.8 The **delegate of the Philippines** said that she considered that *instructs the Secretary-General* should be reworded to include all the items proposed for consideration by Council under *instructs the Council*, and that the Council should be instructed to take action subsequently on the basis of the Secretary-General's report, a view supported by the **delegate of Mexico**, who added that the Council could then inform a future plenipotentiary conference.

4.9 The **delegate of France**, supporting the text, expressed doubts as to whether it would be possible for the Council to embark on such an extensive analysis as was proposed. He would prefer an exploratory study to be carried out first by the Secretary-General, in close cooperation with the Director of TSB and a well-balanced group of legal experts, who would examine the topics listed under *instructs the Council*, for submission to the Council and to the next Plenipotentiary Conference. That approach was supported by the **delegate of Pakistan**.

4.10 The **Chairperson**, following a proposal by the **delegate of Syria**, suggested, that in view of the large number of amendments that had been proposed, the delegates concerned should contact the delegate of Australia in order to produce a consolidated text for submission to the Plenary Meeting along with the Chairperson's report.

4.11 It was so **agreed**.

## 5 Preparation for the year 2000 (Document 171)

5.1 The **delegate of the United States** introduced Document 171. She stressed that its purpose was to encourage ITU to assist Member States in facing the challenge of the year 2000, to urge administrations to facilitate the exchange of information essential for tackling the problems involved and to instruct the Secretary-General, through the Directors of the Bureaux, to encourage telecommunication operators, carriers and manufacturers to take prompt, comprehensive and effective action to address the problem of the year 2000.

5.2 The **delegate of Syria,** supporting the principle of the draft resolution, said he would be prepared to endorse the text if it was amended to reflect the fact that an ITU task force representing all three Sectors had been doing substantial work on the issue for some time which deserved some recognition.

5.3 The **delegate of Sweden** supported that view. He would submit an amendment to *instructs the Secretary-General* in writing. The **delegate of the United Kingdom**, supporting the draft resolution, said that he would submit a further amendment to *instructs the Secretary-General* regarding the reference to the British Standards Institute. The **delegate of Mexico**, also supporting the draft resolution, said that he would welcome more information on the work accomplished by the task force.

5.4 The **delegate of China** said that his Administration fully supported the draft resolution, as his Government attached great importance to the year 2000 problem and had already set up a national committee to examine the matter, for which a broad exchange of information would be most valuable.

5.5 The **delegate of Mali**, commending the document, stressed the urgency of the problem especially for the developing countries.

5.6 The **delegate of the United States** said that she would produce a consolidated text reflecting the comments made in the discussion or submitted in writing.

5.7 The **Chairperson** suggested that the delegate of the United States present a revised version of the draft resolution to the Plenary Meeting.

5.8 It was so **agreed**.

**The meeting rose at 2130 hours.**

The Secretary:
D. SCHUSTER

The Chairperson:
M. BOSSA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 335-E**
**14 December 1998**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 5**

SUMMARY RECORD

OF THE

FIFTEENTH AND LAST MEETING OF COMMITTEE 5

(STRATEGIC POLICY AND PLANS)

Saturday, 31 October 1998, at 0935 hours

**Chairperson:** Mr. M. BOSSA (Argentina)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Improving the efficiency of ITU's management and reviewing ITU's mission for the twenty-first century | 9(Add.1), 18(Add.1), 32, 34(Add.1), 41, 70, 85, 107(Rev.1) |
| 2 | Resolutions 21 and 22 (Kyoto, 1994) (continued) | 242; DT/49 |
| 3 | Resolutions 31 and 32 (Kyoto, 1994) | - |
| 4 | Examination of the report of WTDC (Valletta, 1998) | 30 |
| 5 | Role of the notifying administration (WRC) | 32 |
| 6 | Examination of the role of the radiocommunication study groups | 34 |
| 7 | Improving the efficiency of ITU conferences | 70 |
| 8 | ITU-T study group for policy and regulatory issues | 63(Rev.1) |
| 9 | Use of telecommunications for the safety and security of humanitarian personnel in the field | 183 |
| 10 | Issues related to the Plenipotentiary Conference, Council and General Secretariat | 25 |
| 11 | Summary records of the first six meetings of Committee 5 | 136, 141, 152, 153, 166, 191 |

## 1 Improving the efficiency of ITU's management and reviewing ITU's mission for the twenty-first century (Documents 9(Add.1), 18(Add.1), 32, 34(Add.1), 41, 70, 85, 107(Rev.1))

1.1 The **delegate of Canada** said that her Administration's proposal (CAN/9/27) laid emphasis on the urgent need to establish a working group of TSAG to address new roles and responsibilities for Sector Members and Member States in the functioning of ITU-T. Specific recommendations from the working group, aimed at improving the functioning of ITU-T, should be submitted to the world telecommunication standardization conference in the year 2000.

1.2 The **delegate of Japan**, introducing the proposals of Japan (J/18/2 and 3) and APT (APT/70/32), which were identical, said that ITU should adapt to changes in the telecommunication environment in order to meet the needs of its membership and maintain its pre-eminence in the world telecommunication sector. For that reason, the countries of the Asia-Pacific region proposed the establishment of a review committee to examine the following points: the Union's effectiveness in responding to needs; the relevance of ITU activities; the efficiency of ITU meetings; coordination among the three ITU Sectors; and the ITU election system. The membership of the committee should be balanced between Member States and Sector Members and between developing and industrialized nations. The committee should also comprise experts, consultants and leading figures from the telecommunication and information industry. Its recommendations should be submitted to the Council, which would implement those coming within its competence and forward the others to the 2002 Plenipotentiary Conference for consideration.

1.3 The **delegate of Russia**, introducing his Administration's draft Resolution [RUS-1] (Addendum 1 to Document 34), said that ITU was not reacting quickly enough to the changing nature of the telecommunication environment and that much remained to be done to ensure the participation of small countries in the Union's activities and to adapt the coordination procedures in respect of satellite systems to current requirements. It was for that reason that Russia proposed the establishment of a high-level committee which would be composed, with due regard to equitable geographical distribution, of representatives of Member States and Sector Members, and which would be called upon to carry out an in-depth review of the structure and functioning of the Union, in order to study and make recommendations on ways of enhancing efficiency within all ITU organs.

1.4 The **delegate of Germany**, introducing European proposals EUR/32/223 and 224, said that ITU should adapt to the changes in the telecommunication environment. To that end, the European administrations proposed that the Directors of the Bureaux should review, with the assistance of their Sector advisory groups, the changes to the organization and working methods of their respective Sectors introduced as a result of the reviews conducted in response to Resolutions 15 and 39 (Kyoto, 1994) and report to the next Plenipotentiary Conference on the effectiveness of those changes, any difficulties encountered, and any proposals for further change within their Sectors that were necessary to ensure that ITU was able to meet its objectives as laid out in the strategic plan.

1.5 The **delegate of Kenya**, introducing his Administration's proposal (KEN/85/1), said that an ongoing review of the functioning of ITU was required to enable the Union to respond to the changes that occurred. That task should be entrusted to a high level committee whose terms of reference and membership would be defined by the conference. The committee would address the issues listed in the APT draft resolution.

1.6 The **delegate of Sweden** said that the work accomplished by the Secretary-General, the ITU-2000 Group and the Council had paved the way for substantial improvement in the working methods of ITU. However, given the rapid pace of technological developments, the restructuring of the Union should be continued and the rights and obligations of Sector Members should be considered in greater depth. For that reason, the Swedish Administration unreservedly supported the European proposals.

1.7 The **delegate of Saudi Arabia** acknowledged that a detailed review of the entire structure of the Union was necessary. However, the Union should beware of taking hasty decisions. As a first step, it was necessary to wait to see the results of implementation of the recommendations to be approved by the current conference.

1.8 The **delegate of South Africa** also thought that it was necessary to go beyond the ITU-2000 recommendations and look at ways of restructuring the Union so that it could fulfil its mission in the next century.

1.9 The **delegate of Algeria** said that, if ITU wished to safeguard its unity and its relevance, it should without fail adopt measures, particularly in the field of management, to involve the great majority of developing countries more closely in its various activities. The high level committee which might be created should, among other things, examine the inadequacies of the RRB which had been unable, for example, to safeguard the national sovereignty of States, thereby contributing to an intolerable situation in the Mediterranean region. It should also look into the problem of equitable representation of the different regions in the organs of the Union in order to prevent certain regions from being sidelined and possibly alienated from the organization in consequence. Lastly, reforms should not be rushed, so as not to destabilize ITU.

1.10 The **delegate of Syria** said that examination of working methods was a matter for the Sector advisory groups, while the question of structural changes came within the purview of the Council. The Syrian Administration did not, therefore, think it necessary to set up a high level committee and supported the European proposals which seemed to be the most reasonable pending consideration of the outcome of changes decided by the current conference.

1.11 The **delegate of the United States** said that the Union had to adapt to the rapid changes in telecommunications if it wished to maintain its pre-eminence in that field. It needed stability for that purpose. A continuous review of structures, working methods and the rights and obligations of Member States and Sector Members was of course necessary. If a committee was set up for that purpose, it should not overlook the fact that the advisory groups of the three Sectors and the Council were in the best position to adapt the Union to changes in the telecommunication environment.

1.12 The **delegate of Tanzania** said that, if a committee was established, it should draw positive and negative lessons from earlier experiences. His delegation was convinced in principle that a continuous review of the Union's structures and working methods would serve to improve ITU's efficiency.

1.13 The **delegate of India** said he was in favour of the establishment of a high level committee.

1.14 The **delegate of Pakistan** said that, if such a committee was created, the new elected officials and the Council should be closely involved in its work.

1.15 The **delegate of China** thought that it would be more sensible to allow the new elected officials more time to apply decisions taken by the current conference and to take stock of the results after one or two years.

1.16 The **delegate of the Netherlands** said that it would be for the next plenipotentiary conference to decide, in the light of a preliminary evaluation which would have been carried out by the Sectors, whether such a committee was needed.

1.17 The **Chairperson** noted that, while all speakers were convinced of the need for a continuous review of the structures, management and working methods of the Union, opinions were divided on the approach to be followed. He suggested therefore that an informal group chaired by the delegate of South Africa should seek to arrive at a consensus and submit its conclusions to him so that they could be forwarded to the Plenary.

1.18 It was so **agreed**.

## 2 Resolutions 21 and 22 (Kyoto, 1994) (continued) (Documents 242; DT/49)

2.1 The **Chairperson** invited the Chairman of ITU-T Study Group 3 to introduce draft Resolution [COM 5/18] concerning reform of the international accounting rate scheme, as set out in Document DT/49.

2.2 The **Chairman of ITU-T Study Group 3** said that he had sought to ensure that the draft resolution, which was addressed to a plenipotentiary conference rather than a specialized study group, was straightforward, balanced and unbiased. It was designed to reflect the urgency of the issue and to show that the specific problems of developing countries had been fully recognized, the difficulty being to strike a balance between the requirements of those countries and the pressures exerted by competition in the developed countries.

2.3 The **delegate of Mexico** said that the draft resolution submitted by nine administrations and reproduced in Document 242 took account of the fact that the question of alternative calling procedures had been debated at length within various organs of the Union and that the sovereign right of Member States to regulate their telecommunications had been reaffirmed in that connection. The organs concerned had also held discussions on the principle of setting cost-orientated tariffs, a principle approved by all countries, but one subject to variable implementation according to the extent of national telecommunication development. Moreover, the developing countries and the LDCs in particular had urged that unilateral measures, which unfortunately were applied with increasing frequency, should be avoided. It was with those three factors in mind, therefore, that the amendments contained in Document 242 had been made to the original draft resolution in Document 209. Under *considering,* reference was made to Resolution 21 of the Kyoto Plenipotentiary Conference and the agreements reached to date within ITU, while *considering further* referred to the need for a gradual transition (with regard to time and costs) so that the economy and telecommunication enterprises of countries concerned were not put under stress; the number of Member States having announced action to prohibit alternative calling procedures; the sovereign right of each State to regulate its telecommunications; and the decisions taken by WTPF. Lastly, the draft resolution included a new *resolves to instruct the Secretary-General, the Director of the Bureau, the Director of TSB and the Chairman of Study Group 3* as well as a new *instructs the Secretary-General.*

2.4 The **representative of Syria**, after pointing out that he had not been able to examine Document 242, observed that Bahrain and Trinidad and Tobago had submitted contributions which had not been taken into consideration. His delegation supported Bahrain's contribution and considered that the question of alternative calling procedures was separate from that of accounting rates.

2.5 The **delegate of New Zealand** endorsed Document DT/49 and suggested replacing, in *urges ITU-T Study Group 3 b)*, the word " arrangements" by "accords". With regard to Document 242, his delegation proposed replacing the words "gradual transition" in *considering further a)* by "slow transition" and adding at the end of the provision that the interests of all consumers should have priority. Furthermore, *considering further b)* added nothing to the text, *resolves to instruct the Secretary-General, the Director of the Telecommunication Standardization Bureau and the Chairman of Study Group 3* was a rather unusual provision for a draft resolution and *instructs the Secretary-General* should be amended so that not only countries which prohibited alternative calling procedures, but also those which authorized them, were identified. He noted also that bypass procedures had not been defined.

2.6 The **delegate of Pakistan**, while recognizing that the draft resolution reproduced in Document DT/49 had been prepared out of concern to achieve an equitable solution, emphasized that a termination charge procedure could provide a solution. It would be difficult for his delegation to accept other possibilities. He supported the part of the Bahrain contribution concerning termination charges. Referring to the fact that WTPF had recommended that ITU Member States find other sources of financing to ensure development of their telecommunication infrastructure, he stressed that the solution should on no account involve recourse to World Bank loans. He proposed that the wording of draft Resolution [COM5/18] should be reviewed by a small group.

2.7 The **delegate of the Netherlands** expressed approval of the text of Document DT/49 and observed that Document 242 would generate a great deal more discussion.

2.8 The **delegate of the United Kingdom** said that his delegation was prepared to accept the text of Document DT/49, which was well balanced. He observed that Document 242 assigned to the Plenipotentiary Conference a role which was in fact fulfilled by ITU-T Study Group 3. Any discussion on that subject would therefore be inappropriate.

2.9 The **delegate of Germany** endorsed the view expressed by the previous speaker and emphasized that it would be more sensible to await the results of the work of Study Group 3.

2.10 The **delegate of Ecuador** noted that the text of Document 242 dealt with principles rather than questions of detail. The *considering* ought to have mentioned the fact that alternative calling procedures and accounting rates should be the subject of a single document, since both types of measure affected countries' revenue, with potentially adverse consequences for developing countries in particular. Study Group 3 should therefore accelerate its work on the basis of the general principles defined. He was prepared to accept that a working group revise the text of the draft resolution so that the debate on the matter was not reopened in Plenary.

2.11 The **delegate of the United States** said that he was prepared to accept the draft resolution reproduced in Document DT/49, which accurately described the requirements of all Members of the Union. Like other speakers, he emphasized that the Plenipotentiary Conference addressed general principles, while more precise technical questions were to be dealt with by ITU-T Study Group 3.

2.12 The **delegate of India** suggested including in Document DT/49 paragraphs *a)* and *d)* of *considering further* of Document 242.

2.13 The **delegate of Bahrain** said that he was prepared, in a spirit of compromise, to accept Document DT/49 subject to a few amendments. He suggested that *recognizing a)* should indicate that ITU-T Study Group 3 had achieved outstanding results with regard to Recommendation D.150 on termination charges. On the other hand, as far as the subparagraph beginning with the words "an agreement to expand" was concerned, Study Group 3 needed to study the new principles. He further

suggested that *recognizing c)* should be moved to *considering* for the sake of balancing the interests of all countries, and with regard to *urges ITU-T Study Group 3*, he observed that termination charges and transitional arrangements were the subject of well-defined principles, which was not the case for other procedures. He therefore proposed that the wording of that paragraph should be clarified.

2.14 The **delegate of Tanzania** said that *urges ITU-T Study Group 3* should reflect the urgency of the accounting rate issue and set a time-limit for the results of the study group's work, and that the problems of developing countries should also be given particular attention. Document DT/49 should therefore be revised.

2.15 The **Chairperson** noted that many delegations considered Document DT/49 to constitute a good foundation for work. He suggested therefore that an informal group should revise the text.

2.16 The **delegate of Syria** asked that reference be made, in Document DT/49, to Kyoto Resolutions 21 and 22; he added that the draft resolution, like *considering* in Trinidad and Tobago's contribution, could refer to the relevant resolutions of WTDC-98 (Resolutions 12 and 22). He was prepared to examine Mexico's proposal with a view to reaching a compromise.

2.17 The **delegate of Mexico** also thought that the text to be adopted should refer to Kyoto Resolutions 21 and 22. She was also in favour of establishing an informal group.

2.18 The **delegate of Pakistan** agreed that the draft resolution should mention other resolutions.

2.19 The **delegate of the United Kingdom**, supported by the **delegate of the Netherlands**, said that he was opposed to the establishment of an informal group unless it had very precise terms of reference, since, otherwise, the group might well be required to settle questions that came within the purview of ITU-T Study Group 3.

2.20 The **delegate of Bahrain** acknowledged that the informal group should have very precise terms of reference since it would have to recognize that Study Group 3 had succeeded in establishing stable principles and should not go into questions of detail. The group should confine itself to the principles or strategies to be adopted in respect of accounting rates, and attempt to balance the interests of all countries worldwide, without placing emphasis on the national legislation of particular countries. The draft resolution should also refer to all resolutions adopted on that subject by other organs of the Union.

2.21 The **delegate of New Zealand**, supported by the **delegate of the United States**, considered that the informal group should examine only editorial amendments, without going into the technical issues which were the province of ITU-T Study Group 3.

2.22 The **delegate of the United Arab Emirates** proposed that the informal group should examine Document DT/49 with a view to incorporating the suggested amendments.

2.23 The **Chairperson**, summing up, noted that some participants wished to see only editorial improvements made to the text of the draft resolution contained in Document DT/49, while others considered that the informal group should amend Document DT/49 on the basis of the proposals of Bahrain and Document 242. Consequently, he would point out in his report to the Plenary that none of the documents submitted on the question of accounting rates had received unanimous support.

2.24 It was so **agreed**.

## 3 Resolutions 31 and 32 (Kyoto, 1994)

3.1 The **Chairperson** said that the resolutions in question, which related to the Palestinian Authority, would be dealt with by an ad hoc group chaired by the Chairperson of the Conference.

## 4 Examination of the report of WTDC (Valletta, 1998) (Document 30)

4.1 In the absence of the Director of BDT, the Committee **took note** of the report of WTDC-98, without examining the resolutions contained therein.

## 5 Role of the notifying administration (WRC) (Document 32)

5.1 The **Chairperson** invited participants to examine proposal EUR/32/237 contained in Document 32.

5.2 The **delegate of Sweden** said that draft Resolution [EUR-4] invited the next WRC to address the issue of the role of the notifying administration in more detail.

5.3 The **delegate of the United States** observed that, while he understood the aim of the proposal, *considering e)* assumed that the notifying administration was responsible. His delegation could accept the wording of the resolution subject to a request being made to the Director of BR, in agreement with RAG, to prepare a report for the next WRC specifying the role of notifying administrations.

5.4 Following an informal exchange of views with the United States delegation, the **delegate of Sweden** pointed out that it had been agreed to delete *considering e)* and replace it with the following text: "instructs the Director of the Radiocommunication Bureau, with the advice of the Radiocommunication Advisory Group, to prepare a report to the next WRC on the role of notifying administrations when notifying on behalf of a named group of administrations".

5.5 The **delegate of Syria** said that his country wished the administrations responsible for notification to have the option of meeting and putting forward their point of view, since it would be unfair if they were not involved in any decision.

5.6 Draft Resolution [EUR-4], as amended, was **approved**.

## 6 Examination of the role of radiocommunication study groups (Document 34)

6.1 The **Chairperson** invited participants to refer to proposal RUS/34/7 concerning No. 155 of the Convention, as set out in Document 34.

6.2 The **delegate of Russia**, introducing his proposal, said that it aimed at broadening the sphere of economic studies within the various ITU-R study groups. Taking current trends into account, the economic aspects of spectrum management were as important as the technical aspects, which was why many countries wished to have working papers or recommendations on tariffs for spectrum management, for example. ITU-R Study Group 1 had already, in its studies, dealt with the economic aspects of spectrum utilization and the cost of such utilization at national level.

6.3 Proposal RUS/34/7 was supported by the **delegates of the United Kingdom, the Netherlands, Kyrgyzstan, Mexico, New Zealand** and **Luxembourg**.

6.4 The **delegate of the United States** said that, while he considered the proposal to be an interesting one, his delegation had opposed that amendment to the Convention, on the grounds that provisions of a practical nature were a matter for the Sectors.

6.5 The **delegate of Russia** pointed out that his delegation's proposal had already been submitted to Committee 6 and that the United States delegation had indicated that the provision in question should be dealt with by Committee 5. Moreover, the Committee should have no difficulty in resolving the issue.

6.6 The **Chairperson** confirmed that Committee 6 had referred the provision to him for consideration.

6.7 The **delegate of Turkey** said that the Russian proposal posed no problems of substance but would benefit from improved wording.

6.8 The **delegate of Canada** expressed concern that the provision was given too broad a scope by the phrase "promotes the development of radiocommunications". Furthermore, No. 155 of the Convention did not prohibit study groups from addressing economic aspects.

6.9 The **delegate of the Netherlands** took the view that No. 155 of the Convention expressly prohibited account being taken of economic questions, so that the decisions taken on that subject by the two previous radiocommunication assemblies were somewhat at variance with the Convention. The Russian proposal introduced greater flexibility and constituted a sort of update of No. 155.

6.10 The **delegate of the United States** said that it was preferable not to introduce into the Convention concerns pertaining to one Sector. She suggested that the Russian proposal should be included in part E.3-35 of the strategic plan as a goal of the Radiocommunication Sector.

6.11 The **delegate of Saudi Arabia** said that he would prefer reference to be made to economic "factors" rather than "questions".

6.12 The **delegate of Syria** considered that the Russian proposal was unacceptable as matters stood at present with regard to No. 155 of the Convention.

6.13 The **delegate of Russia** explained that his proposal was in fact linked to the amendment of No. 155 and that it broadened the scope of studies, introduced greater flexibility and on no account called for the Radiocommunication Sector to deviate from its mission.

6.14 The **Chairperson** suggested indicating in his report to Plenary that the Russian proposal had received the support of most members of the Committee, while also bringing to Plenary's attention the proposals of the United States and Saudi Arabia and the comment by Syria.

6.15 It was so **agreed**.

## 7 Improving the efficiency of ITU conferences (Document 70)

7.1 The **delegate of China** said that the key element in draft Resolution [APT-10] (proposal APT/70/33) had been incorporated in a number of other documents already approved by the committee, including draft Resolution COM5/1. If the other APT member countries agreed, the committee no longer needed to consider the text.

7.2 The **delegates of the Islamic Republic of Iran** and **Turkey** associated themselves with that statement.

7.3 It was so **agreed**.

## 8 ITU-T study group for policy and regulatory issues (Document 63(Rev.1))

8.1 The **delegate of Bahrain** said that ITU-T already had a working party on telecommunication policy and regulatory issues. However, as the work of that working party did not receive all the attention it deserved, the draft resolution proposed in Document 63(Rev.1) was aimed at assigning consideration of that topic to a study group.

8.2 The **Chairperson** suggested that the text should instead be submitted to the informal working group on the functioning of ITU.

8.3 The **delegate of Japan** was not convinced of the need to establish such a study group and considered that *noting c)* in the draft resolution did not accurately describe the role of world telecommunication policy forums.

8.4 The **delegate of France** said that the proposal by Bahrain raised the very interesting problems of dialogue on regulatory issues and improved interaction between TSB and BDT. The best solution might be for the text to be considered within the framework of the informal group on the functioning of ITU.

8.5 The **delegate of New Zealand** considered that the proposed study group would duplicate the work of ITU-T Study Group 3 and ITU-D Study Group 1. It would be inconsistent with Article 17 of the Constitution, which defined the functions of the Standardization Sector, to entrust to that Sector the task of studying regulatory aspects other than those connected with tariffs.

8.6 The **delegate of the United Kingdom** said that ITU-T could not, as a matter of principle, concern itself with national regulations. If there was a problem of dialogue on regulatory issues, the solution could not be found in a study group called upon to draw up recommendations.

8.7 The **delegate of Germany** associated himself with the statements of the two previous speakers and added that the decision as to whether or not to set up such a study group should be taken by the conference of the Sector concerned, not by the Plenipotentiary Conference.

8.8 The **delegates of the Netherlands** and **the United States** said that they were aware of the lack of dialogue on regulatory issues but considered that establishing a study group was not the solution. The **delegate of Russia** shared that view.

8.9 The **delegate of Lebanon** agreed that it appeared difficult, in principle, to give ITU-T responsibility for studying national regulations. That having been said, many countries were encountering precisely identical problems in that area, so that ITU-T recommendations would benefit all those countries. Moreover, during the informal consultations, neither the outgoing Director nor the Director elect of TSB had seemed to oppose establishment of such a study group.

8.10 The **delegate of Bahrain** observed that the revised text of *resolves* in the draft resolution no longer referred to the establishment of a study group but merely instructed TSB to look at the possibility of establishing such a group. He also wondered with which ITU-T or ITU-D study group the proposed study group would actually overlap.

8.11 The **Chairperson** suggested that the co-authors of the draft resolution should submit their text to the informal group on the functioning of ITU.

8.12 It was so **agreed**.

## 9 Use of telecommunications for the safety and security of humanitarian personnel in the field (Document 183)

9.1 The draft resolution in Document 183 was **approved**.

## 10 Issues related to the Plenipotentiary Conference, Council and General Secretariat (Document 25)

10.1 The **delegate of Syria** said that proposals KWT/MRC/SYR/25/1 to 5 and KWT/MRC/SYR/25/8, 10 and 11 were aimed at ensuring that responsibility for establishing a strategic plan was unambiguously entrusted to Council, leaving only a backup role to the secretariat in that regard. If Committee 5 accepted that principle, Committee 6 could develop the best possible wording for the amendments to be made to the Constitution and Convention.

10.2 The **delegate of Germany** observed that, under the current system, a draft strategic plan was presented to the Council in advance, so that the latter had a hand in establishing the plan. There was no need to change the system.

10.3 The **delegate of Canada** added that the committee had already adopted a text on the Council's role in financial and strategic planning.

10.4 The **delegates of the Netherlands** and **the United States** associated themselves with the statements of the two previous speakers.

10.5 The **Chairperson** suggested that his report to Plenary should indicate that Committee 5 had not had time to make a full study of the proposals, which had nevertheless provoked some misgivings. The authors of the proposals could submit them again in Plenary.

10.6 It was so **agreed**.

## 11 Summary records of the first six meetings of Committee 5 (Documents 136, 141, 152, 153, 166 and 191)

11.1 The summary records of the first (Document 136), second (Document 141), third (Document 152), fourth (Document 153), fifth (Document 166) and sixth (Document 191) meetings of Committee 5 were **approved**.

**The meeting rose at 1305 hours.**

The Secretary:
D. SCHUSTER

The Chairperson:
M. BOSSA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 336-E**
**14 December 1998**
**Original: French**

**COMMITTEE 7**

SUMMARY RECORD

OF THE

FIFTEENTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Saturday, 31 October 1998, at 0945 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Draft Financial Plan 2000-2003 (continued) | 42 + Add.1; DT/50 |

## 1 Draft Financial Plan 2000-2003 (continued) (Documents 42 + Add.1; DT/50)

1.1 The **Chairperson** invited participants to consider Document DT/50, which contained the revised draft Financial Plan 2000-2003 prepared by the secretariat.

1.2 The **Secretary** said that Document DT/50 combined the data of Document 42 and its Addendum 1. The figures for the options in Addendum 1 were estimates. The changes with respect to Document 42 and its Addendum 1 had been made in the light of the Committee's earlier discussions. Under the General Secretariat heading, it could be seen that savings of some 8 700 000 Swiss francs had been achieved thanks to the redeployment of resources and the progressive increase in productivity and efficiency in the production of documentation and publications, without any decrease in the volume of documentation. Committee 7's decision regarding long-term care insurance would entail an expenditure of 100 000 Swiss francs. Under the Radiocommunication Sector and Telecommunication Standardization Sector headings, no change had been made apart from adding in the options already contained in Addendum 1. In the Telecommunication Development Sector, the amount for reinforcement of the regional presence, as proposed in Document 56 (scenario A), which came to 7 900 000 Swiss francs, had been placed in square brackets under the heading "Under consideration", since Committee 7 had not yet taken a decision in that respect. Three further items under the same heading were estimated on a provisional basis, pending a decision by the Committee or by the Plenary. They were the new composition of the Radio Regulations Board, for which the amount of 874 000 Swiss francs had been placed between square brackets; gradual lifting of limitations on the use of official languages of the Union, for which the sum of 30 000 000 Swiss francs had been placed between square brackets; and full cost-recovery income for satellite network filings, for which the amount of 30 000 000 Swiss francs had been placed between square brackets. Furthermore, Document DT/50 took account of the fact that the Committee had decided that the partial cost-recovery mechanism should continue to apply to TELECOM activities. That being so, if the four expenditure items still under consideration were approved, the provisional amount of the contributory unit would be increased by 5.12% compared with the amount for the 1998-1999 budget.

1.3 The **Chairperson** suggested that the discussion concerning Document DT/50 should take the form initially of questions by participants regarding the changes made by the secretariat to the draft Financial Plan, followed by a general debate regarding the implications of the new draft Financial Plan, and lastly consideration of the requirements of the General Secretariat and the three Sectors. He drew participants' attention to the fact that the General Secretariat had achieved savings of almost 8 700 000 Swiss francs and had abandoned its request for additional staff for the Montbrillant building.

1.4 The **delegate of France** expressed surprise at the fact that the amounts for expenditure under consideration had been placed between square brackets at the beginning of the document, but not in Tables 1 to 6.

1.5 The **Secretary**, taking the expenditure on the Radio Regulations Board as an example, said that the amount of 2 312 000 Swiss francs which appeared in Table 4 of Document DT/50 included the 1 438 000 Swiss francs earmarked for the Radio Regulations Board in Document 42, plus the sum of 874 000 Swiss francs to be added to finance the enlargement of the Board. The **Chairperson** warned participants that they should therefore bear in mind that the figures given in Tables 1 to 6 included the amounts of expenditure still under consideration.

1.6 The **delegate of Spain** pointed out that the draft Financial Plan had no item of expenditure to cover the possibility of convening a world conference on international telecommunications, as contemplated in Document DT/48. If that expenditure was not allowed for in the draft Financial Plan, the Council might run into problems with the budget in the future.

1.7 The **Chairperson** said that the Conference would undoubtedly be taking more decisions which would have financial implications for the Union. The draft Financial Plan under consideration was not the final version.

1.8 The **delegate of the Netherlands** said that the Committee should begin by discussing the overall amount of the budget. The Netherlands Administration had welcomed the draft Financial Plan as submitted in Document 42 and had noted with satisfaction that the estimate for 2000-2003 was even slightly below the amount for the previous period. The Conference had then, however, been presented with Addendum 1 to Document 42, containing a number of options which, if adopted, would considerably raise the level of expenditure. At the current meeting, the secretariat was submitting a revised document, which combined Document 42 and its Addendum 1 in the form of Document DT/50. As the Secretary had said, if the items of expenditure under consideration referred to in the latter document were approved, there would be a resulting increase in budget expenditure and therefore an increase in the contributory unit. The delegation of the Netherlands, however, could not accept any increase in expenditure beyond budgetary limits. It could only approve either a budget similar to the previous budget or the budget given in Document 42. In other words, if the Conference decided to undertake new expenditure, for example to reinforce the regional presence, then it had to reduce expenditure in other areas. That meant establishing priorities. There was no alternative, and she had often reminded the Plenipotentiary Conference and the Bureau Directors in their various Sectors that priorities were indispensable. For the delegation of the Netherlands, the objective should undoubtedly be zero nominal growth.

1.9 The **Chairperson** said that he intended to call for a discussion on the establishment of priorities in the light of the new requests for expenditure.

1.10 The **delegate of Cameroon**, pointing out that Addendum 1 to Document 42 indicated two levels of expenditure for the reinforcement of the regional presence, said he was surprised that the figure given in Document DT/50 was the total amount for that expenditure. Had a decision been taken in that respect, or had the secretariat decided to include the worst-case expenditure scenario in Document DT/50?

1.11 The **Chairperson** reminded participants that the figures in square brackets in Document DT/50 were only estimates.

1.12 The **delegate of Canada** endorsed the comments made by the delegate of the Netherlands, adding that it was important to define the Conference's general attitude to the budget. He noted that it was stated in the foreword to Document 42 that the first financial objective for the establishment of the Plan was zero nominal growth in the amount of the assessed contribution as of 1 January 1998 for the Member States and Sector Members, assuming that the total number of contributory units remained unchanged, and that the second financial objective was zero nominal growth in the level of expenditure in comparison with the 1996-1999 budgets. He also recalled that, at the last Council session, the Standing Committee on Finance had asked that the level of expenditure of the draft Financial Plan should follow the lines of the 1996-1999 budgets. It was therefore clear that both the Council and the participants at the Plenipotentiary Conference expected expenditure to remain within the limits established for 1996-1999. Should the Plenipotentiary Conference decide to undertake additional expenditure for new priority activities, it expected that such additional costs should be offset by expenditure cuts in other sectors.

1.13 The **delegate of Germany** expressed satisfaction at the savings of 8 700 000 Swiss francs achieved by the General Secretariat thanks to the redeployment of resources and a progressive increase in productivity and efficiency with respect to the production of documentation and publications. Endorsing the views of the delegates of the Netherlands and Canada, he said that his delegation was prepared to accept a Financial Plan of around 651 753 000 Swiss francs (the figure given in Document 42) or even, in order to allow the Union a degree of flexibility, to go as far as 665 837 000 Swiss francs, the budget for 1996-1997 and 1998-1999. There was no way he could accept any further increase on those figures. It was up to the Directors of the Bureaux and the General Secretariat to work out savings to offset the additional expenditure which the Plenipotentiary Conference wanted to vote for its priority-rated activities. A document containing suggestions to that effect must be submitted to the Conference.

1.14 The **delegates of Sweden, the United Kingdom, the United States, Australia** and **Denmark** fully supported the views of the previous speakers.

1.15 The **delegate of France** also agreed, adding that it was important to establish priorities in all areas. Moreover, referring to the remark by the delegate of Cameroon that the amounts between square brackets for items under consideration reflected a worst-case expenditure scenario, he thought that, in the light of the discussions held in the various committees, it might be possible to review those figures and bring them down within more reasonable limits.

1.16 The **delegate of Spain** supported Document 42 and said that he was in favour of the principle of zero nominal growth. He was surprised to see, in Document DT/50 under the heading "Under consideration", a new item of 30 000 000 Swiss francs relating to full-cost recovery income for satellite network filings. A balance needed to be struck between income and expenditure.

1.17 The **delegate of Russia** said that Document 42 provided a good working basis, but that he was not satisfied with Document DT/50. He would like the secretariat to provide information on the financial reserves held in the Sectors and in the General Secretariat and to submit a new version of the draft Financial Plan taking account of the gradual introduction of new technologies, with a view if possible to reducing the figures in Document 42 and providing some clear guidance on the establishment of priorities for Union activities. He endorsed the views expressed by previous speakers.

1.18 The **Secretary** said that Document 42 and its Addendum 1 had been drawn up separately with a view to reflecting the discussion held in the Council, when it had been suggested that options should appear in a separate document. Referring to Table A in Document 42, he said that the budget approved for 1996-1999 came to about 666 million Swiss francs. The consolidated budget - including cost recovery (for new activities) - shown in the draft Financial Plan indicated negative growth of 2.73%. Thus, as he understood it, zero nominal expenditure growth would be 666 million Swiss francs, plus the new activities, which might or might not be added to the Financial Plan. He further recommended as far as possible avoiding special accounts in the Financial Plan. The secretariat should in any event be given a clear indication of which priorities should be applied in its work.

1.19 Referring to Document DT/50, he explained that it not only consolidated the data appearing in Documents 42 and Addendum 1, but also reflected efforts by the Coordination Committee to consider all possibilities. In the last four years, ITU had been very reasonable in its management. In fact, the new draft Financial Plan included a productivity gain of the order of 11 million Swiss francs, coming from increased productivity in the areas of documentation and publications and the fact that no resources were requested for staff for the new Montbrillant building. Requirements for

that purpose, which came to 2.5 million Swiss francs, would be met by redeploying resources within the Union.

1.20 Replying to the question by the delegate of Cameroon concerning regional presence, he explained that Document DT/50 did not reflect a worst-case scenario in that respect. An additional sum of 4.5 million Swiss francs had been included in the draft Plan in Addendum 1 to Document 42, while Document DT/50, which raised that sum to 7 900 000 Swiss francs, merely reflected the discussion which had taken place in Committee 7 (General Management). The outcome of that discussion had been that the Committee had recommended assigning 54 staff to the field, which represented an increase vis-à-vis the figures currently shown in the draft Financial Plan.

1.21 The **delegate of Belgium** was not prepared to accept any draft Plan which did not have as its prime objective zero nominal growth compared with the 1996-1999 budgets; nor was he in favour of increasing the contributory unit, as suggested in Document DT/50, especially since he had been under the impression that cost recovery would even make it possible to reduce the contributory unit. In his view, it was obvious that the Conference had to establish priorities among the Union's new activities, and he would like the General Secretariat to propose ways of achieving further savings in the budget.

1.22 The **delegates of the Czech Republic** and **Saudi Arabia** supported that view.

1.23 The **delegate of the Philippines**, who said that he was also in favour of zero nominal growth, compared Table A with the table shown in Annex 1 to Document 42. One of the headings in Table A was "Activities not included in 1996-99 budgets", related in part to the GMPCS Memorandum of Understanding (2 037 000 Swiss francs) and in part to UIFN registration (2 074 000 Swiss francs), which came to a total of 4 111 000 Swiss francs. Both those items appeared again in the table in Annex 1, which in addition showed an amount of 50 853 000 Swiss francs for publications, which, when added to the previous subtotal, produced a figure of 651 753 000 Swiss francs for the Financial Plan 2000-2003. He wanted to know whether the 50 000 000 Swiss francs or so of expenditure on publications (or whatever sum was earmarked for that item) had not already been taken into account in the limit on expenditure for 1996-1999. Referring then to Document DT/50, he had the impression that the expenditure shown there reflected an increase over the figures given in Document 42, for all items in all Sectors. Most of the increase came under Section 9 ("Bureau") for all Sectors, which seemed to indicate an increase in human resources. He wondered whether the decision to increase staff in the Bureaux had already been taken. If not, he preferred for the time being to maintain the principle of zero nominal growth in the contributory unit.

1.24 The **Chairperson** said that no decision had yet been taken regarding any increase in Sector staff.

1.25 The **Secretary** said that the structure of the Union budget had been altered to include the publications budget shown in Table A of Document 42. Thus, the column for the 1996-1997 and 1998-1999 budgets included the publications budget in order to make the comparison meaningful. In other words, the publications budget and what used to be referred to as the "ordinary budget" were now combined in a single budget, which came to some 666 million Swiss francs. The draft Financial Plan now also incorporated expenditure on arrangements associated with the GMPCS Memorandum of Understanding and UIFN registration, which had not been included in the 1996-1997 and 1998-1999 budgets and which used to be covered in separate special accounts. The sum of 4 million Swiss francs generated by those activities had been shown in order to give a general picture of the Union's activities, in accordance with the principle of universal budgets. A

comparison could therefore be made between those figures and the ones given in Document 42, which, he reminded participants, did not include the options.

1.26 The **Chairperson** said that it was abundantly clear that no delegation was in favour of increasing the value of the contributory unit. He would therefore request speakers to give their views regarding overall expenditure, taking into account the fact that Document DT/50 included full cost-recovery income for satellite network filings, which came to 30 million Swiss francs.

1.27 The **delegate of Kuwait** recalled that he had asked the secretariat to include the additional expenditure of Addendum 1 to Document 42 in the draft Financial Plan. It was in response to that request that Document DT/50 was being submitted in that form to Committee 7. He was concerned by the suggested increase in the contributory unit and agreed that it was best to aim for zero nominal growth, on the understanding that, in order to allow the Union to operate properly, the decisions and resolutions adopted by the Conference would have to be implemented. Referring to Document DT/50, he considered that the estimates listed under the heading "Under consideration", concerning the new composition of the Radio Regulations Board, reinforcement of the regional presence and gradual lifting of limitations on the use of official languages, appeared excessive. He would therefore ask the General Secretariat to look for ways of making cuts in any unjustified additional costs in the Union's activities.

1.28 The **Chairperson**, summing up the discussion, said that all the speakers had requested that the contributory unit should not be increased. Document DT/50, however, in fact contemplated such an increase. It therefore needed to be revised. Furthermore, many delegates had requested that the overall amount of expenditure should reflect zero nominal growth, which meant that total expenditure should not exceed the ceiling of 665 857 000 Swiss francs. He felt it safe to conclude that it was Committee 7's wish that the secretariat should revise Document DT/50 and submit a new draft Financial Plan at the Committee's next meeting. The Committee would of course provide further guidelines to the secretariat regarding expenditure requested for the Sectors.

1.29 The **delegate of Switzerland** welcomed the Chairperson's summing up. He thought, however, that the Bureau Directors should be consulted by the General Secretariat when the Sector priorities and resource allocations were being considered.

1.30 The **delegate of Senegal** also welcomed the Chairperson's summing up, but expressed concern at the prospect of an increase in the contributory unit, as envisaged in Document DT/50. He agreed with the Chairperson that the amount that should be considered in the event was the sum of the last two budgets, based on the same activities. As far as establishing priorities was concerned, they should cover new activities as well as old ones, if necessary, on the basis of the Union's purposes as set out in Article 1 of the Constitution. Considering that the General Secretariat on its own could not achieve all the necessary savings in the budget, the Sectors should join it in that effort and the Plenipotentiary Conference should be offered suggestions in that respect.

1.31 The **delegate of China** approved the Chairperson's summing up and hoped that the Secretary-General and Bureau Directors would coordinate their efforts in order to define priorities among the Union's activities as a way of improving the draft Financial Plan.

1.32 The **Chairperson** said that, in view of the need to revise the Financial Plan, the time had come to prepare guidelines for the activities listed in Document DT/50. He therefore proposed asking the Bureau Directors present at the meeting to provide further details concerning the activities which gave rise to additional expenditure.

1.33 The **Director of BR**, while agreeing that priorities were needed for ITU activities, said that before going into details concerning the Radiocommunication Sector, he felt that the Plenipotentiary Conference should establish broad priorities applicable to all Union activities. He noted the consensus on the part of delegates to keep the budget within the limit of 666 million Swiss francs for the four-year period. From a policy point of view, Committee 7 should look at the first and fourth columns of Table 1 in Document DT/50: if the figures in the two columns were compared and the percentage growth was worked out for the four items shown, it would be seen that the Radiocommunication Sector foresaw growth of only some 2% for 2000-2003 compared with the period 1996-1999. That percentage already included developments in the Radio Regulations Board, without which the increase would amount to only 1%. It would be interesting to make the same calculation for the other three rows of the table.

1.34 Regarding staff matters, in reply to the delegate of the Philippines, who was worried about a possible increase in staff, he said that if the staff expenditures under "Bureau" in Tables 3 to 6 for 2000-2003 were compared with the figures for 1996-1999, it would be seen that the increase in expenditure for BR was only 3.9%. If the same comparison was made for the other tables, no figure would be found as low as that.

1.35 With regard to the Union's efficiency, there was undoubtedly a need for improvement, and from that point of view he had done his best to adjust the Bureau's structures and working methods. His Bureau was having to cope with a significant increase in its workload with no increase in staff; that result in itself showed that the Sector had improved its efficiency. Replying to delegates who had called for a report on the state of reserves in the Sector and in the secretariat, he said that there were none. He recalled his Sector's problems, in particular during WRCs, which involved a considerable amount of work and obliged him each year to ask the Council for extra funds. Under the 1996-1997 budget, his Sector had used up about 100.05% of available resources, which signified of course that there were no reserves. He fully agreed with the need to establish priorities, but would like to be given guidelines on how to proceed, since most of his Bureau's activities were either of a statutory nature, and hence obligatory, or arose from policy decisions taken in the course of conferences. He could not help feeling concerned by the current discussion since, when he looked at the new initiatives proposed and the cost they entailed, and when he tried to make them tally with the desires expressed regarding the budget, he found there was an obvious discrepancy, especially since practically all the new initiatives lay outside the Radiocommunication Sector. Nevertheless, he was prepared to proceed along those lines, if that was what the delegates wanted. It had to be borne in mind, however, that if expenditure of millions of Swiss francs was considered in certain areas while the budget ceiling was kept at 666 million Swiss francs, the inevitable effect, for BR, had to be a deterioration in the quality of service offered, more delays in the completion of work and less efficiency in the preparation of conferences.

1.36 Referring more specifically to the two Radiocommunication Sector items concerning post-conference work and WRC intersessional work, he explained that they arose from decisions taken at WRCs and met a real need. In some cases, WRC-related work had to be continued in the Bureau (for example, to establish new types of calculation or procedures decided at WRCs); sometimes, considerable efforts were required to implement decisions taken by conferences, while at other times preparations had to be made for the next conference. The last point he wanted to make was that he had submitted a draft to the Advisory Group giving very clear indications of the financial implications of all his Sector's activities, and asking for an opinion regarding the establishment of priorities.

1.37 The **Chairperson** officially asked delegates whether they would agree to incorporate the two sums allocated to BR in Document DT/50 in the Financial Plan, namely the sums of 2 100 000 and 6 059 000 Swiss francs, subject to any savings-related measures which might be proposed by the Coordination Committee in the light of priorities.

1.38 The **delegate of Italy** could not agree to an increase in the amount of the contributory unit. He was in favour of measures to identify additional sources of funding and did not want the figures leading to zero nominal growth to be exceeded.

1.39 The **delegate of Argentina** said that he supported the principle of zero nominal growth and wondered whether it also applied to the contributory unit. He called for some explanation concerning the figures on page 1 of Document DT/50 (Telecommunication Development Sector) and on the difference between the figures shown in Table 6 of Document DT/50 and those in Table 9 of Document 42. He was also not clear on the difference between the figure of 7 900 000 Swiss francs in respect of reinforcement of the regional presence in Document DT/50 and the additional cost of 3 000 000 Swiss francs over the 1998 approved budget indicated in that connection in paragraph 4.2 of Document 56.

1.40 The **Chairperson** proposed that the Secretary should provide the explanations requested by the delegate of Argentina after the meeting.

1.41 The **delegate of Kazakstan** said that the Chairperson had been quite right in concluding that participants did not want any overall increase in the budget, mainly because they did not understand the justifications put forward. He pointed out that the reduction in expenditure shown in the draft Financial Plan in Document 42 did not appear in Table 1 of Document DT/50. The increase in expenditure for the General Secretariat came to some 20 million Swiss francs and he could not see how that would be funded. In other words, the Member States were not opposed to the idea of paying more, but did want to know what they were paying for.

1.42 The **delegate of Canada** said that it was clear from Document DT/50 that the figures given for the Radiocommunication Sector were directly related to decisions taken by WRC-97 and therefore by Member States. The costs should therefore be incorporated in the general budget. It had to be borne in mind that, generally speaking, in order to arrive at zero nominal growth, resources had to be redeployed internally among Union activities. In other words, if the increase in Radiocommunication Sector expenditure was to be met, that meant reducing some other item of expenditure.

1.43 The **delegate of France** asked whether the additional funds allocated by the Council at its last session would not be sufficient to cover BR's shortfall. Furthermore, if the additional expenditure indicated was due to decisions taken by WRC-97, then it should have been included in the initial budget of the Radiocommunication Sector.

1.44 The **Chairperson** invited the Director of BR to present the Financial Plan for his Sector.

1.45 The **Director of BR** drew participants' attention to Table 4 in Document DT/50, where it could be seen clearly that the expenditures for the forthcoming period (2000-2003) were lower, for practically all the items, by comparison with the figures for 1996-1999. Additional allocations were included in the figures for 1996-1999; the basic budget for that period had been short and fresh funds had had to be released by the Council, mostly for conference activities. He recalled, moreover, that the Conference had not yet given the go-ahead for the recovery of costs to offset some of the expenditures and increases in his Sector. Lastly, he would be grateful if the delegate of France would tell him what he thought the priorities were for reducing expenditure in the

Radiocommunication Sector, considering that cuts had already been made with respect to the previous period.

1.46 The **Chairperson** reminded participants that the purpose of the discussion was to provide the secretariat with guidelines for a revision of the Financial Plan in the various sectors of activity.

1.47 The **delegate of Senegal** said that, all things considered, the proposed increase in overall expenditure was very small in relative terms. Where conferences were concerned, one difficulty that always arose was that the provisions governing the organization of conferences clearly stipulated that no decision could be taken if the necessary resources were not available. That meant that all decisions which could not be funded by the Conference were in principle in doubt.

1.48 The **Chairperson** invited the Director of BDT to present the draft Financial Plan for his Sector.

1.49 The **Director of BDT** introduced the new items of expenditure under the Telecommunication Development Sector. The increase in the Bureau's staff (2 683 000 Swiss francs) would enable the Bureau to supply increasingly requested information and documentation more readily. The increase in expenditure for development conferences (1 483 000 Swiss francs) concerned both regional and world conferences. It was planned, in the Financial Plan for the forthcoming period, to organize three regional conferences and to give the world development conference the same status as other Union conferences. The last figure listed (4 100 000 Swiss francs) corresponded to the special programme for LDCs decided by the Valletta Conference. The programme concerned development activities specifically for LDCs and could easily be financed from surplus income from TELECOM activities. The reinforcement of the regional presence, according to the proposal in Document 56 (scenario A), required an increase of 7 900 000 Swiss francs for the next period, the aim being to equip all regional and area offices with a minimum number of professional staff. All the figures appeared again in Table 6 of Document DT/50.

1.50 The **delegate of Canada**, summing up the discussion, said that since participants had decided in favour of zero nominal growth in the contributory unit and the overall budget, the figure to be used as a working basis should be 651 753 Swiss francs. As far as Canada was concerned, it had emerged clearly from the discussion that if the cost-recovery principle was accepted by the Conference, then the sums recovered would necessarily be allocated to activities for which funds had been received. The General Secretariat should then prepare a draft budget establishing clear priorities and identifying areas, in the different Sectors, where financial efficiency could be improved. That was the only way the new activities could be implemented.

1.51 The **delegate of Switzerland** supported the view of the delegate of Canada.

1.52 The **Chairperson** invited the Director of TSB to present the draft Financial Plan for his Sector.

1.53 The **Director of TSB** said that, within his Sector, study groups had been either reduced or reorganized since 1988 and that cost reductions were thus being applied on a continuous basis. The redeployment effected in certain areas had released resources for other activities. Among its many activities, the Standardization Sector had the previous year produced 400 Recommendations, with no additional staff. The time had come, however, to recruit and train younger staff, since within three years 70% of the professional staff of the Sector would be retiring, whence the figure of 8 608 000 Swiss francs, which was intended to cover the increase in human resources to accelerate the processing of Recommendations. The other added expenditure items - which arose directly from decisions taken by the Member States - related to the increase in the frequency of meetings of study

groups (6 357 000 Swiss francs) and the reinforcement of the ITU-T information systems and databases (957 000 Swiss francs).

1.54 The **Chairperson** invited the Secretary to present the draft Financial Plan for the General Secretariat.

1.55 The **Secretary** drew participants' attention to the figure - in square brackets in Document DT/50 - of 30 million Swiss francs, which related to the gradual lifting of limitations on the use of official languages of the Union, a matter which was still under consideration. He said that the increase in expenditure for the General Secretariat between the 1996-1997 and 1998-1999 budgets and the budget estimate for 2000-2003 came to no more than 20 million Swiss francs, and recalled that savings of 11 million Swiss francs would accrue partly from redeployment of resources and progressive productivity and efficiency increases in the production of documentation and publications, and partly from zero expenditure on additional staff for the new Montbrillant building.

1.56 The **delegate of Finland**, reiterating that Conference participants did not wish to see the ceiling on Union expenditure raised, asked the secretariat to indicate which activities could be reduced or simply abandoned.

1.57 The **delegate of Mali**, supported by the **delegate of the United States**, also urged the secretariat to establish expenditure priorities. He was surprised that the expenses of the General Secretariat accounted for more than 50% of the Union's budget.

1.58 The **Chairperson** asked the secretariat to given an indication as soon as possible of priority activities and the possibilities of reducing expenses in the revised Financial Plan. He said that the discussion would continue at the following meeting.

**The meeting rose at 1250 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 337-E**
**14 December 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 7**

SUMMARY RECORD

OF THE

SIXTEENTH MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Monday, 2 November 1998, at 0935 hours

General Management

**Chairman:** Mr. B. GRACIE (Canada)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Operational planning (continued) | DT/31(Rev.1) |
| 2 | Use of languages in the Union (continued) | DT/53 |
| 3 | Publications (continued) and documentation | DT/32(Rev.1), DT/45 |
| 4 | Regional presence (continued) | DT/35(Rev.2) |

## 1 Operational planning (continued) (Document DT/31(Rev.1))

1.1 The **Chairperson** said that draft Resolution [COM7-XX], contained in Document DT/31(Rev.1), was an attempt to reflect all the views expressed on the original Document DT/31, including informal consultations.

1.2 In response to observations by the **delegates of Syria** and **Spain**, he said that the text would be amended to align *considering a)* with the wording of the new title; to add the word "relevant" before "international and regional" in the fifth indent of *recognizing b)*; to replace the operative heading *instructs the Secretary-General* by the heading *instructs the Secretary-General and the Directors of the three Bureaux*, and include the text currently under the latter heading as a new paragraph 4; and to add, in the fourth item of the annex to the draft resolution, the word "relevant" before "conference or assembly decisions".

1.3 Draft Resolution [COM7-XX], as amended, was **approved**.

## 2 Use of languages in the Union (continued) (Document DT/53)

2.1 The **Chairperson** recalled that, at the Committee's previous meeting on general management (eleventh meeting of Committee 7), it had been agreed to convene an ad hoc group in an attempt to reconcile the various opinions with a view to submitting a draft resolution on the gradual lifting of interim limitations on the use of certain languages of the Union.

2.2 The **Chairperson of the ad hoc Group on Languages** said that Document DT/53 was a text which the majority of participants in the Group had accepted. Lack of time had prevented consideration of all the issues. The delegations of the Netherlands, Finland, Belgium and Germany had voiced reservations concerning the title and the text under *recognizing*; the Finnish delegation had also reserved its position on the whole of *resolves* 2. In fact, no consensus had been reached on the latter text, hence the square brackets around the last words. The text of *resolves* 3 was in square brackets because it had been prepared by a drafting group set up by the ad hoc Group, which had lacked the time to consider the text before submitting it to the Committee. Following further consultations in the ad hoc Group, it was felt that the opposing viewpoints might be reconciled if the text of *resolves* 2 could be amended by deleting the square brackets and adding, at the end, "in a scale to be determined by the Council".

2.3 The **Chairperson** thanked the Chairperson and members of the ad hoc Group for their efforts, and invited comments on the draft resolution in Document DT/53, with the amendment just read out by the Chairperson of the ad hoc Group, avoiding discussion of the subject's financial aspects, which would be covered by a later meeting of Committee 7, on finance.

2.4 The **delegate of Finland** said that his delegation's concerns related not to the principle, but rather the practice, of using more languages. In addition to the obvious financial implications, matters such as staffing, efficiency and the preparation and completion of documentation during and following any meeting were highly relevant. The text prepared by the drafting group had been so drafted as to alleviate the problem somewhat, but would not solve it. In any case, the Radiocommunication Sector, given the pressure of its workload, was certainly not the place where changes should first be introduced.

2.5 The **delegate of Saudi Arabia** recalled that the question of the official and working languages of the Union had been on the agendas of plenipotentiary conferences for some sixteen years. He saw no reason why the languages concerned, which were official languages throughout the United Nations system, should not all have equal status; to limit the use of certain ones could

deprive some administrations, particularly in the developing countries, of information. His delegation could support the draft resolution in Document DT/53 as a working basis, although it did not agree with all the details therein, and reserved the right to speak again with regard to *resolves* 2.

2.6 The **delegate of Syria** agreed with the previous speaker. There were, indeed, other bodies, such as the European Union, in which more than six languages were in use. It should be recalled that Saudi Arabia's increase of its contribution from one to 10 units many years ago more than equalled the current cost of using Arabic, a language spoken in over forty countries, in ITU proceedings.

2.7 The **delegate of the Netherlands** said that, while her delegation appreciated the desire to use more languages in the Union, the inevitable impacts on finance and efficiency - which were much more important - could not be ignored. Budgeting was based currently on the concept of zero nominal growth; therefore, any increase in costs arising from the use of additional languages would adversely affect funding in other areas, such as increased regional presence. Her Administration, which contributed eight units to the Union, did so for ITU purposes as a whole, and did not deem the language issue of prime importance. The current situation, which made it important to streamline ITU's proceedings in order to ensure its survival, was not the time to be contemplating measures which would increase the length of meetings and add to the burdens of editing, translation and document production. Her delegation could not agree to the text of *resolves* 2, and had serious doubts about that under *resolves further*.

2.8 The **delegate of Germany** said it was not true that using more languages would lead to greater understanding and efficiency. The current lengthy procedure of aligning texts in three languages would be even more prolonged if six versions had to be dealt with. Current budgeting was based on zero growth; and increases in contributions would only serve to ease the burden elsewhere, with no net increase in available funds. His delegation shared the concern voiced about *resolves* 2 and the increased pressure that might be put on the Radiocommunication Sector in particular.

2.9 The **delegate of Bulgaria**, speaking as Chairperson of the Council's Working Group on the Use of Languages, said he was pleased that the draft resolution in question stressed the equal status of all the languages and aimed gradually to lift the interim limitations, established by Resolution 62 (Kyoto, 1994), on the use of official and working languages of the Union. With regard to the reservations voiced by the Finnish delegation, the Working Group had noted, as reflected in paragraph 5 of Document 24, that language costs were not of crucial significance in ITU and were comparable to those in other organizations of the United Nations family. He could support *resolves* 2, as orally amended by the Chairperson of the ad hoc Group, but he saw no need for *resolves* 3.

2.10 The **delegate of Lebanon** endorsed the comments of the Syrian and Saudi Arabian delegations, and strongly supported the deletion of *resolves* 3. In general his delegation endorsed the draft resolution.

2.11 The **delegate of Morocco** recalled that all the six languages in question were recognized, in Article 29, No. 171, of the Constitution, as official and working languages of the Union; there was no suggestion, therefore, of introducing new ones. The languages concerned were used throughout the organizations of the United Nations system; all that was being sought was the removal, on a progressive, long-term basis, of unfair discrimination.

2.12 The **Chairperson** suggested that, in an attempt to reconcile two distinct viewpoints, wording could be added to the *resolves* section to the effect that the Council should be enabled to evaluate the impact - including the aspects of finance and efficiency - of bringing Arabic, Chinese and Russian into use on a gradual, provisional and experimental basis, with a view to taking a decision at a future date. He invited speakers to base their further comments on that suggestion, proposing amendments to it if they saw fit.

2.13 The **delegate of Sweden** said he shared the view that the zero nominal growth approach to the budget inevitably meant that the increased costs stemming from extending the use of languages would lead to reduced funding for other Union activities. He felt in no position to comment on the Chairperson's suggestion.

2.14 The **delegate of Denmark** shared the concern voiced by the Netherlands and other delegations about the practical effects on the Union's efficiency, but thought that the Chairperson's suggestion was a step in the right direction.

2.15 The **delegate of Belgium** said that the approach suggested by the Chairperson would not dispense the need to consider the financial aspect: the consequent rise in cost of four to five per cent of the budget was bound to reduce funding in other areas, such as regional presence. His Administration, which contributed five units, shared the concern voiced about reduced efficiency and, in particular, the increased burden on WRCs.

2.16 The **delegate of Kazakstan** observed that in the United Nations and a number of the other United Nations specialized agencies the six official languages were used without problem. Efficiency also depended on a clear understanding of the issues at stake. He suggested that the Secretary-General examine other areas of activity in which savings might be made and carry out a pilot test, using all six languages at a given conference, with a view to evaluating the experiment.

2.17 The **delegate of Belarus** supported the draft resolution, which was a compromise text, as amended by the Chairperson of the ad hoc Group.

2.18 The **delegate of Italy**, stressing the need to avoid non-crucial expenditure, supported the views of the Netherlands. He also supported the amendment proposed by the Chairperson of the ad hoc Group, provided that it did not run counter to the principle of zero nominal growth.

2.19 The **delegate of Egypt** said that she agreed with previous speakers who had supported the use of all six languages on an experimental basis with gradual lifting of the limitations, and she endorsed the proposal that the Secretary-General prepare a report on possible savings for submission to the next session of the Council. Other organizations such as UNESCO, ILO and WHO used all six working languages without any negative impact. She drew attention to the fact that some Arab countries had increased or promised to increase the number of their contributory units with a view to achieving the use of all the official and working languages of the Union.

2.20 The **delegate of China** supported the draft resolution and the lifting of gradual limitations on the use of Chinese, Arabic and Russian. He suggested that the Secretary-General and the Council find ways and means of providing the necessary financing, in cooperation with the administrations concerned.

2.21 The **delegate of the United States,** endorsing the views expressed by the Netherlands, said that he could not support the draft resolution. He was not against a study being made on the matter but, given the scale of the cost estimates already made, he had doubts as to how the Council would be able to deal with it.

2.22 The **delegate of Saudi Arabia** stressed that the languages in question were not new languages but were those referred to in the Constitution and should be given equal status with the others. Furthermore, the present text represented a compromise. In discussing the financial implications of the use of languages in the Union, consideration might be given to using cost recovery from satellite network filings and other services as a source of funds.

2.23 At the suggestion of the **delegate of Saudi Arabia**, supported by the **delegates of Armenia** and **Greece**, the Chairperson invited the Committee to review the draft resolution paragraph by paragraph, without reopening the debate but indicating any further points upon which there was disagreement, so that he could reflect them in his report to the Plenary Meeting along with the views already expressed.

2.24 Regarding the title, the **delegate of Germany** proposed the deletion of "Gradual lifting of", pending the outcome of the discussion.

2.25 The **delegate of Finland**, supported by the **delegate of the United States**, proposed adding a new paragraph *further recognizing*, reflecting the concerns that had been expressed on the impact of full-scale use of the official languages on the efficiency of the work of meetings, the finances and the staffing of the Union. Following a brief exchange of views by the **delegates of Russia**, **Egypt**, **Germany** and **Morocco**, the **Chairperson** said that, rather than incorporating the Finnish proposal in the draft resolution, he would reflect it in his report to the Plenary Meeting.

2.26 The **delegate of Syria** said that the matter of efficiency and effectiveness could not be raised as an argument in the draft resolution because the six-language system functioned perfectly well in the United Nations.

2.27 Regarding *resolves* 1, reservations were expressed by the **delegate of the United States**, and by the **delegate of the Netherlands**, who took exception in particular to the use of the word "shall".

2.28 The divergence of views on *resolves* 2 continued, focusing on the lifting of interim limitations with respect to ITU-R and ITU-D. The **Chairperson of the ad hoc Group** noted that *resolves* 2, except for the last part of the paragraph which had been placed in square brackets, was the result of a compromise following lengthy discussions. The **delegates of Finland, Germany** and **the Netherlands** expressed reservations and requested that the square brackets be maintained.

2.29 The **delegates of Morocco, Syria, Saudi Arabia, Kazakstan, Egypt** and **Kuwait** supported the text without the square brackets, but not the amendment proposed earlier by the Chairperson of the ad hoc Group. The **delegate of Russia** requested that the amendment proposed by the Chairperson of the ad hoc Group be included in the Committee Chairperson's report, and reserved his right to speak on the matter in the Plenary Meeting.

2.30 The **Chairperson** said that his report would reflect the disagreement over the phrase in square brackets, while noting that the text of the paragraph as a whole reflected a compromise in the ad hoc Group.

2.31 Opinions were divided concerning the need to delete or to retain *resolves* 3. The **delegates of Russia, Saudi Arabia, Kazakstan, Morocco, China, Kuwait, Yemen, Armenia, Oman, Belarus, Mauritania, Lebanon, United Arab Emirates, Djibouti, Bahrain** and **Comoros** were in favour of deleting it, whereas the **delegates of Germany, the Netherlands, Finland, Sweden, Japan** and **Denmark** wished to retain it.

2.32 The **delegate of Finland**, supported by the **delegates of Denmark, Belgium** and **the Netherlands**, proposed deleting *resolves further*. The **delegates of Russia, Kuwait, Egypt, Kazakstan, Belarus, United Arab Emirates, Syria, Bahrain, Lebanon, Mauritania, Oman, Yemen, Djibouti, Jordan, Morocco, Tunisia, China** and **Comoros** preferred to retain that paragraph.

2.33 The **delegate of Spain**, supported by the **delegate of Saudi Arabia**, emphasized the fact that Resolution 62 (Kyoto, 1994) was still in force and would remain so until the Plenipotentiary Conference adopted the draft resolution under consideration.

2.34 The **Chairperson** said that, if there were no objections, the square brackets in *resolves* 3 and around "to ITU-R and ITU-D" in *resolves* 2 would be maintained and he would reflect in his report to the Chairperson of the Plenary Meeting the areas upon which there was still divergence of views.

2.35 It was so **agreed**.

## 3 Publications (continued) and documentation (Documents DT/32(Rev.1), DT/45)

**Draft resolution on documents and publications of the Union (Document DT/32(Rev.1))**

3.1 Replying to the **delegate of Syria**, the **Chairperson** said that due to lack of time, all editorial amendments to Document 32(Rev.1), which reflected the comments made by the Committee at an earlier meeting, should be submitted in writing to the secretariat.

3.2 The **delegate of Spain** suggested that, in order to avoid any legal ambiguity, the words "to the Members of the Union and ..." should be inserted in *resolves* 2 after the words "shall also be made available ....".

3.3 The draft resolution in Document 32(Rev.1), as amended, was **approved**.

**Draft resolution on reduction of the volume and cost of documentation for ITU conferences (Document DT/45)**

3.4 The **Chairperson** said the draft resolution in Document DT/45 consolidated proposals by the Secretary-General, Canada and the CITEL countries.

3.5 The **delegate of Syria,** referring to *instructs the Secretary-General,* proposed that the square brackets be deleted and, because the items in the annex were only indicative, that the words "as an example" be inserted after "resolution".

3.6 It was so **agreed**.

3.7 The **delegate of Côte d'Ivoire,** referring to § 4 of the annex, proposed that the words "wherever possible" be added to the end of the item "distribution of information documents by electronic means only", to cater for countries which, because they lacked the means to receive documents electronically, required their transmission in some other form.

3.8 It was so **agreed**.

3.9 The draft resolution and annex in Document DT/45, as amended, were **approved**.

## 4 Regional presence (continued) (Document DT/35(Rev.2))

4.1 The **Chairperson** observed that Document DT/35(Rev.2) was the result of extensive discussion and considerable compromise and should require little or no amendment.

4.2 The **Chairperson of the ad hoc Group on Regional Presence** said that the draft resolution reflected the different views and concerns expressed and the consensus achieved in the Group. The major changes made concerned *recalling d)*, which was a new paragraph referring to a 1996 Council resolution on regional presence and the decision to have both permanent and fixed-term posts, and *resolves* 3, which now incorporated Senegal's concern to achieve a better balance of work between headquarters and regional offices. The same addition had been made in *instructs the Director of BDT* 6. To reflect the concerns of some delegations that paragraph 5 of that section might not fall within the remit of the Director of BDT, the section heading had also been amended to ensure that he worked in close consultation with the Secretary-General and the other two Directors. Collaboration with the regional offices had been re-emphasized in paragraph 2 of the same section. A reference to strengthening cooperation and coordination with the relevant regional organizations and facilitating the participation of all Members in the activities of the three Sectors of the Union had been added to *instructs the Directors of BR and TSB*.

4.3 The **Chairperson** said that the financial implications of the draft resolution would be considered later on by the Committee within the context of the draft Financial Plan.

4.4 The **delegate of Syria** reiterated the proposal he had made in previous meetings that the title of the draft resolution should be "strengthening regional presence", and he expressed his delegation's reservation in respect of *recalling d)* in view of the impact of Council Resolution 1096 on the strength of the Arab office in Cairo. Under *instructs the Director of BDT*, it was not clear to him why the Director of BDT should consult the other two Directors in the process of strengthening regional presence. In that connection it was disappointing that regional presence would not be strengthened before 2000, bearing in mind its relevance to the Arab office.

4.5 The **Director of BDT** said that if the title of the draft resolution was not amended as Syria had suggested, the paragraph *recalling b)* would need to be more comprehensive.

4.6 The **Chairperson** said that if there was no objection he would take it the Committee wished to amend the title to read "strengthening the regional presence".

4.7 It was so **agreed**.

4.8 The **delegate of France** proposed that the word "gradually" be inserted before "strengthen" in *instructs the Director of BDT* 1 to reflect the views of a number of delegations.

4.9 The **delegate of Côte d'Ivoire** proposed for the sake of consistency that in *instructs the Director of BDT* 5 "and financial authority and the appropriate means necessary to implement funds-in-trust projects" be deleted.

4.10 The **Chairperson** said that the Committee's comments and proposals had been noted and would be passed on to the Plenary Meeting.

**The meeting rose at 1200 hours.**

The Secretary:
H. PIETERSE

The Chairperson:
B. GRACIE

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 338-E**
**15 January 1999**
**Original: French**

**COMMITTEE 7**

SUMMARY RECORD

OF THE

SEVENTEENTH AND LAST MEETING OF COMMITTEE 7

(MANAGEMENT OF THE UNION)

Monday, 2 November 1998, at 1845 hours

Finance

**Chairperson:** Mr. U. MOHR (Germany)

| **Subjects discussed** | **Documents** |
|---|---|
| 1 Draft Financial Plan for 2000-2003 (continued) | DT/50(Rev.1) |
| 2 Draft Decision [1] on expenditure of the Union for the period 2000-2003 | DT/51 |

## 1 Draft Financial Plan for 2000-2003 (continued) (Document DT/50(Rev.1))

1.1 The **Chairperson** said that the secretariat had prepared a revised draft Financial Plan, contained in Document DT/50(Rev.1), and that all matters not resolved during the meeting would be transmitted to Plenary. He requested the Secretary-General to introduce the document for consideration.

1.2 The **Secretary-General** said that the two teams of elected officials, the outgoing and the incoming, had prepared the document, taking into account the requests made by the Committee at its previous meeting on finance. Two ceilings had been set on the basis of zero nominal growth, one for expenditure and the other for the amount of the contributory unit, which would not make the task easy for the new management team. He stressed that the new draft was not a secretariat proposal but the result of instructions given by Member States. The total amount of expenditure and income was the same, namely 665 837 000 Swiss francs, and the amount of the contributory unit had been maintained at the level of the current biennial budget, namely 328 000 Swiss francs. Of course, the limitation on expenditure would necessarily result in a reduction in activities and it was the quality of the products and services offered to the membership which would suffer from the budgetary restrictions imposed. In addition, as the conference had not yet taken a decision on the lifting of limitations on the use of Arabic, Chinese and Russian, or on cost recovery for the processing of satellite network notifications, the budgetary estimates presented were still only provisional and the draft Financial Plan would have to be aligned on the decisions taken by Plenary.

1.3 The **Chairperson** confirmed that it was a financial framework for establishing the final 2000-2003 budget.

1.4 The **delegate of Spain** said that no account had been taken in the new draft of costs associated with the increased use of certain languages but that income from cost recovery for satellite network filings was included, in an amount estimated at only six million Swiss francs as against the 30 million Swiss francs in the previous version. He therefore wondered how, on that basis, the secretariat had succeeded in drawing up a budget that showed no increase.

1.5 The **delegate of Russia** asked why the Financial Plan did not include the amounts needed for the gradual lifting of limitations on the use of official languages of the Union.

1.6 The **Chairperson** said that the matter, which fell within the context of Decision 1, was in abeyance pending the Plenary's decision on the matter.

1.7 The **delegate of Canada**, speaking also in his capacity as Co-Chairperson of Committee 7 (General management), confirmed that no decision had been taken on the subject and no figures could yet be put forward. In addition, he wished to know why the amount of 4 100 000 Swiss francs for the special programme for LDCs appeared in both planned expenditure and planned income in the Telecommunication Development Sector.

1.8 The **Secretary-General** explained that the estimate of six million Swiss francs for cost recovery for satellite network filings arose from the two ceilings that had had to be taken into account in drawing up the budget. If the figure were to change owing to a decision of the conference, another item would have to be modified in order to maintain the target of zero nominal growth. He also explained, still in the context of budgetary balance, that part of the TELECOM surplus had already been allocated to cover expenditure planned under the special programme for LDCs.

1.9 The **delegate of Germany** expressed surprise that the conclusions of Committee 7 (Staff matters) in regard to the long-term care insurance would involve expenditure of 100 000 Swiss francs whereas he had understood that the draft resolution adopted on the issue had no financial implications.

1.10 The **Secretary** replied that the expenditure would be absorbed in the Financial Plan without disturbing the balance desired by delegates.

1.11 The **delegate of Saudi Arabia** echoed the questions of the delegates of Spain and Russia concerning the lifting of limitations on the use of certain languages of the Union. On cost recovery, he asked whether the difference between the 30 million Swiss francs set out in the previous draft Financial Plan and the six million in the revised draft Financial Plan was linked to the decision which would be taken on that issue by the Plenary and whether the amount of six million Swiss francs could possibly be increased to absorb the cost of increased use of Russian, Chinese and Arabic in the Union.

1.12 The **Chairperson** said that, in any event, total expenditure would not exceed the 665 837 000 Swiss francs shown.

1.13 The **delegate of Mali**, noting that there would be two regional telecommunication development conferences instead of the three scheduled in the previous draft Financial Plan, asked in which regions they would be held.

1.14 The **delegate of Greece** wished to know how far it was really possible to count on the six million Swiss francs of income from cost recovery for satellite network filings.

1.15 The **delegate of France** said that the decision which might be taken to gradually strengthen regional presence would probably result in a decrease in expenditure for that item (7 900 000 Swiss francs). He asked whether using the surplus from TELECOM for the special programme for LDCs was in accordance with the Council decisions on the subject. On the question of languages, he wished to know what the amount of 18 109 000 Swiss francs represented as compared with the sums spent on the item during the two previous bienniums. Finally, for income, it would have been logical that application of cost recovery should result in a drop in Member States' contributions, which was not the case. He therefore asked whether there was a shortfall or a deficit in the reserve account which meant that the amount of the contributory unit would remain constant despite application of the cost-recovery principle.

1.16 The **Secretary-General**, replying to the delegates of Mali and Greece, said that it was the budgetary restrictions imposed by Member States that would prevent the planned third regional telecommunication development conference being held and that it had not yet been decided in which regions the two regional conferences would be held. The six million Swiss francs shown for cost recovery for satellite network filing was simply an estimate pending a final decision by the conference.

1.17 The **Director of BDT** said that option D.3 (Increased expenditure in relation to the development conferences) contained in Addendum 1 to Document 42 showed an additional appropriation of 1 483 000 Swiss francs for holding a third regional conference and for increased logistical support for the world conference. That was the option which had been discarded in Document DT/50(Rev.1). For the gradual strengthening of regional presence, under the item "Reinforcement of the regional presence" (option D.1 of Document 42(Addendum 1)), it had been planned to fill virtually all the vacant posts (4 538 000 Swiss francs would have been needed) and the figure of 7 900 000 Swiss francs corresponded to scenario A (Document 56) which assumed that

all the regional outposts would be staffed by two or three professionals, as appropriate. Reinforcement of the regional presence entailed qualitative as well as quantitative aspects. That was why it was planned to fill the vacant posts in the field with specialists from the regions concerned.

1.18 The **Secretary**, replying first to the delegate of France, said that the figures shown in Table 2 of Document DT/50(Rev.1) for "Planned income by source" in regard to sales of publications planned for the next two bienniums were an estimate made on the basis of the level fixed in the 1998-1999 budget and that income from sales of publications was dropping slightly, in any event, due to the increased distribution of publications by electronic means. The total number of contributory units would not be known until 6 May 1999 and the figures in the table must therefore be viewed with caution. Replying to the **delegate of Mali**, who wished to see a breakdown of the amount of 348 304 000 Swiss francs planned for General Secretariat expenditure (Table 3 of Document DT/50(Rev.1)), he invited participants to consult Table 4 of Document 42 which showed the detailed figures for services provided by the General Secretariat and also the chart on page 26 of the same document (Breakdown of General Secretariat expenditure by activity).

1.19 The **Chairperson** asked participants if they could accept zero nominal growth for expenditure and the amount of the contributory unit and agree to recommend that the Plenary adopt the amount of total expenditure.

1.20 The **delegate of the Netherlands** said that she could not accept the Chairperson's proposal. Admittedly, the total expenditure of 665 837 000 Swiss francs did not exceed the amount of expenditure in the preceding budget but it did not take into account the income of six million Swiss francs forecast for cost recovery applied to satellite network filing. Given that processing of notifications would probably be paid in future by the Members requesting the service, its cost should no longer be paid from Member States' contributions and the amount of six million Swiss francs should be deducted from the budget income figure. In general, the draft Financial Plan still lacked legibility and transparency and many questions remained unresolved. For example, the one raised by the delegate of France regarding the reserve account had not received a reply. Furthermore, while it could be thought that reinforcement of regional presence would undoubtedly take place gradually, that did not appear in the document under consideration. In conclusion, her delegation would accept zero nominal growth as compared with the budgets approved for the period 1996-1999 if the draft Financial Plan were clear and truly reflected zero nominal growth.

1.21 The **Chairperson** noted that the committee had requested the secretariat to set total expenditure in the order of 665 837 000 Swiss francs; the secretariat had acceded to that request by submitting Document DT/50(Rev.1) and it would therefore be logical for the committee to approve the amount. He suggested that the committee propose that Plenary approve the draft Financial Plan on the basis of that amount. He did not consider it useful to indicate the amount of the contributory unit since it was the Council which would draw up the budget and fix the amount of the contributory unit. As it was not possible to adopt a final draft Financial Plan, the document would be a framework to serve the Council as the basis for preparing the budget.

1.22 The **delegate of Switzerland** said that he could accept the total expenditure of 665 837 000 Swiss francs and the amount of 328 000 Swiss francs as a maximum for the contributory unit provided he was sure that the draft Financial Plan was definitive. However, many matters were still pending and several points were not clear. For example, income from cost recovery for satellite network filing had been estimated at six million Swiss francs but, depending on the decision taken by Plenary, the amount could be higher. Could it be assumed that the additional income would be used to lower the contributory unit? Referring to Table 2 of Document DT/50(Rev.1) entitled

"Planned income by source", he wondered why all the income forecast for cost recovery was not reflected by a decrease in the contributory unit. Was it because that new income would be used to avoid drawing on the reserve account?

1.23 The **Secretary** explained that he was unable to reply to certain questions because, depending on the decision taken by the conference, he did not know whether the number of contributory units would be the same as at 1 January 1998. On the matter of languages, the draft Financial Plan showed an amount of 18 109 000 Swiss francs for Arabic, Chinese and Russian and that amount corresponded exactly, in constant francs, to the sum decided by the Kyoto Plenipotentiary Conference for a period of five years (22.5 million Swiss francs). The amount allocated for language use had therefore neither increased nor decreased. On the reserve account, he referred to No. 485 of the Convention (Geneva, 1992), under which the amount of the account was fixed annually by the Council on the basis of expected requirements, with the aim of avoiding too frequent fluctuation in the contributions of Member States. In addition, the conference had taken a number of decisions which would affect the level of the reserve account. In particular, it had written off more than seven or eight million Swiss francs of interest on arrears of certain countries. That amount would have to be made up, for example, by drawing on the reserve account. Whatever the case, it was the Council's prerogative to review the level of the reserve account annually and to reconsider the overall financial situation of the Union in order to determine the level of the contributory unit, taking into account components such as cost recovery.

1.24 The **delegate of Pakistan** thanked the Finance Department for maintaining the level of the contributory unit within the limits requested. Nevertheless, he regretted that the draft Financial Plan did not reflect the ideas and proposals for ensuring better management of the Union and broader participation by the private sector which had been raised during consideration of the strategic plan, the operational plan and the ITU-2000 Group proposals. For example, the draft Financial Plan showed that the contribution of Sector Members would increase by 10% over four years. What was the basis for that estimate? Unless further progress was made along the road towards improved efficiency and opening to the private sector, the conference would have to resort to cuts in Union activities and staff recruitment.

1.25 The **delegate of Kazakstan** thanked the Secretary-General for presenting a document showing zero nominal growth for expenditure. Nevertheless, he could not reply affirmatively to the Chairperson's request and accept the total expenditure proposed in Document DT/50(Rev.1) as the breakdown of the amounts was not clear. In particular, he was surprised that Document DT/50(Rev.1) did not include the amount allocated for gradual lifting of limitations on the use of official languages that has been shown in Document DT/50. The secretariat would have to find ways of financing that item of expenditure and submit a new amended document showing the amount.

1.26 The **Chairperson** stressed again that the committee could not set the amounts for strengthening regional presence or the gradual lifting of limitations on the use of official languages of the Union since decisions on those two amounts had to be taken by the Plenary. He urged participants to approve the maximum expenditure set out by the General Secretariat and to agree to transmit the draft Financial Plan to the Plenary.

1.27 The **delegate of Russia** said that he could not agree to the Chairperson's proposal to approve the amount of 665 837 000 Swiss francs unless the sum of 30 million Swiss francs shown in Document DT/50 for the gradual lifting of limitations on the use of official languages of the Union appeared in the revised draft Financial Plan.

1.28 The **Chairperson**, repeating that the Committee could not decide to add the amount in the draft Financial Plan, said that the comments made on the issue would be transmitted to the Plenary.

1.29 The **delegate of the United States** regretted that the draft Financial Plan submitted was not sufficiently clear and did not adequately reflect the strategic guidelines of the conference. Many things were difficult to understand; for example, under what decision had the amount of income for cost recovery from satellite network filings changed from 30 million Swiss francs (Document DT/50) to six million Swiss francs (Document DT/50(Rev.1))? Why did the revised document show the maximum amount necessary for the strengthening of regional presence whereas gradual reinforcement could be envisaged? There was no indication whether the total expenditure of 665 837 000 Swiss francs took into account the income from cost recovery. In general, it was very difficult to follow and understand the draft Financial Plan as presented.

1.30 The **delegate of the Philippines**, referring to Table 4 of Document 42 entitled "General Secretariat 2000-2003, Planned expenditure by section and category", requested details on the item "Rental and maintenance of premises and equipment", to which an amount of 30 558 000 Swiss francs was allocated. Did that amount cover the expenses entailed in the new Montbrillant building or was additional expenditure envisaged?

1.31 The **Secretary** emphasized that among the options presented in Addendum 1 to Document 42 there was an item allocating the amount of 2 501 000 Swiss francs for recruitment of additional staff for the new Montbrillant building. Following discussions in Committee 7, and to effect savings, the General Secretariat had, however, decided to abandon that request, envisaging that additional needs would be covered by redeployment of human resources. It was obvious that the measure would constitute an additional burden for staff of the Union and was likely to be detrimental to the quality of service in the Montbrillant building which essentially contained meeting rooms.

1.32 The **Chairperson** took note of the fact that the delegates who had spoken were not satisfied with the draft Financial Plan submitted. Nevertheless, since it was late and work was behind schedule, he requested participants to wind up the discussion.

1.33 The **Secretary-General** said that he had some difficulty in accepting the criticism made regarding the so-called lack of transparency and the lack of replies to the questions raised. The secretariat had been and would continue to be totally available to reply to all questions from delegates. In addition, delegates must realise that many points were still pending and several amounts were only estimates because the conference had delayed taking decisions on important matters such as the use of languages and regional presence. The secretariat could not do the work of the conference.

1.34 The **Chairperson** stressed once again that the committee itself had asked the secretariat to submit a draft Financial Plan in which total expenditure would be in the order of 665 837 000 Swiss francs; that had been done and the committee must follow its own instructions. He reiterated that the unresolved issues now depended on decisions by Plenary.

1.35 The **delegate of Senegal**, emphasizing that he had refrained from speaking earlier to avoid delaying the Committee's work, said that the document submitted by the secretariat was satisfactory, even though it did not answer all the questions, and he was ready to accept the Chairperson's proposal to approve the total expenditure.

1.36 The **delegate of Russia** said that if Document DT/50(Rev.1) was approved without the secretariat being instructed to include the item of expenditure relating to the gradual lifting of limitations on the use of official languages of the Union he would reserve his position and return to the matter in Plenary.

1.37 The **delegate of Saudi Arabia** endorsed the comments made by the delegate of Senegal and supported the position of the delegate of Russia on the language issue.

1.38 The **delegates of Mali** and **Japan** said they could agree to the proposal made by the Chairperson.

1.39 The **delegate of Morocco**, who had also not spoken earlier so as not to delay the committee's work, said that he supported the proposal made by the Chairperson to approve a ceiling for expenditure and the draft Financial Plan as the basis for drawing up the budget. Referring to No. 51 of the Constitution (Geneva, 1992), he said that the role of the Plenipotentiary Conference was to establish the basis for the budget of the Union and determine a ceiling for expenditure until the next Plenipotentiary Conference after considering all relevant aspects of the work of the Union in that period. The Financial Plan should not be as detailed as the budget but the Plenipotentiary Conference should give guidelines to the Council which would draw up the budget.

1.40 The **Chairperson** invited participants to suspend discussion on Document DT/50(Rev.1) and to consider draft Decision [1] on the expenditure of the Union for the period 2000-2003 (Document DT/51).

## 2 Draft Decision [1] on expenditure of the Union for the period 2000-2003 (Document DT/51)

2.1 The **Secretary**, introducing Document DT/51, said that draft Decision [1] had been prepared on the basis of Decision 1 of the Kyoto Plenipotentiary Conference entitled "Expenditure of the Union for the period 1995-1999". He drew attention to paragraph 7 of the draft decision which laid down the limits within which the Council could, in certain circumstances, exceed the ceiling fixed by the Plenipotentiary Conference. At Kyoto, the percentage authorized had been 1%. In the draft decision under consideration, no percentage was proposed and it was for the conference to take a decision on the matter.

2.2 The **Chairperson** invited participants to examine draft Decision [1] paragraph by paragraph.

*Considering*

2.3 **Approved.**

*Further considering*

2.4 The **delegate of the Netherlands**, supported by the **delegate of France**, repeated that since the Financial Plan for the period 2000-2003 had raised many questions that remained unanswered, her delegation could not accept it as it stood. She therefore proposed deletion of the *further considering* part and noted, furthermore, that in Decision 1 (Kyoto, 1994) there had been no mention of a financial plan.

2.5 The **Chairperson** said that the financial plan adopted by the Kyoto Conference was not of the same type as the one submitted to the present conference. Decision 1 (Kyoto, 1994) had been prepared on the basis of the previous budget and bearing in mind decisions with financial implications taken by the conference and its main purpose had been to set the ceiling for

expenditure of the Union, in accordance with No. 51 of the Constitution. Furthermore, Committee 7 did not have to accept or adopt the Financial Plan. It had to propose a draft decision to the Plenary which had sole competence to adopt the Financial Plan. He therefore suggested placing the words "as adopted by" between square brackets.

2.6 The **delegate of the United States**, supported by the **delegate of France**, opposed the proposal and suggested wording the *further considering* as follows: "further considering the Financial Plan established for the years 2000-2003".

2.7 It was so **agreed**.

*Decides*

**Paragraph 1.1**

2.8 The **Secretary**, referring to the total planned expenditure for the period 2000-2003 (665 837 000 Swiss francs) shown in Figure 1 of Document DT/50(Rev.1), said that the amount should be halved and the result inserted between the square brackets in paragraph 1.1 of *decides*, for each of the two financial periods.

**New paragraph 1.2**

2.9 The **Chairperson** said that the Kyoto Plenipotentiary Conference, in its Decision 1, had set an amount not exceeding 22.5 million Swiss francs for expenditure in respect of additional working languages (Arabic, Chinese and Russian) for the years 1995-1999, namely five years. The period covered by the present draft decision related only to four years and therefore a figure of 18.1 million Swiss francs should be shown in paragraph 1.2.

2.10 The **delegate of Russia** said that, in addition to that figure, the sum of 30 million Swiss francs allocated in Document DT/50 for the gradual lifting of limitations on the use of official languages of the Union should appear in the paragraph, between square brackets.

2.11 The **delegate of Kazakstan** supported that proposal and proposed deleting the word "additional" which implied that Arabic, Chinese and Russian were not fully-fledged official languages of the Union.

2.12 The **delegate of the Netherlands** said that, in view of the uncertainty regarding expenses in respect of Arabic, Chinese and Russian, it would be preferable to give no figures and to word paragraph 1.2 as follows: "that the amounts specified in paragraph 1.1 above include expenditure in respect of the [additional] working languages Arabic, Chinese and Russian".

**Paragraph 1.3**

2.13 The **delegate of the Netherlands** proposed that paragraph 1.3 should be amended as follows: "that the Council may decide to exceed the limits in 1.1 above in order to meet demand for products or services subject to cost recovery". She stressed that charges made for cost recovery must not be considered as a source of income for the Union. On that subject, a new paragraph should be added indicating that when the charges made for cost recovery were higher than forecast, the surplus must be used to lower the amount of the contributory unit.

2.14 The proposal was supported by the **delegate of Denmark**, by the **delegate of France** who wished to add a reference to the draft resolution on cost recovery (DT/52(Rev.1)), and by the **delegate of the United States** who considered that the draft Financial Plan was unacceptable because charges made for cost recovery were included as income.

2.15 The **delegate of Italy** also considered that the amount of the contributory unit should be reduced when charges made for cost recovery were higher than forecast.

2.16 The **delegate of Senegal**, referring to Table 2 of Document 42, said that the contributions of Member States for the period 2000-2003 should be less than for the period 1996-1999 owing in particular to the charges made for cost recovery for UIFN and GMPCS.

2.17 Paragraph 1.3, as amended by the delegate of the Netherlands, was **approved**.

**Paragraphs 2, 3 and 4**

2.18 **Approved**.

**Paragraph 5**

2.19 The **delegate of Australia** asked whether the paragraph meant that if, for example, the salaries referred to in paragraph 4.1 increased, the limit set in paragraph 1.1 would automatically be raised. The **Secretary** replied affirmatively and stressed that 80% of the expenditure of the Union was expressed in Swiss francs and that certain changes in expenditure were not within the Union's control. The **delegate of Australia** said that, in that case, paragraph 5 ran counter to the objective set, namely zero nominal growth.

2.20 The **delegates of the United States** and **Canada** shared that view.

2.21 The **Chairperson** said that the matter of exceeding the ceilings set in paragraph 1.1 was covered in paragraph 7. He therefore proposed that paragraphs 6 and 7 be considered before returning to paragraph 5.

**Paragraph 6**

2.22 **Approved**.

**Paragraph 7**

2.23 The **Secretary** said that the flexibility provided by paragraph 7 was intended to allow the Council to perform its task. If the Council were authorized to exceed by up to 5% the ceilings fixed by the Plenipotentiary Conference, it would then be possible to delete paragraph 5.

2.24 The **delegate of France** thought that the percentage was much too high.

2.25 The **delegate of the United Kingdom** said that the maximum limit authorized should be 1%, as at Kyoto. He stressed that the activities subject to the cost-recovery mechanism should not be taken into account in calculating the amount of total income. The **delegate of the Netherlands** shared that view.

2.26 The **Secretary** said it was practically impossible to plan precisely the amount of income which would be received from project support or sales of publications. The Council must therefore have some room to manoeuvre if it wished to carry out the activities planned in the Financial Plan 2000-2003.

2.27 The **delegate of the Philippines** said that apart from the 1% excess authorized, the Council would have some latitude because when the charges made for cost recovery were higher than forecast it could use the surplus to finance activities which were not planned in the budget.

2.28 The **delegate of the United States** said that in order to facilitate the Plenary's task, the committee should either meet again to examine Documents DT/51 and DT/52 or at least instruct an ad hoc group to do so.

2.29 The **delegate of Saudi Arabia** thought that the Council must have a certain flexibility in order to manage the Union properly between plenipotentiary conferences. He did not favour the establishment of an ad hoc group. In his view, it was the Plenary which must decide on the matters left pending.

2.30 The **Chairperson** said that, in view of the late hour, the committee should bring its work to a conclusion.

2.31 The **delegate of Spain** deplored the fact that Committee 7 had been unable to complete consideration of the documents before it and feared that that would make the Plenary's task more difficult.

2.32 The **Chairperson** said that the current meeting was theoretically the last. Nevertheless, he would transmit the wish expressed by the delegate of the United States to the Chairperson of the Conference and he thanked delegations for their work.

**The meeting rose at 2150 hours.**

The Secretary:
A. TAZI-RIFFI

The Chairperson:
U. MOHR

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 339-E**
**11 January 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

THIRTEENTH PLENARY MEETING

Wednesday, 28 October 1998, at 0940 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Documents submitted for information | 22, 65, 81, 151 |
| 2 | Approval of the minutes of the fifth Plenary Meeting | 159 |
| 3 | Oral reports by committee chairpersons | - |
| 4 | Publication of resolutions and recommendations of plenipotentiary conferences | 18(Add.2), 25, 34, 59 |
| 5 | Radio Regulations Board | 201 |

## 1 Documents submitted for information (Documents 22, 65, 81, 151)

1.1 With respect to the agenda of the meeting, the **delegate of Morocco** said that in general information documents distributed at governmental conferences such as the present one were published following their acceptance by the chairperson of the conference. He assumed therefore that the Chairperson had given his approval for publication of Documents 22, 65, 81 and 151. With the exception of the information paper submitted by ITU's sister organization, the International Maritime Organization (IMO), he objected to the documents being given any formal status in a plenary meeting, and requested that the corresponding item be deleted from the agenda.

1.2 The **Chairperson** noted that there was no objection to the information paper submitted by IMO. He explained that CBS and CTR Group Ltd. were Sector Members, having observer status, and it had been a tradition within the Union to allow observers to submit papers for information purposes although they did not have the right to speak on those papers. The fourth document under the agenda item had been submitted by the Democratic Republic of the Congo. He proposed therefore that all four documents should remain on the agenda.

1.3 The **delegate of Morocco** said that, with reluctance, he would accept the Chairperson's ruling on the understanding that all the documents had been published with his agreement. Referring to the document submitted by the Democratic Republic of Congo, he acknowledged that it was the right of a delegation to make a proposal; however, he could not agree to the documents listed being opened for discussion.

1.4 The **Chairperson** affirmed that the documents had been listed for information purposes only and their inclusion on the agenda would not lead to any discussion.

1.5 The **delegate of Syria** found some difficulty in accepting the presentation of any document to the conference unless it had been submitted by an administration. Nor could he understand why the fourth document had been submitted. While he accepted the ruling of the Chairperson in that instance, he wished to place on record his delegation's proposal that the Council should draw up guidelines to establish the nature of documents which could be presented to plenipotentiary conferences.

1.6 Documents 22, 65, 81 and 151 were **noted**.

## 2 Approval of the minutes of the fifth Plenary Meeting (Document 159)

2.1 The minutes of the fifth Plenary Meeting were **approved**.

## 3 Oral reports by committee chairpersons

3.1 The **Chairperson of Committee 5** said that reasonable progress had been made in the work of Committee 5. Ad hoc groups had been established to deal with some of the more complex issues and, in general, the reports from those groups enjoyed the support of the Committee; he was confident therefore that, when submitted to the Plenary, they would be received in a spirit of consensus.

3.2 After careful deliberation on the issue of the Radio Regulations Board, a proposal had been submitted to the Plenary in Document 201. A number of items, including discussion of Resolution 18 (Kyoto) and WTDC-98, remained outstanding; however, he hoped that the Committee would be able to complete its work within the time allotted.

3.3 The **Chairperson of Committee 6** said that, with the exception of those matters referred to Committee 5 and Committee 7, Committee 6 had been able to complete its reading of the Constitution and the Convention, and the relevant texts had been forwarded to the Editorial Committee. Guidance was nevertheless required from the Plenary on the issue of the advisory groups, which had been allocated to both Committee 5 and Committee 6. Work on that issue could perhaps be expedited more effectively if it was carried out in a single committee and, given the heavy workload faced by Committee 5, he wondered whether the advisory groups for all three Sectors might be considered by Committee 6.

3.4 The **Chairperson of Committee 5** said that, with the permission of the Plenary, he would gratefully forward all related texts to Committee 6 for consideration.

3.5 It was so **agreed**.

3.6 The **Chairperson of Committee 7** said that the Committee had dealt with some important matters such as arrears in contributions and the announcement of contributions by Members, and a schedule outlining the future process for announcing contributions had been forwarded to Committee 6. Although most ITU-2000 Group recommendations had been discussed, the general aspects of cost recovery remained outstanding. The Committee would also have to discuss the setting of an overall ceiling for expenditure between two plenipotentiary conferences and the draft financial plan for the period 2000-2003, and would be drafting two decisions for adoption by the Plenary, relating to overall expenditure for the forthcoming financial period and the procedure concerning choice of classes of contribution.

3.7 Committee 7 would not be able to complete its work without scheduling at least one additional meeting in the following days.

3.8 The **Co-Chairperson of Committee 7** said that it was hoped that work on management issues could be completed that afternoon. A number of items remained on the agenda, including an update of Resolution 66 (Kyoto, 1994) concerning documents and publications of the Union; a draft resolution dealing with the linkage between operational, financial and strategic planning; the study of languages; and regional presence. There had been a number of informal consultations on the last two items in particular, and it was hoped that conclusions would be reached in good time. Discussion of the future schedule of conferences and meetings of the Union should be completed without difficulty.

3.9 The **Chairperson** thanked the chairpersons of the committees for their reports and for the excellent work they had accomplished.

3.10 The **delegate of Syria** said that, on previous occasions, he had asked that meetings of Committee 5 and Committee 7 should not be held concurrently as developing countries with small delegations were not able to attend both. He therefore requested the indulgence of the Plenary when it came to consider matters from Committee 7, as some delegations would need to speak on the issues at that time.

3.11 The **Chairperson** explained that the limited time available was inevitably one of the main criteria taken into account when setting the programme of meetings.

## 4 Publication of resolutions and recommendations of plenipotentiary conferences (Documents 18(Add.2), 25, 34 and 59)

4.1 The **delegate of Japan** said that the purpose of proposal J/18/4 contained in Document 18(Add.2) was to rationalize processes regarding resolutions, recommendations and decisions and thus contribute to the efficiency of plenipotentiary conferences.

4.2 At previous conferences, all resolutions, recommendations and decisions had been re-examined and a new set adopted, even if no changes had been made to them. Japan proposed instead that: all previous resolutions, recommendations and decisions should be retained unless there was a need to amend or delete them; in the case of amendments, only the part of the text requiring amendment should be revised; new texts should be adopted and old ones deleted, as necessary. In the final acts, it would not be necessary to reprint existing resolutions, recommendations and decisions that were maintained unchanged; simply, a list would be included showing the designations and titles of current texts, and those which had been deleted. A new, clearer numbering system was also proposed.

4.3 The **delegate of Morocco**, introducing the proposal contained in Document 25 (KWT/MRC/SYR/25/44), said that it was similar to the proposal by Japan, although it differed slightly in terms of the treatment of deleted resolutions and recommendations. Increasingly, the Union encountered in its work revised or new resolutions which made reference to obsolete resolutions or recommendations, thus creating unnecessary confusion. The proposal by Kuwait, Morocco and Syria sought to remedy that situation by providing for obsolete resolutions and recommendations to remain in the final acts of the conference which had adopted them, with each subsequent plenipotentiary conference confining itself to listing them rather than publishing them in full.

4.4 The **delegate of Russia** said that the proposal contained in part 5 of Document 34 concerned the deletion of Resolutions 16 and 17 (Kyoto, 1994), in view of the work which had been completed on the refinement of the functions of the Radiocommunication Sector and the Telecommunication Standardization Sector, and the updating of Resolution 18 (Kyoto, 1994).

4.5 The **delegate of Mexico**, introducing the draft decision contained in Document 59 (IAP/59/122), said that it had been drawn up in order to clarify the numbering of resolutions, recommendations and decisions adopted by plenipotentiary conferences. It was proposed that texts should be numbered consecutively, as for WRCs, and should carry the name of the conference which had been approved by them - although that procedure should not apply to texts adopted prior to the Kyoto Plenipotentiary Conference. There were similarities between Mexico's proposal and those introduced by previous speakers and he was therefore willing to cooperate in the production of a joint text.

4.6 The **delegate of Syria**, referring to the proposal by Japan, said that, in general, he would prefer the published final acts of each conference to include all resolutions, even those which remained unchanged. His delegation would be willing to collaborate in any informal group which the Chairperson might set up to examine the four proposals.

4.7 The **delegate of Switzerland** said that the CEPT countries had also reviewed the matter of resolutions and recommendations and, in particular, those resolutions adopted at the Kyoto Conference. The aim of any action taken should be to simplify consultation of the basic documents; therefore, it would be useful for a single document to be published consolidating the texts of the Constitution and the Convention, and for all current resolutions and recommendations to be found within one document.

4.8 The **Chairperson** recommended that the sponsors of the four proposals should work informally on the question.

4.9 The **delegate of the United Kingdom** said that the output of the present Conference, which might take the form of an amending instrument, should also be borne in mind. In that case, as proposed in Committee 6, a consolidated version of the Constitution and Convention should be produced in the same way that a consolidated version of the Radio Regulations was produced following each WRC.

4.10 The **delegate of Turkey** requested that, in view of the amount of work undertaken by the delegation of Switzerland on the matter, that delegation should also be included in any informal deliberations.

4.11 The **Chairperson** suggested that all interested delegations participate in an informal group, chaired by the delegate of Japan, to draw up a proposal reflecting the concerns of all, for submission to a subsequent meeting of the Plenary.

4.12 It was so **agreed**.

## 5 Radio Regulations Board (Document 201)

5.1 The **Chairperson of Committee 5**, introducing Document 201, said that a proposal supported by numerous delegates had been made to increase membership of the Radio Regulations Board (RRB) from 9 to 15 by altering its regional composition. Given the widespread opposition to that proposal on the grounds, not only that a nine-member RRB was adequate, but that in any event its members were appointed in their personal capacity and did not represent regions, it had been agreed that the Director of BR's region of origin should not be penalized on that account.

5.2 In view of the sharply conflicting views and failure to achieve consensus, an informal group had met, comprising Lebanon, the United Kingdom and Russia. It had achieved a delicately balanced consensus on the package of proposals submitted in Document 201, consisting of four items: 1) the allocation of two RRB seats each to administrative Regions A, B and C, and of three each to Regions D and E, regardless of the region of origin of the Director of BR; 2) amendment of the Constitution to stipulate the 12-member composition of RRB, in order to discourage constant review of the membership, a stipulation upon which numerous delegates had insisted; 3) amendment of the Convention to enable WRCs to appoint RRB members (other than its chairperson or vice-chairperson) as presiding officers of committees, working groups, etc.; 4) RRB members' entitlement to rights and immunities similar to those enjoyed by elected officials, for which provision legal clarification of the appropriate procedure was awaited. Given the nature of the discussion and the delicate consensus reached, the Committee requested the Plenary to approve the proposal as a package.

5.3 The **delegate of Indonesia**, endorsing the proposal, added that while the Chairperson of RRB and the Director of BR were both elected officials, their functions were different. Additional RRB seats should be allocated to Regions D and E because Region E was the most populous, comprised the most subregions and encompassed countries ranging from the very least developed to the highly industrialized, while Region D had the largest number of Member States and many subregions. The new arrangements should be embodied in a resolution so that they could be implemented forthwith. The **delegate of Pakistan** associated himself with those remarks.

5.4 The **delegate of Morocco**, referring to the decision taken in Committee 5 to submit a package of proposals, recalled that, according to the procedure adopted, any proposals for amendment of the Constitution or Convention were to be discussed and decided upon by the Plenary. As the delegate of Syria had indicated, many delegations had been unable to participate in the discussion in Committee 5, for which reason he opposed the submission of the proposals as a package, considering them to require individual and independent examination. Following lengthy internal discussions, the Arab group had, on the basis of the present number of countries in each region, proposed an RRB of 15 members in order to correct the current imbalance. It had been difficult for his delegation to participate in all the discussions in Committee 5, so he would reluctantly agree to the proposal of a 12-member RRB, but that was the only part of the package he could accept. He also opposed the proposal to amend the Constitution and so freeze the number of RRB members, for the excellent reason that the plenipotentiary conference should be left the flexibility to review the membership in the light of global geopolitical developments. He was totally opposed to the element relating to WRCs, recalling that one objection to the High Level Committee's suggestion of a part-time RRB was that non-elected officials lacked independence vis-à-vis their administrations; that independence would be further impaired by acceptance of their inclusion in national delegations or their appointment as chairpersons - the chairpersons of committees at intergovernmental conferences were appointed as a function of their delegations, not in their personal capacity. The privileges and immunities of RRB members were not matters that could be decided by the Conference. It could give rise to considerable legal problems, and was an important topic to which his delegation might wish to return.

5.5 The **delegate of Japan** said that he had reluctantly joined the consensus to raise the RRB membership from 9 to 12 as part of a package. One reason for his reluctance was that with the approaching election of RRB, it would appear that the agreed changes, which affected Member States' rights, were being implemented before the entry into force of the relevant amendments to the Constitution and the Convention; that aspect needed to be discussed.

5.6 The **Chairperson**, considering that consensus had been reached on the first part of the proposal regarding composition, enjoined delegations to restrict their remarks to the three other items.

5.7 The **delegate of Syria** said that, although he had joined the consensus on the first element of the proposal with some reluctance, like the delegate of Indonesia he now wished it to be implemented with immediate effect. For this reason, he also requested a 24-hour postponement of the deadline for the presentation of candidacies for the RRB elections.

5.8 The **delegate of China** said that since China was no longer eligible for RRB membership, he could review the situation objectively. RRB had discharged its role admirably since its inception in 1994, but the expansion of its functions was commensurate with developments in the telecommunication environment. It was unfair for the region of origin of the Director of BR to be allocated one seat only. He therefore endorsed the package of proposals as a whole.

5.9 The **delegate of South Africa** said that her delegation endorsed the entire package of proposals, but suggested a minor amendment to the fourth element by the addition of "and receive" after "entitled to", it being well known that people did not always receive that to which they were entitled.

5.10 The **delegate of Saudi Arabia** said that the Arab group had accepted the increase of the RRB membership to 12 as a reasonable compromise on its original request for 15. However, he could not accept the distribution as stated in the proposal, which did not reflect the true package agreed. As the delegate of Morocco had pointed out, some regions, especially Asia, covered

enormous territory and comprised numerous subregions with a high population density, and extremely disparate countries ranging from highly industrialized countries to LDCs. That was one reason why it had initially been proposed that the Asian region be split into separate regions. That suggestion appeared to have been shelved for some reason, but, in order not to preclude such a possibility in the future, he was unable to accept the proposal for the number of members to be enshrined in the Constitution and Convention.

5.11 The **delegate of Norway** said that he had reluctantly accepted the increased membership of 12, on condition that it be reflected in the basic instruments in order to avoid constant review by the plenipotentiary conference. With regard to WRCs, however, he pointed out that there had been no proposal to amend No. 141 of the Convention, which stated unequivocally that members of RRB could not participate in the conferences as members of their national delegations.

5.12 The **delegate of Switzerland** endorsed the previous speaker's remarks concerning the first two components of the proposal, which reflected the debate within the CEPT group. With regard to the third component, he expressed similar doubts to those raised by the delegate of Morocco. Regarding privileges and immunities of RRB members, in its eagerness to facilitate the holding of ITU conferences and meetings Switzerland had established an ad hoc working group to solve visa and related problems, and so would be unhappy over any hasty decisions in that respect. A matter of such complexity warranted further reflection, inasmuch as it transcended the status of ITU and involved other organizations headquartered in Geneva. He would prefer a more flexible proposal which the Council could perhaps examine with the host country in an effort to reach a better solution which, however, remained within the legal framework.

5.13 The **Chairperson** suggested a suspension of the meeting to enable interested parties to confer.

**The meeting was suspended at 1100 hours and resumed at 1200 hours.**

5.14 The **Chairperson** said that, during the informal discussions on Document 201 during the suspension, it had been agreed that item 4 relating to privileges and immunities of RRB members should be deferred for consideration by the Council.

5.15 Items 1 and 2, on the other hand, continued to pose problems, the bone of contention being that one side wanted the Board's membership to be increased from 9 to 12 and not be tied to an amendment to the Constitution, whereas the other side made agreement to such an increase conditional on the number being enshrined in the Constitution - thereby making any future change more difficult because of the larger majority required to amend the Constitution. The difference of opinion related to the number of members and its incorporation in the Constitution, not to the regional distribution of membership, which would remain a matter to be settled at each conference.

5.16 The **delegate of Kuwait** said that his delegation would have preferred RRB to have 15 members, but was willing, in the interests of consensus, to accept a membership of 12. However, it could not agree to the proposed amendment to the Constitution set forth in item 2, since it was important to retain flexibility with regard to any change in the number of Board members. As to item 3, the fact that administrations of Member States decided on the appointment of officers of WRCs had no bearing on membership of the Board, as members were totally independent. His delegation agreed that item 4 was best dealt with by the Council.

5.17 The **delegate of Egypt** endorsed the Chairperson's summary of the informal discussions, but stressed that one regional group had joined the compromise by agreeing to have 12 rather than 15 members provided the number was not incorporated in the Constitution. Egypt shared the

concerns of Morocco and Kuwait and, while ready to go along with the consensus on an RRB membership of 12, was extremely reluctant to see the number enshrined in the Constitution.

5.18 The **delegate of the United Kingdom**, supported by the **delegate of Germany**, said that a great deal of effort had gone in to the attempt to forge a compromise; it had already been clear in the discussions in Committee 5 that many regions were reluctant to see the membership raised to more than 10; thus, it was not true to say that only one region had compromised. Nonetheless, his delegation was grateful to Member States of the Arab region for their contributions: Lebanon, in particular, had come up with a proposal (LBN/111/1) after the initial discussion in committee, in an attempt to resolve the difficulty. Many European countries were most unhappy with the compromise; yet it was in the nature of any good compromise that it left all parties somewhat dissatisfied. An integral component of that compromise had been that the number 12 must be incorporated in the Constitution, and unless that condition was adhered to, there could be no agreement on a membership of 12.

5.19 The **delegate of Lebanon** endorsed the Chairperson's summary of the informal discussions. As the United Kingdom delegate had pointed out, a compromise left everyone with mingled feelings of satisfaction and dissatisfaction. In the event, lengthy discussions had ended in near-unanimity at the end of the tenth meeting of Committee 5. Removing one component from the overall compromise would jeopardize the entire package. Lebanon was not one of the administrations that had proposed incorporation of the number of Board members in the Constitution, but it had agreed to its incorporation because it had realized that a large number of administrations regarded it as an indispensable condition to increasing the number of members to 12. To treat the components of Document 201 separately would destroy the package so laboriously assembled, which was not in the interests of any administration or region. The consensus reached was the best possible reflection of what was generally acceptable. Lebanon thus urged delegations to consider the best interests of administrations, including those of Regions D and E, and join the consensus.

5.20 The **delegate of Morocco**, speaking in exercise of the right of reply under No. 403 of the Convention concerning the comments by the United Kingdom and Lebanon, said that his delegation, as a representative of the Arab group, had met with the European group to try to reach a compromise on the number of members of the Board. The question of incorporating 12 as the number of members in the Constitution had at no time been raised in the course of those discussions. With respect to Lebanon, he requested that delegation to make it clear that it had not spoken on behalf of the Arab group, and that if it wished to impart advice to the group, it should not use a statement made in Plenary as the occasion to do so.

5.21 The **Chairperson** said that the compromise package presented in Plenary had been put together in Committee 5, and invited the Chairperson of Committee 5 to respond to the remarks of Morocco.

5.22 The **Chairperson of Committee 5** said that dialogue was the highest form of politics. Compromises inevitably entailed some dissatisfaction, but at least secured consensus on certain principles. Before the submission of the present package, positions in Committee 5 had been irreconcilable: one party had wished RRB to have 15 members, the other had wanted no more than 10, and Committee 5 had agreed almost two weeks previously to refer the matter to the Plenary. The proposal now submitted had been broadly accepted - albeit with some reservations - by the great majority of members of the Committee. ITU had a tradition of consensus, and consensus entailed balance. The package, as the result of lengthy deliberations and strenuous efforts, struck a balance between the various positions stated during the discussions in Committee 5, and he urged the Plenary to accept it.

5.23 The **delegate of Algeria** said that, notwithstanding the commendable efforts made by the Chairperson of Committee 5 to expedite matters in that committee for the benefit of the entire Conference, his oral report only partially reflected the reservations expressed by some parties to the consensus, including Algeria, which had reserved the right to state its position in Plenary. The approach adopted had not always been balanced, for on several occasions reservations expressed by delegations had not been reflected in the oral reports of chairpersons of committees, while on other occasions negotiations had dragged on interminably in an attempt to satisfy some single delegation that remained adamantly opposed to a proposal otherwise unanimously supported.

5.24 The **Chairperson** said it had been his understanding that a consensus had been reached in Committee 5, whereas in fact it appeared that an issue situated on the fault-line had been passed on to the Plenary. Consensus was not synonymous with unanimity; it reflected the overall sentiment of the room, and something considerably more than a majority view. The key issue was how the number 12 had been arrived at. One side had reached it as a downward compromise from 15, whereas the other side had reached it as an upward compromise from 9, but had made that compromise conditional upon the number being incorporated in the Constitution. There was one formal proposal to increase the number of members from 9 to 12; there was currently no formal proposal to make acceptance of the number 12 conditional on its incorporation in the Constitution. He now wished to ascertain the sentiment of the Plenary with regard to the number 12, pending a formal submission to the next Plenary Meeting of a proposal to incorporate the number in the Constitution.

5.25 The **delegate of Morocco**, speaking on a point of order under No. 391 of the Convention, said that Document 201 was not a proposal but a report of Committee 5; the proposals to be considered by the Plenary were the proposals made by delegations. That being said, if the meeting agreed to the Chairperson's proposal to adopt the number 12 and to defer consideration of the remaining issues to a subsequent Plenary Meeting, he would withdraw his point of order.

5.26 The **delegate of the United Kingdom**, speaking also on a point of order, said he had already made it quite clear that the number 12 could not be discussed as an issue separate from its inclusion in the Constitution. Under No. 432 of the Convention, he wished to propose an amendment to the proposal by Lebanon (LBN/111/1).

5.27 The **Chairperson** said that the delegate of the United Kingdom was asking to modify a proposal that was not on the day's agenda. Such a request would have to be submitted as a formal proposal at the next Plenary Meeting.

5.28 The **delegate of Syria**, speaking on a point of order, said that the proposal to modify the Constitution was not available in writing and could not be dealt with orally.

5.29 The **Chairperson** agreed that there was no formal proposal for such an amendment. His intention was to ask for a show of hands on the principle of the proposal.

5.30 The **delegate of the United Kingdom**, speaking on a point of order, said that only Document 201 was currently before the Plenary, and that he could not accept the Chairperson's proposal that the Plenary deal with item 1 separately from item 2. Item 2 was very much the point at issue.

5.31 The **Chairperson** said he was proposing a show of hands on the principle of dealing with items 1 and 2 in conjunction.

5.32 The **delegate of Morocco**, speaking on a point of order, asked the Chairperson to remind delegations requesting the floor on a point of order that they must indicate under what provision of the Convention the point of order was requested. Under No. 391 of the Convention he requested the Chairperson to apply No. 227 of the Constitution, under which any proposed modification to the Constitution must be approved at a Plenary Meeting. The only proposals before the Plenary Meeting regarding the number of RRB members were the Arab countries' proposal in Document 25 and Lebanon's proposal in Document 111. He urged the Chairperson to apply the Constitution and the Rules of Procedure to the letter.

5.33 The **Chairperson** said that Morocco's recommended course of action was precisely the course of action he himself had just proposed. He requested a show of hands on the principle of increasing the RRB membership from 9 to 12, pending the consideration of a formal proposal at the next Plenary Meeting to incorporate the number 12 in the Constitution.

5.34 The **delegate of the United Kingdom**, speaking on a point of order under No. 354 of the Convention, said that there was considerable confusion as to the issue on which the Chairperson was requesting a show of hands. The point at issue was whether or not, at some future time during the present Conference, the number 12 should be incorporated in the Constitution. He therefore urged the Chairperson to rephrase his proposal.

5.35 The **delegate of Syria**, speaking on a point of order, observed that no proposal to modify the Constitution had been tabled. The Chairperson must clarify the issue on which he was requesting a show of hands. He further pointed out that any modification to the Constitution required a two-thirds majority.

5.36 The **Chairperson** said that he was not requesting a formal vote, and confirmed that a modification to the Constitution required a two-thirds majority of the delegations accredited to the Plenipotentiary Conference which had the right to vote.

5.37 The **delegate of Turkey**, speaking on a point of order, said it was clear that the discussion was leading nowhere. Under No. 398 of the Convention, he moved that the debate be postponed for a stated period.

5.38 The **Chairperson** proposed that consideration of the issue should be resumed at the start of the next Plenary Meeting.

5.39 It was so **agreed**.

**The meeting rose at 1245 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 340-E**
**11 January 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

FOURTEENTH PLENARY MEETING

Friday, 30 October 1998, at 1445 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)


| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Approval of the minutes of the sixth Plenary Meeting | 192 |
| 2 | Date of taking office by the elected officials | - |
| 3 | Treatment of decisions, resolutions and recommendations of plenipotentiary conferences | 223 |
| 4 | First series of texts submitted by the Editorial Committee for first reading (B.1) | 189 |
| 5 | Second series of texts submitted by the Editorial Committee for first reading (B.2) | 210 |

## 1 Approval of the minutes of the sixth Plenary Meeting (Document 192)

1.1 The minutes of the sixth Plenary Meeting were **approved**.

## 2 Date of taking office by the elected officials

2.1 The **Chairperson** said that the date proposed for newly elected officials to take office was 1 February 1999.

2.2 The date of taking office by the elected officials was **approved**.

## 3 Treatment of decisions, resolutions and recommendations of plenipotentiary conferences (Document 223)

3.1 The **delegate of Japan** said that the draft decision contained in Document 223 had been drawn up following consultations between interested delegations in order to arrive at a text which incorporated the views set out in the proposals by Japan (JPN/18/4), Kuwait, Morocco and Syria (KWT/MRC/SYR/25/44), some CITEL countries (IAP/59/122) and Russia (section 5 of Document 34) and views expressed in Committee 5: *decides* 1 stated that resolutions of a plenipotentiary conference remained in effect unless they were revised or deleted by a subsequent plenipotentiary conference; *decides* 2 showed what should be included in the final acts; *decides* 3 showed how resolutions should be designated and, in that regard, he said that the word "numbered" should be changed to "designated"; and *decides* 4 confirmed that decisions and recommendations should be treated in the same manner as resolutions.

3.2 The text set out on the first page of Document 223 had been drafted to meet the concern that more complete information should be made available: it proposed that, in addition to the final acts, a reference book should be published after each plenipotentiary conference. The text could be included in the draft decision or, preferably, it would be forwarded to Committee 6 for possible inclusion in a draft resolution on publications.

3.3 The **delegate of Saudi Arabia** said that it might be appropriate to amend the order in which the different types of text were referred to in the title of the draft decision so that it reflected the order in which they were treated in the text. The **delegate of Turkey** said the customary order was "decisions, resolutions and recommendations".

3.4 The **delegate of Syria** proposed that all resolutions be given a reference to indicate how many times each had been amended.

3.5 The **delegate of Morocco** said that the second item in *decides* 2 referred to a list of "deleted" resolutions without any reference to the document from which they had been deleted. It might be more accurate to state that the resolutions were "no longer published" in the consolidated version of the Constitution and the Convention. They could not be deleted as such from the final acts in which they appeared, and furthermore, subsequent conferences might include references to them in resolutions.

3.6 The **delegate of Germany** lent his full support to the draft decision. Referring to the third item in *decides* 2, he said that, while it was not necessary to include the text of unchanged resolutions in the final acts, it would be useful for them to be listed for reference purposes. He proposed, therefore, that the line should be amended to read "a list of unchanged resolutions with no text". His proposal was supported by the **delegate of the Philippines**.

3.7 The **delegate of Switzerland** was concerned that adequate reference should be made in the consolidated material published after each conference to those resolutions, recommendations and decisions which had been deleted so that their provenance was clear. In the final acts, however, while reference should be made to the deleted items, their full text should not be reproduced.

3.8 The **delegate of Japan** said that the text which he had recommended be forwarded to Committee 6 proposed that the reference book published after each conference should contain a "list of deleted decisions, resolutions and recommendations and the year of their deletion". Referring to the proposal by the delegate of Germany, he explained that it had been felt that the final acts should be kept as concise as possible, hence the decision to include more complete information in a reference book.

3.9 The **delegate of India** suggested that in the list of deleted resolutions there should be a reference to the conference and year in which each had been adopted.

3.10 The **delegate of Morocco** said that the final acts should reflect the work undertaken by a conference and should therefore include only those decisions, resolutions and recommendations which had been newly drafted, amended or deleted. Resolutions adopted at other conferences could be found in the appropriate final acts. It would significantly increase the workload of the plenipotentiary conference if all resolutions were to be reviewed. The **delegate of Japan** supported that view, explaining that it was for that reason that the ad hoc group had decided not to include a list of unchanged resolutions in the final acts but to include them in the more complete reference book. With that explanation, the **delegate of Germany** said that he could withdraw his proposal.

3.11 Following a further discussion, in which the **delegates of India** and **Morocco** took part, on whether it would be appropriate to refer to a resolution as being deleted or abrogated, the **Chairperson**, noting that there was agreement on the substance of the draft decision, suggested that it should be referred to the Editorial Committee where the amendments discussed could be incorporated. The Editorial Committee would consult the Legal Affairs Unit on which of the terms "deleted" or "abrogated" was most appropriate. The draft text set out on the first page of Document 223 would be forwarded to Committee 6 as recommended by the delegate of Japan.

3.12 It was so **agreed**.

## 4 First series of texts submitted by the Editorial Committee for first reading (B.1) (Document 189)

4.1 The **Chairperson of Committee 4**, introducing the document, said that some explanation of the treatment of the word "Members" might be required. The word Members with a capital "M" had formerly been understood to mean "Member States" and that was how it had been rendered in the document. However, although it was not described in the Constitution in that sense, Members often seemed to be used to refer to all participants in the work of the Union. Where that interpretation was required, Committee 4 had used the phrase "Member States and Sector Members".

**Resolution COM5/2 - Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector**

4.2 Resolution COM5/2 was **approved**.

**Resolution COM5/3 - Telecommunications in the service of humanitarian assistance**

4.3 Following a query by the **delegate of Syria** concerning the word "administrations" in *urges administrations* and *further urges administrations*, the **delegate of Morocco** advised that, in that particular case, "Member States" would be the appropriate term to use. His views were supported by the **Chairperson of Committee 4** and the **delegate of India**. The **delegate of the Islamic Republic of Iran** said that from a legal viewpoint, it was not appropriate to request Member States to take practical steps for implementation of the Tampere Convention unless they were party to it; accordingly, the text should refer to "Member States parties to the Convention".

4.4 Resolution COM5/3, as amended, was **approved**.

**Resolution COM5/4 - Coping with the decreased use of international telex service**

4.5 In response to a query by the **delegate of Mexico**, the **Director of TSB** said that TSB would carry out a survey and publish yearly a list of countries which had suspended or had a timetable for suspending the use of the international telex service, and information on the alternative services to be used. The **delegate of Mexico** requested that the text of *noting b)* should either be amended to reflect that no clear information had yet been provided on the subject, or be deleted altogether. Furthermore, a new paragraph in *resolves to instruct the Secretary-General* should be drafted to reflect that instructions to carry out such surveys had been issued.

4.6 The **delegate of Syria** said that, since the resolution concerned the Standardization Sector, it would be more appropriate to refer to ITU-T or the Director of TSB rather than to the Secretary-General in *resolves to instruct the Secretary-General*.

4.7 The **delegate of Côte d'Ivoire** agreed with the delegate of Syria and further proposed amending *noting b)* to read "... since countries may have different schedules ...". Also, the activity referred to in *resolves to instruct the Secretary-General* 3 could also be conducted by TSB and would enrich the survey promised by the Director of TSB. In that way, the developing countries, which were most seriously affected by the emergence of new technologies elsewhere, could be apprised of the results of the telex/IP network interoperability study, the acquisition of the necessary interface and implementation schedules, and act accordingly.

4.8 The **delegate of the Republic of Korea** recalled that Resolution COM5/4 was not intended to curtail the use of the international telex service, but to assist ITU Member States which relied on its use to switch to new telecommunication technologies.

4.9 The **Chairperson** invited the interested delegates to confer with the Director of TSB with a view to producing a consolidated text.

4.10 The **Director of TSB**, reporting on the results of his discussions with the delegates of Côte d'Ivoire, the Republic of Korea, Mexico and Syria, said that *noting b)* should be amended to read "that countries may have different schedules for suspending the use of international telex services"; the instructions under the *resolves* section should be directed to the Director of TSB rather than the Secretary-General; *resolves* 1 thereof should read "to conduct a survey, to be updated regularly, on the decrease ... and assess when it may become possible ..."; *resolves* 2 should read "to study measures, in collaboration with BDT, to assist developing countries ..."; the report under *resolves* 4 should be submitted to the Council not only for review, but also for action; and *resolves* 5 should be deleted.

4.11 The amendments were supported by the **delegates of Mexico** and **Australia**.

4.12 Resolution COM5/4, as amended, was **approved**.

**Resolution COM5/5 - Participation of Radiocommunication Sector Members at world radiocommunication conferences**

4.13 The **delegate of Canada** proposed the addition of the word "Radiocommunication" before "Sector Members" in *considering d)* of Resolution COM5/5 to align it with the title and with references to those Sector Members elsewhere in the Resolution. Since part of *considering d)* was still in square brackets and accompanied by a footnote indicating that it would be subject to editorial adjustments after consideration in Committee 6, he took it that once Committee 6 had approved the relevant amendments to the Constitution and Convention, a reference to the relevant provisions would be inserted and the square brackets removed.

4.14 The **Chairperson of Committee 6** suggested that, in the interests of time, the square brackets be retained pending his Committee's consideration of the proposal concerning Sector Members' participation.

4.15 Responding to a query by the **delegate of Turkey**, the **Chairperson of ad hoc Group 5/1** said that since a WRC could adopt procedures for its own work but could not transmit new provisions to a future conference for adoption, WRC-2000 would be called upon to adopt measures governing participation at WRC-2000 itself and to propose to the Council any action to be considered by the subsequent plenipotentiary conference, so that direction could be given for subsequent WRCs. The **Chairperson** concurred with her interpretation.

4.16 The **delegate of Algeria** expressed concern about the practicality of deciding to allow certain entities to participate in a conference that was already in progress. He wondered who would invite them and on the basis of which list.

4.17 The **delegate of Canada** explained that there were two aspects to the participation issue. The first was covered by *considering d)* which, if adopted, would allow all Sector Members to attend world radiocommunication conferences. The second related to the possibility of their requesting the floor, a decision that could be taken, and announced, at WRC-2000 itself.

4.18 The **delegate of Algeria**, in the light of that explanation, proposed that the word "participation" be replaced with a more appropriate term in order to make the meaning absolutely clear. He also sought clarification as to the exact connotation of "request the floor"; if it referred to being authorized by the conference to make a statement, as opposed to full participation in all debates, it would be acceptable to him.

4.19 Following comments of a procedural nature by the **Chairperson of Committee 4**, who observed that the Plenary should not be entering into the details of Sector Members' participation at WRCs, the **delegate of Canada** suggested, following brief informal discussions with the delegate of Algeria and the Director of BR, that any ambiguity could be removed by referring to the "nature of participation" in *invites WRC-2000* 1 and by using the verb "present" instead of "propose" in the first paragraph of the *instructs* section.

4.20 Those amendments were supported by the **delegate of South Africa**, who nevertheless reiterated her initial concern about the amount of time that might be spent at WRCs discussing the participation of Sector Members. A mechanism might be found for receiving the Director's report prior to WRC-2000 in order to minimize the debate at the conference.

4.21 The **delegate of Algeria** said that his informal consultations with the delegate of Canada and the Director of BR still left him unconvinced of the usefulness of the resolution. Sector Members were listed as observers under No. 280 of the Convention and No. 273 provided some allowance for them to participate and request the floor. While he in no way wished to debar Sector

Members from participation, a radiocommunication conference was by definition a conference of Member States in the same way as a plenipotentiary conference, and took decisions on international treaties. It was one thing for a Sector Member to be given the floor by a chairperson to make a particular statement, but if Sector Members were allowed to participate fully in discussions concerning topics such as the radio-frequency spectrum, resource allocation among States, or orbital positions, the conference would no longer be a world radiocommunication conference, but a radiocommunication assembly. If the resolution were adopted, he would request the floor in order to express his formal reservations.

4.22 The **Chairperson of Committee 6**, supported by the **delegate of Greece**, said that the Kyoto Plenipotentiary Conference had adopted No. 262A of the Convention authorizing Sector Members to participate as observers in plenipotentiary conference without the agreement of their country of origin, whereas with regard to radiocommunication conferences, No. 280 authorized Sector Members to participate subject to the agreement of the country concerned. Under the recommendations of the ITU-2000 Group, they would be authorized to participate in Sector conferences on exactly the same terms as they did in plenipotentiary conferences. The resolution under discussion presupposed the existence of provisions in the Convention allowing Sector Members to participate without the agreement of the administration concerned. In that event, the status of observer, as defined in the Convention, granted them the right to take the floor if authorized by the chairperson of the meeting, but did not entitle them to make proposals or participate in the debate. If the resolution sought to endow observers in the Radiocommunication Sector with a higher status than that enjoyed by other observers, only the plenipotentiary conference had the power to take such a decision. Until Committee 5 or 6 had discussed the nature of the requisite provision called for in the Convention, any further discussion of the resolution was pointless.

4.23 The **delegate of Syria** said that the words "to study and present" were not acceptable to his delegation, as they might imply that the Director took a decision on behalf of the WRC. Under No. 178 of the Constitution, WRCs decided their own working procedures.

4.24 The **Chairperson** and the **delegate of Turkey** having suggested that, in the light of the discussion, it might be wise to refer Resolution COM5/5 back to Committee 5, the **Chairperson of Committee 5**, pointing to his Committee's tight time schedule and the fact that it had been his impression that a consensus had already been reached, said he would prefer to resolve the matter in informal discussions rather than formally referring the resolution back to the Committee.

4.25 The **Chairperson of Committee 6** said that what was required was not a review of the resolution, but a decision on the nature of the provision to be incorporated in the Convention. Was it a provision similar to No. 262A concerning Sector Members and organizations representing them at plenipotentiary conferences, or was it something different? Only when that question had been resolved could the resolution be considered by the Plenary.

4.26 The **delegate of Colombia** understood that Resolution COM5/5 might imply changes to the Constitution and Convention, which would have to be considered by Committee 6.

4.27 The **Chairperson of Committee 5** said that the informal discussions he proposed would also involve Committee 6.

4.28 The **Chairperson** said that, if he heard no objection, Resolution COM5/5 would be referred back to the Chairperson of Committee 5 for informal discussion, in consultation with Committee 6, in order to clarify the exact nature of any corresponding amendment to the Convention.

4.29 It was so **agreed**.

**Resolution PLEN/1 - Inclusion of gender perspective in the work of ITU**

4.30 Resolution PLEN/1 was **approved**.

**Annexes to Resolution COM5/8 - Strategic Plan for the Union 1999-2003**

4.31 The **Chairperson of Committee 4** said that on the title page of Resolution COM5/8, the word "annex" should read "annexes". The title page of Document 189 (B.1) should be amended accordingly.

**Annex 1**

4.32 The **delegate of the Islamic Republic of Iran**, supported by the **delegates of Saudi Arabia, Syria** and **Turkey**, proposed adding the words "as the pre-eminent international competent body to deal with these issues", after the words "core role of ITU" in paragraph 30 of part III, subsection D.3.

4.33 The **Chairperson of ad hoc Group 5/3**, supported by the **delegates of Argentina, South Africa** and **the Netherlands**, said that a section of text had inadvertently been deleted from subsection F.4 of part IV. In paragraph 41, a text reading "covering the implementation of the GII, including the definition of an integrated global framework reference model with network-network and network-user interfaces" should be reinstated as the first sub-indent. Furthermore, the word "including" should have been deleted from the text that currently featured as the first indent. Neither proposed correction was controversial.

4.34 Annex 1 to Resolution COM5/8, as amended, was **approved**.

**Annex 2**

4.35 Annex 2 to Resolution COM5/8 was **approved**.

4.36 The **Chairperson** proposed that consideration of Document 189 (B.1) on first reading be resumed at a subsequent Plenary Meeting.

4.37 It was so **agreed**.

## 5 Second series of texts submitted by the Editorial Committee for first reading (B.2) (Document 210)

**Resolution COM7/1 - Rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent Funds**

5.1 Resolution COM7/1 was **approved**.

**Resolution COM7/2 - Human resources management and development**

5.2 Resolution COM7/2 was **approved**.

**Resolution COM7/3 - Compensation matters**

5.3 Resolution COM7/3 was **approved**.

**Resolution COM7/4 - ITU staff participation in conferences of the Union**

5.4 Resolution COM7/4 was **approved**.

**Resolution COM7/5 - Introduction of a long-term care insurance scheme in the Union**

5.5 The **delegate of Syria** said that the references in *instructs the Secretary-General* 3 and 4 to the Fifth Committee of the United Nations General Assembly and to ICSC, respectively, appeared to be out of place in a resolution dealing with an Agreement between ITU and the Swiss Federal Council. He proposed that those two paragraphs be deleted.

5.6 The **Co-Chairperson of Committee 7** (Staff matters) said that the two paragraphs reflected the desire of some Member States to highlight ITU's concern for the welfare of its staff by involving bodies not normally mandated to deal with such questions in matters that related exclusively to ITU's relations with its staff and other organizations. Deletion of the reference to the Fifth Committee in *instructs the Secretary-General* 3, and of *instructs the Secretary-General* 4 in its entirety, would do nothing to impair the text of the resolution.

5.7 The **delegate of Germany** said that his delegation felt that the issue must be discussed in the context of the United Nations common system. It could thus not agree to the proposed deletions, which would result in the recognition of a separate system for ITU.

5.8 The **delegate of Syria**, supported by the **delegate of Senegal**, said that organizations such as ITU and ILO operated their own insurance schemes, which were entirely independent of the common system. The Fifth Committee had never concerned itself with such matters.

5.9 The **delegate of Algeria**, supported by the **delegate of Syria**, noted that all resolutions and recommendations should contain a paragraph instructing the Secretary-General to report to the next Council session on the situation with regard to its implementation.

5.10 The **Co-Chairperson of Committee 7** proposed amending *instructs the Secretary-General* 3 to read: "to report to the next Council session on the outcome of deliberations on the above-mentioned proposal and other progress made with respect to this resolution", and deleting *instructs the Secretary-General* 4.

5.11 The **delegate of Germany** said it was his understanding that the long-term care insurance scheme had been discussed only in Geneva. The purpose of operative paragraphs 3 and 4 had been to ensure that it was discussed at system-wide level.

5.12 The **delegate of the Philippines** said that the term "deliberations" needed some qualification. The words "in the Fifth Committee of the United Nations General Assembly" should be retained, whereas *instructs the Secretary-General* 4 could be deleted.

5.13 The **Co-Chairperson of Committee 7** said that the matter raised by the Philippines, and, to some extent, the matter raised by Germany, would be covered by inclusion of the words "and other progress made with respect to this resolution".

5.14 The **Chairperson** said that consideration of Resolution COM7/5 would be resumed at a subsequent Plenary Meeting.

**The meeting rose at 1735 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Corrigendum 1 to Document 341-E**
**5 March 1999**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

FIFTEENTH PLENARY MEETING

Monday, 2 November 1998, at 1440 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 3.12 by the following text:

3.12 The **delegate of Syria**, speaking on behalf of the Arab States, said that two Arab countries, Somalia and Iraq, had been unable to attend the Conference for reasons known to all. He asked that the Conference should take into consideration the situation of the two countries, and particularly their financial difficulties. The Syrian delegation also asked that the future Council and the next Plenipotentiary Conference should take the situation of those two countries into consideration with regard to the application of this Resolution.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 341-E**
**21 January 1999**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

FIFTEENTH PLENARY MEETING

Monday, 2 November 1998, at 1440 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Approval of the minutes of the seventh and eighth Plenary Meetings | 206, 207 |
| 2 | Guidelines for Plenary Meetings | 249 |
| 3 | Second series of texts submitted by the Editorial Committee for first reading (B.2) (continued) | 210 + Corr.1 |
| 4 | General policy statements (continued) | - |

## 1 Approval of the minutes of the seventh and eighth Plenary Meetings (Documents 206 and 207)

1.1 The minutes of the seventh and eighth Plenary Meetings (Documents 206 and 207) were **approved**.

## 2 Guidelines for Plenary Meetings (Document 249)

2.1 The **Chairperson** drew participants' attention to Document 249 which contained guidelines on the consideration of texts submitted for first reading. He invited participants, in accordance with § 2, to limit discussion of substance to points of clarification or unresolved issues and not to return to texts already approved in committee.

2.2 The **delegate of Syria** said that all proposals made in committee had perhaps not been discussed in detail or been the subject of clear consensus. He therefore requested the Chairperson to adopt a flexible approach towards delegations which had comments to make.

2.3 The **delegate of Spain** endorsed the previous speaker's words.

2.4 The **delegate of Japan** added that, apart from clarification and the terms in square brackets, there were also notes in the texts from committee chairpersons on wording which had caused particular problems. Participants should therefore be able to comment on the notes.

## 3 Second series of texts submitted by the Editorial Committee for first reading (B.2) (continued) (Document 210 + Corrigendum 1)

**Resolution COM7/5 - Introduction of a long-term care insurance scheme in the Union**

3.1 The **Co-Chairperson of Committee 7** (Staff matters) said that after informal consultations, the following compromise text had been prepared for *instructs the Secretary-General* 3: "to report to the next Council session on the outcome of the deliberations in the ACC on the above-mentioned proposal and other progress made with respect to this resolution"; it had also been agreed to delete *instructs the Secretary-General* 4.

3.2 The **delegates of Syria** and **Germany** supported the amendments.

3.3 With those amendments, Resolution COM7/5 was **approved**.

**Resolution COM7/6 - Occupational illness**

3.4 The **delegate of Syria**, asserting that staff was the Union's most valuable resource, was shocked that there could be any question of ensuring compliance with accepted safety, health and environmental standards only within available resources, particularly in the light of asbestos-linked problems at Union headquarters. He therefore proposed deletion in *instructs the Secretary-General* 1 of the expression "within available resources"; wording *instructs the Secretary-General* 3 as follows: "to submit a report to the Council for its consideration and decision"; and adding "*instructs the Council*, to report to the next Plenipotentiary Conference on the progress made with respect to this resolution". He emphasized that the resolution must have the same official status as others since the matter of occupational illness should be taken extremely seriously.

3.5 He was supported by the **delegates of Switzerland** and **the Lao People's Democratic Republic**.

3.6 The **delegate of the Netherlands** was reluctant to support the text proposed by the delegate of Syria in the absence of details regarding the financial implications of the decision.

3.7 The **Co-Chairperson of Committee 7** said that the United States delegation had already raised the problem in Committee 7. There were no resources available and the Secretary-General would refer to the Council which would decide on the matter.

3.8 The **delegate of the Netherlands** said that her delegation agreed that, if resources were not available, the Secretary-General should refer the matter to the Council. She was prepared to draft a new text for *instructs the Secretary-General* 1 in collaboration with the delegate of Syria and the Co-Chairperson of Committee 7.

3.9 After informal consultations, the **delegate of Syria** proposed, to alleviate the fears of those wishing to maintain the expression "within available resources", that reference should be made to Article 11 of the Financial Regulations which forbade the Secretary-General to exceed the overall budgetary appropriation. The *instructs the Secretary-General* of the resolution would therefore be amended as follows: the expression "within available resources" would be deleted from § 1; ", for its consideration and action, taking into account the provisions of Article 11 of the ITU Financial Regulations" would be added to § 3; and a fourth paragraph would be added, reading: "to report to the next Plenipotentiary Conference on the progress made with respect to this resolution".

3.10 Resolution COM7/6 was **approved** as amended.

**Resolution COM7/7 - Arrears and special arrears accounts**

3.11 The **Chairperson of Committee 6** said that the square brackets around No. [169] of the Constitution in the *further resolves* could be deleted. The **delegate of the Islamic Republic of Iran** supported deletion of the square brackets.

3.12 The **delegate of Syria** said that two Arab countries, Somalia and Iraq, had been unable to attend the conference for reasons known to all. He asked that the conference should take into consideration the situation of the two countries, and particularly their financial difficulties. The Syrian delegation also asked that the Council and the next plenipotentiary conference should take the situation of those two countries into consideration.

3.13 Following a question from the **delegate of Cuba** regarding approval of No. 169 of the Constitution regarding loss of the right to vote, the **Chairperson of Committee 6** said that the wording of No. 169 had indeed to be decided by the Plenary; nevertheless, whatever its wording, that was the provision, which would apply in such a case. Furthermore, the *further resolves* part of the resolution would enter into force before the Final Acts of the present conference and hence before the entry into force of the new text of No. 169.

3.14 It was **agreed** to delete the square brackets around 169.

3.15 With that amendment, Resolution COM7/7 was **approved**.

**Resolution COM7/8 - Special arrears accounts**

3.16 Resolution COM7/8 was **approved**.

3.17 The **delegate of Mauritania** thanked participants for taking measures which would allow his country to fulfil its role in the International Telecommunication Union.

**Resolution COM7/9 - Auditing of the accounts of the Union**

3.18 Resolution COM7/9 was **approved**.

**Resolution COM7/10 - Assistance given by the Government of the Swiss Confederation in connection with the finances of the Union**

3.19 Resolution COM7/10 was **approved**.

**Resolution COM5/6 - World telecommunication policy forum**

3.20 The **Chairperson of Committee 5** said that the matter to which the note by the Chairperson referred had elicited intense discussion: the consensus had not been very clear in regard to the text to be approved for *resolves* 3, and he had thought it wiser to indicate that several delegations preferred to add that some sessions of the forum should be open to Member States only.

3.21 The **delegate of Japan** who, in Committee 5, had favoured maintaining the initial text of *resolves* 3 because it was probable that in the future there would be an increase in regulatory problems which Member States might would wish to decide among themselves proposed, as a compromise, the following wording: "however, if appropriate, by the decision of the majority of delegations, a special session may be held for the Member States only".

3.22 The proposal was supported by the **delegates of the Islamic Republic of Iran** and **China**.

3.23 The **delegate of Syria** proposed using the wording "a majority of the delegations of Member States". He was supported by the **delegate of Turkey**.

3.24 In reply to the **delegate of the United States** who had asked how Sector Members could be excluded from the delegations of Member States, the **delegate of Japan** said that the procedures would be laid down by the Council. The **delegate of the United States** said that in the absence of further clarification, his delegation could not accept that amendment in principle.

3.25 The **delegate of South Africa** said that, as emphasized in Committee 5, the Plenipotentiary Conference must decide on the principle.

3.26 The **delegate of Morocco** suggested replacing the word "delegations" by "representatives of Member States". The proposal was supported by the **delegate of Japan**.

3.27 The **Chairperson** invited the delegations concerned to prepare a compromise text.

3.28 The **delegate of Japan**, after consulting, among others, the delegates of the United States, Morocco and Syria, proposed the addition in *resolves* 3 of "however, if appropriate, by decision of a majority of the representatives of Member States, a special session may be held for Member States only".

3.29 Resolution COM5/6, as amended, was **approved**.

**Instrument amending the Constitution of the International Telecommunication Union**

**Article 1 (CS) - Purposes of the Union**

3.30 The **delegate of Syria** proposed adding in MOD 4 the words "of development" after "in the field".

3.31 The **Chairperson of Committee 6**, after noting that there was a quorum, explained that the text was that of the Constitution with; the addition, as confirmed by the **delegate of Cuba**, only of wording relating to the mobilization of human resources and access to information.

3.32 The **delegate of Syria** said that he would not insist on the addition of the word "development" but that its inclusion would show clearly the function of the Development Sector.

3.33 The **delegate of France**, replying to a request for clarification from the **delegate of Syria**, said that the implementation referred to in MOD 4 related to technical assistance.

3.34 MOD 3, MOD 3A, MOD 4, MOD 8, MOD 11, MOD 12, MOD 14 and MOD 16 were **approved**.

3.35 The **delegate of Israel** proposed that the wording "national entities" contained in ADD 19A should be repeated in the definition of Sector Member (ADD 1001B of the Annex to the Constitution). He was supported by the **delegate of the United States**.

3.36 The **Chairperson of Committee 6** said that a definition for national entities should be adopted and that a text should be prepared for that purpose.

3.37 Following a comment from the **delegate of Syria**, the **Chairperson of Committee 6** suggested that the delegates of Israel and the United States should draw up a text for ADD 19A.

3.38 After informal consultations, it was suggested that the adjective "national" should be deleted.

3.39 ADD 19A was **approved** as amended.

**Article 2 (CS) - Composition of the Union**

3.40 MOD 20, MOD 21 and MOD 23 were **approved**.

**Article 3 (CS) - Rights and obligations of Member States and Sector Members**

3.41 MOD (Title), MOD 24, MOD 25, MOD 27 and MOD 28 were **approved**.

3.42 The **Chairperson of Committee 6**, noting that the whole text of MOD 26 was between square brackets, said that the brackets should open before "subject to" and close after "this Constitution". The issue would be considered once the Plenary had decided on the rights of Member States in arrears.

**Article 4 (CS) - Instruments of the Union**

3.43 MOD 31 was **approved**.

**Article 6 (CS) - Execution of the instruments of the Union**

3.44 MOD 37 and MOD 38 were **approved**.

**Article 7 (CS) - Structure of the Union**

3.45 MOD 44 was **approved**.

**Article 8 (CS) - Plenipotentiary Conference**

3.46 MOD 54, MOD 57, MOD 59C and MOD 59D were **approved**.

**Article 9 (CS) - Principles concerning elections and related matters**

3.47 MOD 62 and MOD 63 were **approved**.

**Article 10 (CS) - The Council**

3.48 MOD 65 and MOD 69 were **approved**.

**Article 12 (CS) - Functions and structure**

3.49 The **delegate of the United Kingdom** considered that the words "having regard to the concerns of developing countries" in MOD 78 could be interpreted to mean that the Radiocommunication Sector could fail to pay attention to the concerns of the developed countries. In order to remove that ambiguity, he proposed that the text should be amended as follows: "having regard to the particular concerns of developing countries".

3.50 The **Chairperson of Committee 6** said that it had been agreed in Committee 6 to add the same phrase for the three Sectors. He had no objection to the proposal but emphasized that it would be more appropriate to say "bearing in mind" than "having regard to". The **delegate of Turkey** concurred.

3.51 The **Chairperson of Committee 4** said that he had no objection to the wording "bearing in mind".

3.52 Following a request from the **delegate of Tanzania**, the **delegate of the United Kingdom** suggested that the phrase "bearing in mind the particular concerns of developing countries" be accepted.

3.53 MOD 78 was **approved** as amended.

3.54 MOD 87 and MOD 88 were **approved**.

**Article 14 (CS) - Radio Regulations Board**

3.55 The **delegate of Mexico** having said that it had been decided not to amend the original text of MOD 99, MOD 95, MOD 97, MOD 99 and MOD 100 were **approved**.

**Article 17 (CS) - Functions and structure**

3.56 MOD 107, MOD 111 and MOD 112 were **approved**.

**Article 18 (CS) - World telecommunication standardization assemblies**

3.57 MOD 113 and MOD 114 were **approved**.

3.58 The **Chairperson** explained that, in accordance with Corrigendum 1 to Document 210, MOD 115 was not to be considered by the present Plenary Meeting.

**Article 19 (CS) - Telecommunication standardization study groups and advisory group**

3.59 The **delegate of Mexico** stated that the Spanish version of the title and the text should be aligned on the other versions.

3.60 MOD (Title) and MOD 116 were **approved**, subject to alignment.

**Article 21 (CS) - Functions and structure**

3.61 MOD 122, MOD 135 and MOD 136 were **approved.**

**Article 27 (CS) - Elected officials and staff of the Union**

3.62 MOD 151 and MOD 153 were **approved.**

**Article 35 (CS) - Suspension of services**

3.63 MOD 182 was **approved.**

**Article 36 (CS) - Responsibility**

3.64 MOD 183 was **approved.**

**Article 38 (CS) - Establishment, operation and protection of telecommunication channels and installations**

3.65 MOD 186, MOD 188 and MOD 189 were **approved.**

**Article 43 (CS) - Regional conferences, arrangements and organizations**

3.66 MOD 194 was **approved.**

**Article 45 (CS) - Harmful interference**

3.67 MOD 197, MOD 198 and MOD 199 were **approved.**

**Article 47 (CS) - False or deceptive distress, urgency, safety or identification signals**

3.68 MOD 201 was **approved.**

**Article 48 (CS) - Installations for national defence services**

3.69 In reply to the **delegate of Syria** who asked why two parts of Article 48 had been deleted, the **Chairperson of Committee 6** explained that the provisions corresponding to those parts had not been amended and were therefore not contained in Document 210. The only change made in MOD 202 was to replace the term "Members" by "Member States".

3.70 MOD 202 was **approved.**

**Article 51 (CS) - Relations with non-Member States**

3.71 MOD 207 was **approved.**

**Article 52 (CS) - Ratification, acceptance or approval**

3.72 MOD 208, MOD 209 and MOD 210 were **approved.**

**Article 53 (CS) - Accession**

3.73 MOD 212 and MOD 213 were **approved.**

**Article 55 (CS) - Provisions for amending this Constitution**

3.74 The **delegate of Syria** preferred that the original text of No. 224, as set out in the Constitution (Geneva, 1992), be maintained.

3.75 The **Chairman of Committee 6** explained that the provision had been the subject of a very long discussion in committee but that it had not been possible to reach a compromise between the various positions. He recalled that, according to the interpretation given in Committee 6, the provision was designed only to allow the Secretary-General to publish proposed amendments in advance and to allow Member States sufficient time to study the proposals. If the proposal were accepted, the speaker would ask that the Secretary-General publish a footnote referring to the minutes of the present meeting in the final version of the Constitution.

3.76 The **Co-Chairperson of Committee 7** (General management) said that he had proposed the note regarding the provision solely to give greater flexibility to Member States in submitting their proposals, since some countries had difficulty in doing so eight months prior to the opening date fixed for the conference. The dates should therefore be more than a mere indication and should serve to encourage Member States to submit their proposals well in advance. In view of the discussion caused by his proposal, however, he was ready to agree to maintain the initial text, but hoped that the next plenipotentiary conference would not have to consider the matter again.

3.77 The **delegate of Greece** reiterated the concern he had expressed during discussions in Committee 6 regarding ITU's practice of studying amendments to its Constitution at every plenipotentiary conference, which he considered undermined the legal stability of the Union. In other organizations of the United Nations common system, for example, amendments to the basic instrument were infrequent. He requested that a strict procedure should be approved to put an end to the practice.

3.78 The **delegate of the Philippines** explained that during the deliberations of Committee 6 on the subject, the binding nature of the second and third sentences of No. 224 had been emphasized by several delegations. Others, on the contrary, and particularly his delegation, considered that the second sentence had indicative value only in that the period of eight months was fixed solely to allow the Secretary-General to transmit proposed amendments to Member States in good time. He stressed, however, that legal verification was needed to clarify the point.

3.79 The **Chairperson of Committee 6** said that in Committee 6 some speakers had considered the second sentence binding but others had asserted that if proposals were submitted during the conference there should be no objection to their being considered. He therefore proposed, speaking as delegate of Morocco that the provision should be left as worded on the understanding that when the Secretary-General published the final text of the Constitution he would insert a footnote indicating how the provision should be interpreted, namely, that it was intended to encourage Member States to submit their proposals as early as possible and, preferably, eight months before the opening of the conference. He was supported by the **delegates of Syria** and **Switzerland**.

3.80 The **Chairperson of Committee 4** said that his understanding was that the initial text of No. 224 should be maintained subject to replacement of "Members of the Union" by "Member States".

3.81 It was so **agreed**.

3.82 MOD 224 was **approved**, subject to the statement by the delegate of Morocco.

**Article 56 (CS) - Settlement of disputes**

3.83 MOD 233, MOD 234 and MOD 235 were **approved.**

**Article 57 (CS) - Denunciation of this Constitution and the Convention**

3.84 MOD 236 was **approved.**

**Article 58 (CS) - Entry into force and related matters**

3.85 MOD 241 was **approved.**

**Annex (CS) - Definition of certain terms used in this Constitution, the Convention and the Administrative Regulations of the International Telecommunication Union**

3.86 ADD 1001A, ADD 1005 and ADD 1008 were **approved.**

3.87 The **delegate of Spain**, referring to ADD 1001B, said that the definition of Sector Member was new as it included the new functions for Sector Members. As there were two types of Members in the Sectors - full Members, namely Member States, on the one hand, and the various private, scientific and other entities, on the other - and to avoid problems arising from the interpretation of "Sector Members", he suggested that the definition should begin with the words "any Member State or entity ...". He could accept the definition of Sector Member provided that it did not prejudice the rights of Member States to take part in the work of the Sectors.

3.88 The **Chairperson of Committee 6** considered that the text proposed by the delegate of Spain could cause problems. He therefore proposed amending the text as follows: "An entity or organization other than administrations of Member States, authorized ...".

3.89 The **delegate of Spain** was prepared to accept the formula subject to addition of the words "in addition to Member States".

3.90 The **delegate of Israel** proposed using the formulation contained in ADD 19A.

3.91 The **Chairperson of Committee 4** said that the Spanish delegate's concerns arose because certain formulations could imply that Member States were excluded by that definition, but Article 19 of the Convention removed any ambiguity on that score.

3.92 The **delegate of Spain** said that the definition in ADD 1001B was acceptable provided it was quite clear that it did not impinge in any way on the right of Member States to take part in all activities of the Union. The **delegate of Syria** endorsed that interpretation.

3.93 On that basis, ADD 1001B was **approved.**

3.94 The **delegate of Greece**, referring to MOD 1006, said that the delegate of a Member State to a plenipotentiary conference could only be the representative of the government of that State. The dichotomy (government or administration) was therefore unjustified and the term "administration" should be deleted. The **delegate of Lesotho** supported that proposal.

3.95 The **delegate of South Africa** observed that No. 1002 conferred on administrations a liaison function with ITU which ran counter to the proposal by Greece.

3.96 The **Chairperson of Committee 6** said that the change proposed by the delegate of Greece would necessitate modification of all the provisions relating to competence. Since the point was to avoid confusion between plenipotentiary conferences and other conferences and meetings of the

Union, it would perhaps be enough to replace the phrase "at a conference or at a meeting" by "at another conference or at a meeting".

3.97 It was so **agreed**.

3.98 Following a comment by the **delegate of Syria**, the **Chairperson** explained that the term "meeting" covered the assemblies.

3.99 MOD 1006 was **approved** as amended.

## 4 General policy statements (continued)

4.1 **Mr. T. Leavey, Director General of the International Bureau of the Universal Postal Union**, said that ITU and UPU were "sister" organizations, the oldest of the international system, with the same basic mission which was to provide communication services to the world's population. In an age of globalization, liberalization and deregulation, both were having to struggle with sometimes conflicting needs and desires: how to operate as independent, commercial entities, and yet provide a universal, public service? How to encourage cooperation among member administrations when they were increasingly in competition with another, both in their home markets and around the globe? Like ITU, postal services had also had to keep pace with technological developments; for example, postal services had also undertaken an initiative in the area of electronic commerce. At present, 17 postal administrations were working together to develop a world standard that would ensure compatibility in digital certification and authentication techniques used in electronic commerce. Finally, after emphasizing that the global information infrastructure should offer unprecedented opportunities for the postal services, he expressed the hope that ITU and UPU would maintain their close relationship in the future.

4.2 **Mr. T. Rasekila, Acting Managing Director, Lesotho Telecommunications Corporation, Lesotho**, said that telecommunications were not exempt from the rule of unequal distribution and the scarcity of resources which meant that sharing and joint use were essential. It was communication which transformed sharing into specific action through research, dissemination and joint use of know-how and knowledge. The Union must therefore, among its many noble goals, strive continuously to research information markets and improve accessibility to them for the benefit of all; the Internet was a typical example in that context. Lesotho's move towards commercialization of the telecommunication sector had begun in 1980 through transformation of the department of telecommunications into a parastatal enterprise with a full mandate to undertake operation of all telecommunication services in the country. Mobile cellular telephony had been introduced in Lesotho in 1995 under joint ownership with South Africa. In 1996, a limited number of private companies and individuals had been licensed to provide telecommunication services or products. The Internet service was still at an embryonic stage and Lesotho still had much ground to cover in that respect. In addition, the parastatal corporation had suffered many deficiencies which had proved difficult to overcome: the lack of effective sector development strategies, numerous changes in leadership, financial constraints, social conflict, etc. In an Act of 1995, ten parastatal enterprises had been privatized, including telecommunications. The target date set for telecommunications was June 1999 and legislation was being drafted to facilitate establishment of an independent regulatory body and to abolish monopoly. Privatization should help the corporation out of its present stalemate since private funders or a strategic partner would supply the capital which the public authorities were no longer in a position to provide owing to the economic difficulties affecting most regions of the world, particularly the developing countries.

4.3 **Mr. D.C. Saviye, Minister of Communications and Transport of Zambia**, said that technological progress and the participation of telecommunication services had facilitated communication across national boundaries and extended services to people living in the remotest and least-developed corners of the Earth. Rapid evolution of regulatory regimes had played a very great role and privatization and competition had provided consumers with a wider range of new and efficient services and products. In that context, Zambia had embarked on an aggressive programme to reform the telecommunication sector. The 1994 Act had established an independent regulatory body to control the provision of telecommunication products and services in Zambia, to promote fair competition and to ensure that the benefits of development of the telecommunication sector accrued not only to the people of Zambia but to the global economy as a whole. At present, the country had three cellular telephony operators, three Internet service providers and a number of other private networks as well as a number of private broadcasting stations. But rural and other vulnerable groups of society still lacked access to basic services and it was hoped that investment in the private sector would assist in improving that situation. If the expected partnerships and investment took place, the reforms undertaken by the country would undoubtedly bear fruit.

4.4 The **delegate of Greece** said that the last plenipotentiary conference of the 20th century was taking place in an environment which was essentially that of the industrialized countries while two-thirds of the world's population still lived in need and an almost total lack of development in telecommunication networks. The Union must perform its role as the sole international regulator of the telecommunication sector so that the intergovernmental and universal nature of ITU was preserved, its efficiency and productivity improved and its organization, regulation and working methods modernized in order to provide it with rational and balanced sharing of power. The dual nature of its basic instruments - Constitution and Convention - must be ended, with all the institutional and statutory provisions of the current two instruments merged in a new charter and all the procedural provisions of the two texts placed in the future rules of procedure. The procedure for amending the charter should be very strict but the administrative regulations could continue to be revised more easily in keeping with technological developments and practical needs. Then the standards and other fundamental provisions of the present Constitution should be modernized, especially to strengthen the role of ITU in management and international control of spectrum use in order to guarantee States equitable right of access and use of frequencies and orbital positions. The great principles proclaimed at Arusha (1985), Nice (1989) and Geneva (1992) must also be reaffirmed, namely that the economically disadvantaged countries had an inalienable right to development of their telecommunication networks and that the developed countries had an obligation to assist them in developing the networks. Finally, private global systems, which could become very dangerous for countries' democratic and socio-cultural institutions, must be subject to organized international control in order to preserve the socio-cultural identity of all peoples and nations of the world.

**The meeting rose at 1745 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Corrigendum 1 to Document 342-E**
**5 March 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

SIXTEENTH PLENARY MEETING

Tuesday, 3 November 1998, at 1045 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 10.71 by the following text:

10.71 With this understanding, MOD 1002 was **approved**.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 342-E**
**11 January 1999**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

SIXTEENTH PLENARY MEETING

Tuesday, 3 November 1998, at 1045 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Status of Palestine in ITU (continued) | - |
| 2 | Approval of the minutes of the ninth and tenth Plenary Meetings | 219, 220 |
| 3 | Swearing-in ceremony | - |
| 4 | Venue of the next Plenipotentiary Conference | 267 |
| 5 | Report of Committee 2 to the Plenary Meeting | 243 |
| 6 | Report of Committee 3 to the Plenary Meeting | 264 |
| 7 | Report of Committee 5 to the Plenary Meeting | 262 |
| 8 | Radio Regulations Board (RRB) (continued) | 25, 34, 59(Add.1), 211+Corr.1, 247, 271 |
| 9 | RRB election procedures | 62 |
| 10 | Third series of texts submitted by the Editorial Committee for first reading (B.3) | 222 |

## 1 Status of Palestine in ITU (continued)

1.1 The **Chairperson**, in response to a request for clarification by the **delegate of Israel**, said that discussion on the status of Palestine in ITU would take place after the informal group which had been set up to discuss the matter had met.

1.2 The **delegate of Saudi Arabia** requested that the item and relevant documents should be taken up as soon as possible.

## 2 Approval of the minutes of the ninth and tenth Plenary Meetings (Documents 219 and 220)

2.1 The minutes of the ninth Plenary Meeting (Document 219) were **approved**.

2.2 The minutes of the tenth Plenary Meeting (Document 220) were **approved**, subject to a correction which the **delegate of Switzerland** said he would hand in to the secretariat.

## 3 Swearing-in ceremony

3.1 The **Chairperson** drew attention to Regulation 1.10 of the Staff Regulations for elected officials, under which an elected official who was not already a staff member had to take the oath of office orally before the body by which he had been elected or appointed. In the present instance, that provision applied to the Secretary-General elect, the Deputy Secretary-General elect, the Director elect of the Telecommunication Standardization Bureau (TSB) and the Director elect of the Telecommunication Development Bureau (BDT).

3.2 The **Secretary-General elect** took the following oath of office:

"I, Yoshio Utsumi, solemnly affirm to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any government or other authority external to the Union in regard to the accomplishment of my duties".

**(Applause)**

3.3 The **Chairperson** presented the Secretary-General elect with a letter of appointment.

3.4 The **Deputy Secretary-General elect** took the following oath of office:

"I, Roberto Blois, solemnly promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any government or other authority external to the Union in regard to the accomplishment of my duties".

**(Applause)**

3.5 The **Chairperson** presented the Deputy Secretary-General elect with a letter of appointment.

3.6 The **Director elect of the Telecommunication Standardization Bureau (TSB)** took the following oath of office:

"I, Houlin Zhao, solemnly promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any government or other authority external to the Union in regard to the accomplishment of my duties".

3.7 The **Chairperson** presented the Director elect of TSB with a letter of appointment.

3.8 The **Director elect of the Telecommunication Development Bureau (BDT)** took the following oath of office:

"I, Hamadoun Touré, solemnly promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any government or other authority external to the Union in regard to the accomplishment of my duties".

**(Applause)**

3.9 The **Chairperson** presented the Director elect of BDT with a letter of appointment.

3.10 He then presented a letter of appointment to the Director of the Radiocommunication Bureau (BR) who had taken the oath of office when first elected to his post.

## 4 Venue of the next Plenipotentiary Conference (Document 267)

4.1 The **Chairperson** recalled that on 21 October 1998 the Secretary of State for Posts and Information Technologies of the Kingdom of Morocco had announced an invitation by the Government of Morocco to the International Telecommunication Union to hold the next ITU plenipotentiary conference in Morocco.

4.2 The **delegate of Morocco** introduced Document 267 which contained the confirmation by letter of the invitation which the Secretary of State had announced to the Plenary Meeting. It would be the first time that the plenipotentiary conference had been convened in Africa since 1982. Morocco would make every effort to ensure the full success of the conference.

4.3 The invitation by the Kingdom of Morocco to host the next plenipotentiary conference was **noted**, on the understanding that the exact location and dates would be the subject of consultations with the Secretary-General and of a Council decision, with the concurrence of a majority of Member States, in accordance with No. 2 of the Convention.

## 5 Report of Committee 2 to the Plenary Meeting (Document 243)

5.1 The **Chairperson of Committee 2** (Credentials), introducing the report contained in Document 243, said that the working group of her Committee set up to verify the credentials of delegations in accordance with Article 31 of the Convention had approved the following transfers of powers: Croatia to Germany, Comoros to Madagascar, Monaco to France, Sao Tome and Principe to Portugal, Jamaica to Belize, Vanuatu to Fiji, Saint Lucia to Bahamas, Saint Vincent and the Grenadines to Trinidad and Tobago, Central African Republic to Gabon, Cape Verde to Mozambique, Uzbekistan to Armenia, the Marshall Islands to the United States, Kyrgyzstan to

Russia, Guinea to Mali, Andorra to Spain and Dominica to Barbados. The working group had considered that No. 336 of the Geneva Convention (1992) was applicable to the transfer of powers from Nicaragua to Costa Rica.

5.2 She drew attention to the Committee's conclusions set out in the Annex to Document 243 and its recommendation that the Plenary should authorize the Chairperson of Committee 2 to verify the credentials received after the report had been issued and to submit her conclusions to the Plenary Meeting.

5.3 The **delegate of Syria** said that he had no objection to the report, but that it was important in plenipotentiary conferences that the report of the Credentials Committee be issued as soon as possible after the beginning of the Conference, so as to make quite clear, before the elections, which Member States having the right to vote had in fact submitted their credentials. Some thought should be given to that matter at the next plenipotentiary conference, in order to avoid any questioning of election results.

5.4 The report of Committee 2 (Document 243) was **approved** and the Chairperson of the Committee was **authorized** to verify any credentials received after 2 November 1998.

## 6 Report of Committee 3 to the Plenary Meeting (Document 264)

6.1 The **Chairperson of Committee 3** (Budget Control), introducing his report (Document 264), said that at its two meetings the Committee had approved the arrangements concluded between the Government of the United States and the Secretary-General of the Union by the adoption of Resolution COM3/1; considered the organization and facilities available to delegates, for which he thanked the Government of the United States, the State of Minnesota and the city of Minneapolis; and examined the budget of the Conference approved by the Council at its 1997 session (i.e. a total of 5.8 million Swiss francs, to which should be compared the statement of actual expenditure of the Conference as at 30 October 1998 set out in Annex A to Document 264, showing an available credit of 223 000 Swiss francs). The report also contained a statement concerning the international organizations which shared in defraying the expenses of the conference (listed in Annex B to the report). The amount of the contributory unit for international organizations not exempted under the provisions of Council Resolution 925 was 16 000 Swiss francs; such contributions were considered as Union income.

6.2 The Conference **noted** the report of Committee 3 (Document 264), subject to an editorial amendment by the **delegate of Russia**, for submission through the Secretary-General to the Council at its next session.

## 7 Report of Committee 5 to the Plenary Meeting (Document 262)

7.1 The **Chairperson of Committee 5** (Strategic Policy and Plans) said that at its fifteen meetings the Committee had taken a number of important decisions with respect to: the activities of the General Secretariat and the three Sectors; ITU-2000 recommendations 2, 4, 5, 6, 13, 15, 17 and 26, on only one of which, recommendation 13 concerning the rights of Member States in arrears, consensus had not been reached; and the difficult questions of the membership of the Radio Regulations Board and the Strategic Plan for 1999-2003. A total 22 draft resolutions had been submitted to the Plenary for approval, as listed in Document 262.

7.2 Despite an excellent spirit of cooperation, the Committee had not been able to reach a consensus on certain matters which were summarized in the report. Regarding the DRM (Digital Radio Mondiale) Consortium, the question of whether ITU should become a member of the consortium had been referred to the Council. As no consensus had been reached concerning Resolutions 21 and 22 (Kyoto, 1994), informal consultations led by the Chairperson of ITU-T Study Group 3 were continuing on the basis of Document DT/49, with a view to submitting a compromise text to the Plenary Meeting. Other matters upon which consensus had not been reached included: Document 75(Rev.1) submitted by Trinidad and Tobago concerning settlement of disputes regarding accounting rates, which might be submitted to the Plenary Meeting; the ITU-R study groups, in particular the Russian proposal (RUS/34/7) to amend Article 11 of the Convention relating to the study of economic questions; matters relating to the plenipotentiary conference, the Council and the General Secretariat, in particular proposals by the Arab countries (25/1-5, 8, 10 and 11); the establishment of an ITU-T study group on policy and regulatory issues (Document 63); implementation of processing charges for satellite network filings, on which a group headed by the delegate of India had submitted a draft proposal (Document 260); and the improvement of ITU's management efficiency and examination of ITU's mission for the twenty-first century, on which it had been agreed to set up an informal group headed by the delegate of South Africa, working on the basis of a European proposal, to devise a consensus solution to be submitted to the Plenary Meeting. Owing to lack of time, the Committee had been unable to examine the draft resolutions on the Report of WTDC-98.

7.3 The Conference **noted** the report by the Chairperson of Committee 5 (Document 262).

## 8 Radio Regulations Board (continued) (Documents 25, 34, 59(Add.1), 211 + Corrigendum 1, 247, 271)

8.1 The **Chairperson** said that Document 271 contained his proposed resolution of the issue, as follows: the membership of RRB was to be specified in the Constitution; for the purposes of the election of the members of RRB, the 12 members were distributed according to the administrative regions of ITU without penalizing the region of origin of the Director (Regions A, B and C two members each, Regions D and E three members each); with the exception of the Chairperson and Vice-Chairperson of RRB, a WRC could appoint a member of RRB to serve as chairperson within the structure of the conference; and in exercising their Board duties, the Council should consider the appropriate means to provide the members of RRB with the rights and immunities necessary to carry out their duties, based on a report from the Secretary-General after consultations with the host country.

8.2 The sponsors of other documents were invited to consider the possibility of withdrawing their proposals.

8.3 The **delegate of Morocco** said his delegation was still of the opinion that the number of the RRB members should not appear in the Constitution, but would agree to withdraw Document 25 to facilitate the work of the Conference if Document 271 was adopted.

8.4 The **delegate of Russia** said that his delegation maintained its position that under the Constitution the status quo should be maintained in respect of board membership and that the composition of RRB should be based on an equitable geographical distribution of posts. As a compromise, however, it agreed to withdraw Document 34.

8.5 The **delegate of Ecuador**, speaking on behalf of the CITEL Member States, said that the sole purpose of Document 59(Add.1) was to achieve equitable geographical distribution of the Board members. There had been general agreement in Committee 5, where the document had been discussed, that it was unjust that the region of the Director of BR should be "penalized" by having only one seat on the Board.

8.6 The **delegate of the United Kingdom** said that the reason for the large number of signatories of Document 211 and Corrigendum 1 could be ascribed to the wish to maintain the ITU tradition of seeking compromise. Although not authorized to speak on behalf of all the sponsors of Document 211, his delegation could agree to withdrawing its proposal in Document 247 on the understanding that if and when the figure of 6% in ADD CS93A in Document 271 came into operation, it would be used solely to determine the number of RRB members and not to determine the geographical distribution of the posts.

8.7 The **delegates of Saudi Arabia, the Netherlands** and **Kuwait** accepted the solution in Document 271 as a compromise.

8.8 The **delegate of Syria** supported the compromise but considered that the distribution of members as described at the beginning of Document 271 was temporary and applied only to the present Conference.

8.9 The **Chairperson** said that, as there were no objections, he took it that the Plenary wished to adopt Document 271 and to note the withdrawal of Documents 25, 343, 59(Add.1), 211 and Corrigendum 1 and 247.

8.10 It was so **agreed**.

8.11 The **delegate of Morocco** observed that the figure of 6% had not been considered in discussing the Chairperson's compromise. His delegation's position was that it should be used by future plenipotentiary conferences in the distribution of the number of Board members by region. The **delegate of Syria** endorsed that position.

8.12 The **delegate of the Netherlands** said that the United Kingdom's proviso had been clear and must be upheld. The 6% was applicable in determining the total number of Board members in the light of the total membership of ITU. It should not be used for determining the distribution of seats among the different administrative regions.

8.13 The **Chairperson** noted that Document 271 had been adopted as it stood.

## 9 RRB election procedures (Document 62)

9.1 The **Chairperson** announced that the RRB elections would be held the following day. The adoption of Document 271 modified the number of members to be elected from 9, as given in Document 62, to 12. There being no objection, he took it that the Plenary wished to adopt Document 62, as thus amended.

9.2 It was so **agreed**.

## 10 Third series of texts submitted by the Editorial Committee for first reading (B.3) (Document 222)

**Article 3 (CS) - Rights and obligations of Member States and Sector Members**

10.1 ADD 28A was **approved.**

10.2 With respect to ADD 28B, the **Chairperson of Committee 6** said that the square brackets denoted the opposition of some delegations to the principle that Sector Members should be allowed to chair meetings at development conferences.

10.3 The **delegate of South Africa** proposed that the square brackets be deleted on account of the increasing amount of private sector involvement in the Development Sector. The **delegates of Sweden** and **Syria** supported that proposal.

10.4 It was so **agreed**.

10.5 ADD 28B, as amended, was **approved**.

**Article 8 (CS) - Plenipotentiary Conference**

10.6 MOD 47 was **approved.**

**Article 11 (CS) - General Secretariat**

10.7 ADD 73A and MOD 74-76 were **approved.**

**Article 12 (CS) - Functions and structure**

10.8 MOD 83 was **approved.**

10.9 With respect to ADD 84A, the **Chairperson of Committee 6** said that the location of the provisions should be discussed later on in conjunction with Article [10A] (CV).

10.10 ADD 84A was **approved** on that understanding.

**Article 13 (CS) - Radiocommunication conferences and radiocommunication assemblies**

10.11 MOD 90 was **approved.**

10.12 In MOD 91, the **delegate of the United Kingdom** said that the phrase "may be associated" would provide greater flexibility in the Constitution and proposed the deletion of the square brackets and of the phrase "are normally associated".

10.13 MOD 91, as thus amended, was **approved**.

**Article 15 (CS) - Radiocommunication study groups and advisory group**

10.14 MOD (Title) and MOD 102 were **approved.**

**Article 17 (CS) - Functions and structure**

10.15 MOD 104 and ADD 108A were **approved.**

**Article 21 (CS) - Functions and structure**

10.16 ADD 132A was **approved**, on the understanding that issues relating to the location of provisions would be settled later on.

10.17 The **delegate of Syria** noted that in MOD 102 the study groups came before the advisory group in the normal way, whereas in the Development Sector the positions were reversed. The wording should be consistent in all three Sectors.

10.18 It was so **agreed**.

**Article 23 (CS) - Telecommunication development study groups and advisory group**

10.19 MOD (Title) and MOD 144 were **approved**.

**Article 31 (CS) - Legal capacity of the Union**

10.20 MOD 176 was **approved**.

**Article 33 (CS) - The right of the public to use the international telecommunication service**

10.21 MOD 179 was **approved**.

**Article 37 (CS) - Secrecy of telecommunications**

10.22 MOD 184 was **approved**.

**Article 42 (CS) - Special arrangements**

10.23 MOD 193 was **approved**.

**Article 44 (CS) - Use of the radio-frequency spectrum and of the geostationary-satellite and other satellite orbits**

10.24 MOD (Title) and MOD 196 were **approved**.

**Article 54 (CS) - Administrative Regulations**

10.25 The **Chairperson of Committee 4**, in response to a request for clarification by the **delegate of Cuba**, said that MOD 223 appeared to have been included twice and would be deleted from the fourth series of texts.

10.26 MOD 223 was **approved**.

**Article 1 (CV) - Plenipotentiary Conference**

10.27 MOD 2, MOD 4 and MOD 6 were **approved**.

**Article 2 (CV) - Elections and related matters**

10.28 MOD 7-9 and MOD 12 were **approved**.

**Article 3 (CV) - Other conferences and assemblies**

10.29 MOD (Title), MOD 23-25, MOD 27, SUP 29, MOD 30, MOD 34, MOD 39, MOD 41, MOD 42, MOD 44 and MOD 46 were **approved.**

**Article 4 (CV) - The Council**

10.30 MOD 50, MOD 50A, MOD 53, MOD 55-58, MOD 60, ADD 60A, MOD 75, MOD 79 and MOD 81 were **approved.**

**Article 5 (CV) - General Secretariat**

10.31 ADD 87A and MOD 102 were **approved.**

10.32 Concerning MOD 100, the **Chairperson of Committee 4** said that the provision was to be amended by Committee 6 and would be resubmitted in a subsequent document.

**Article 6 (CV) - Coordination Committee**

10.33 MOD 109 was **approved.**

**Article 7 (CV) - World radiocommunication conference**

10.34 MOD 117, MOD 118, MOD 121 and MOD 123 were **approved.**

**Article 8 (CV) - Radiocommunication assembly**

10.35 MOD 131 and MOD 136 were **approved.**

**Article 9 (CV) - Regional radiocommunication conferences**

10.36 MOD 138 was **approved.**

**Article [10A] (CV) - Radiocommunication Advisory Group**

10.37 The **Chairperson of Committee 6** said that the Committee had not reached a consensus on the exact position of the Article. Speaking as the delegate of Morocco, he saw no significance in the order of appearance of the articles relating to RAG and the study groups, respectively.

10.38 The **delegates of India, Saudi Arabia** and **Syria** said it was preferable for the article on study groups to precede that on advisory groups. The **delegate of Russia** preferred the reverse order. The **delegate of Ecuador** suggested that the Editorial Committee could deal with the matter, provided that the same order was observed everywhere.

10.39 It was **agreed** to defer a decision on Article [10A] pending the outcome of informal consultations; and, following an observation by the **delegate of Mexico**, that in the Spanish text of ADD 147C and ADD 147D replacement of the word "examinará" by "estudiará" would be considered editorially.

**Article 11 (CV) - Radiocommunication study groups**

10.40 The **delegate of the United States** said that his delegation reserved its position with regard to MOD 149.

10.41 Following observations by the **delegate of Turkey** and the **Chairperson of Committee 6** relating to MOD 151, it was **agreed** to delete the parentheses and review the text editorially.

10.42 Subject to the above, MOD 149, ADD 149B, MOD 150 and MOD 151 were **approved**.

**Article 12 (CV) - Radiocommunication Bureau**

10.43 MOD 164, MOD 169, ADD 175C, MOD 177, MOD 178 and MOD 180 were **approved**.

10.44 It was **agreed**, following observations by the **delegate of Denmark** and the **Chairperson of Committee 6**, to delete ADD 175B and to hold informal consultations on ADD 175A.

10.45 The **delegate of Syria** said he saw no reason to include the words "as a whole" in ADD 181A. The **delegates of the United States** and **Ecuador** said that they could accept the deletion of those words.

10.46 The **delegate of the United Kingdom** opposed the deletion.

10.47 The **Chairperson of Committee 6** suggested that the words "as a whole" could be deleted and the words "in the parts relating to the Radiocommunication Assembly" inserted after the words "to be reviewed".

10.48 The **delegate of the United Kingdom** said that that suggestion did not satisfy his delegation. ADD 181A dealt with the duties of the Director, who had to prepare operational and financial plans for the Sector as a whole. The second part of the sentence related to the advisory group's duties, already considered under Article [10A] (CV). The review of plans by the advisory group was a separate matter from the duties of the Director, whose work had to cover the entire Sector.

10.49 The **delegate of Syria** said that he could accept the proposal made by the Chairperson of Committee 6; alternatively, a full stop could be placed after the words "as a whole" and the remaining text adjusted editorially.

10.50 It was **agreed** to defer consideration of ADD 181A pending informal consultations.

**Article 13 (CV) - World telecommunication standardization assembly**

10.51 MOD (Title), MOD 184-187, (MOD) 190 and ADD 191B were **approved**.

**Article 14 (CV) - Telecommunication standardization study groups**

10.52 MOD 192, MOD 194 and MOD 197 were **approved**.

**Article 15 (CV) - Telecommunication Standardization Bureau**

10.53 MOD 200-204 were **approved**.

10.54 The **Chairperson of Committee 6**, responding to an observation by the **delegate of Senegal** relating to ADD 205A, said that the words "as a whole" were appropriate in the case of the Standardization Sector and should be retained.

10.55 ADD 205A-205C were **approved**.

**Article 16 (CV) - Telecommunication development conferences**

10.56 MOD 213 was **approved**.

**Article 17 (CV) - Telecommunication development study groups**

10.57 ADD 215A and ADD 215B were **approved**.

**Article 18 (CV) - Telecommunication Development Bureau and advisory board**

10.58 It was **agreed** to delete the words "and Advisory Board" from the title.

10.59 MOD 222, (MOD) 223, ADD 223A, ADD 223B, MOD 224 and MOD 225 were **approved**, subject to alignment of the French text of MOD 224 with the other language versions.

**Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities**

10.60 MOD 229, MOD 230, MOD 233, MOD 234 and MOD 237-239 were **approved**, subject to informal consultations on whether to include a reference to Member States in the last sentence of MOD 237.

10.61 It was **agreed** to defer consideration of MOD 240 pending further consultations.

**Article 20 (CV) - Conduct of business of study groups**

10.62 The **delegate of Syria**, referring to MOD 242, said that the words "normally one vice-chairman" should be replaced by "vice-chairmen".

10.63 The **Chairperson of Committee 4**, referring to the words "chairman" and "vice-chairman" in that text, recalled that, pursuant to a decision of the Conference, the language of the Union's texts was to be regarded as gender-neutral.

10.64 Following an observation by the **Chairperson of Committee 6**, it was **agreed** to suspend consideration of Article 20 (CV) pending further informal consultations.

**Article 42 (CV) - Provisions for amending this Convention**

10.65 The **delegate of Canada**, referring to MOD 519, currently within square brackets, said that his delegation, although still of the opinion that it would be useful to specify a deadline, withdrew the proposal it had made in Committee 6 relating to the timing of transmission of proposals.

10.66 The **delegate of Spain**, supported by the **delegate of New Zealand**, said that it was his understanding that the minimum period, referred to in MOD 519, of eight months prior to the opening date fixed for the plenipotentiary conference was for the purpose of distribution of documentation received, and that administrations were not prevented from submitting proposals at any time during a conference.

10.67 MOD 519 was **approved**, subject to deletion of the square brackets.

10.68 MOD 520, MOD 524 and MOD 526 were **approved**.

**Annex (CV) - Definition of certain terms used in this Convention and the Administrative Regulations of the International Telecommunication Union**

10.69 The **Chairperson of Committee 6** said that the French and English versions of the last indent under MOD 1002 required editorial alignment.

10.70 The **delegate of Syria** said that his delegation understood the reference to international organizations, in MOD 1002, to cover regional organizations also.

10.71 MOD 1002 was **approved**.

**The meeting rose at 1230 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Corrigendum 1 to Document 343-E**
**5 March 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

SEVENTEENTH PLENARY MEETING

Tuesday, 3 November 1998, at 1450 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraphs 1.67 and 1.68 by the following text:

1.67 The **delegate of Syria** said that he could support the views expressed by the Chairperson of Committee 5, on the understanding that the Chairpersons of Committees 5 and 6 would be consulted when the resolution would be finalized editorially. The **Chairperson** noted that the resolution would be forwarded to the Editorial Committee.

1.68 With that understanding, draft Resolution COM5/13 was **approved**.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 343-E**
**11 January 1999**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

SEVENTEENTH PLENARY MEETING

Tuesday, 3 November 1998, at 1450 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) | 222 |

## 1 Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) (Document 222)

1.1 The **Chairperson** invited the meeting to resume consideration of outstanding items in Document 222.

### Article [10A] (CV) - Radiocommunication Advisory Group

1.2 The **delegate of India** said that, after informal discussion among delegates, a compromise had been agreed whereby Article [10A] (CV) became Article 11A, to be placed between Article 11 (Radiocommunication study groups) and Article 12 (Radiocommunication Bureau).

1.3 The **delegate of Syria**, supported by the **delegate of Russia**, said that he could agree to the compromise solution if it was mirrored in the texts relating to the Standardization and Development Sectors.

1.4 The **delegate of India** confirmed that the articles relating to advisory groups in all three Sectors would be similarly positioned.

1.5 The Article was **approved** as Article 11A.

### Article 12 (CV) - Radiocommunication Bureau

1.6 The **Chairperson of Committee 6** said that, following consultations with the delegate of South Africa, he wished to propose that the term "its work" at the end of ADD 175A be replaced by "the work of the Bureau and that of the advisory group" and that ADD 175B be deleted.

1.7 With respect to ADD 181A, he recalled that pursuant to the Constitution and the Convention Member States should not seek to influence the members of RRB, and said that it was important to ensure that RAG did not adopt recommendations or decisions which might affect the independence of the Board. It was necessary to review the tasks of RAG in order to prevent any interference in regulatory matters.

1.8 The **delegate of France** underlined that the modifications made to No. 100 of the Constitution (Article 14) took account of the concerns expressed by the previous speaker: that provision now stated that Member States and Sector Members should respect the exclusively international character of the duties of the members of the Board and should refrain from attempting to influence them.

1.9 In response to a number of editorial queries in respect of ADD 181A and new Article 11, the **Chairperson** suggested that the delegate of the United Kingdom should be requested to resolve any problems of language in informal discussions.

1.10 It was so **agreed**.

### Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities

1.11 In MOD 237, the **Chairperson of Committee 6** said that, following his informal discussion with the delegate of Côte d'Ivoire, he proposed adding the phrase "and shall inform interested Member States" at the end of the provision.

1.12 MOD 237, as thus amended, was **approved**.

**Article 20 (CV) - Conduct of business of study groups**

1.13 The **Chairperson of Committee 6** said that, following informal discussions with the delegates of Japan and Syria concerning MOD 242 and MOD 243, he proposed replacing the phrase "a chairman and normally one vice-chairman" with the phrase "the chairman and the vice-chairmen" in MOD 242, and replacing MOD 243 with a new text to read: "2. The number of vice-chairmen of a given study group shall be the number considered by the conference or the assembly as optimal for the tasks assigned to that study group". The **delegate of Syria** said he accepted that elegant proposal on the understanding that "tasks" referred not only to workload, but to the geographical representation of regional tasks, which might call for a number of vice-chairmen.

1.14 The **delegate of Turkey** said that he would go along with the proposal although he objected, firstly, that the proposal attempted to alter the substance of a decision taken at APP-92 to reduce the number of vice-chairmen of study groups; secondly, that it had not been raised in the ad hoc groups of committees; and thirdly, that it violated the Convention.

1.15 The **delegate of South Africa** said that, in a spirit of compromise and to embody the desired flexibility, her delegation proposed replacing "one vice-chairman" in MOD 242 with "one or more vice-chairmen", and deleting the phrase "preferably not more than two in total" at the end of MOD 243. The **Chairperson of Committee 6** deemed that proposal to be acceptable, whereas the **delegates of Turkey** and **the Netherlands** could accept the first part of the proposal but preferred to leave MOD 243 unchanged. The **delegate of Syria** said he could accept the South African proposal, which required the least changes to be made while attaining the stated objectives.

1.16 The **Chairperson** suggested that the delegations concerned should meet informally in an attempt to reach a solution.

1.17 It was so **agreed**.

**Resolution COM5/1 - World radiocommunication conference process**

1.18 The **delegate of France** said that now that the Conference was nearing the completion of its work, the square brackets around *noting a)* could safely be deleted. The square brackets around *noting b)* were to be retained pending submission to the Plenary of a revised text reflecting the fact that WRCs were no longer bound to a strict two-year cycle.

1.19 The **delegate of the United Kingdom** said that *considering a)* could be amended editorially so as to delete the square brackets and make the text more factually accurate. *Noting b)* required amendment in the light of the decision taken by the Conference to move towards a more flexible interval between WRCs.

1.20 The **delegate of Spain** proposed that, in *noting a)* the words "has implemented" should be amended to read "has taken into account". The **delegate of Saudi Arabia** supported that proposal.

1.21 The **delegate of Syria** endorsed the concerns expressed regarding the word "implemented" and was also concerned at the retention of references to ITU-2000 proposals in the text; those concerns could be resolved editorially. However, he had serious misgivings about the use of the term "re-engineering" in *noting d)*, and recommended that the paragraph be deleted in its entirety.

1.22 The **Chairperson of Committee 5** said that the word "re-engineering" had been a component of the draft provision since its inception.

1.23 The **delegate of Canada** said that the text would be improved considerably if the term "re-engineering" were replaced by terminology such as that found in the Strategic Plan, namely: "to review the WRC process to ensure that it is effective and efficient".

1.24 The **delegate of Morocco** proposed that in *resolves* 1 the word "included" be amended to read "recommended for inclusion", and that the phrase "for the following world radiocommunication conference " be replaced by "of that conference".

1.25 The **delegate of Syria**, referring to *instructs the Director of the Radiocommunication Bureau*, said he failed to understand how the Director could deal with "the actual management during" a conference that had not yet started. He proposed replacing those words by "and propose a structure for". The **delegates of Kuwait, Morocco** and **Saudi Arabia** supported the proposal.

1.26 The **delegate of Turkey** said that he failed to see how a Director could propose a structure for a conference.

1.27 The **delegate of Syria** said that, by tradition, the Director would propose a structure, which the Secretary-General would submit by letter to administrations, requesting their initial views. At a later stage, heads of delegations would decide on the final structure to be adopted by the conference.

1.28 The **delegate of Turkey** said he was not satisfied by Syria's explanation. The matter should be discussed informally.

1.29 The **delegate of Morocco** pointed out that Resolution 17 (WARC-79) empowered the Director of BR to draw up a draft conference structure.

1.30 The **delegate of Saudi Arabia** said it would be sufficient simply to delete the words "and the actual management during".

1.31 The **delegate of the United Kingdom** said that RAG had indeed advised on a possible structure for the last WRC. However, the reference to actual management responded to the concern expressed by many administrations at the way work always built up towards the end of a WRC; that was an important idea which should be retained. The **delegate of the Netherlands** supported those remarks.

1.32 The **delegate of Syria** said that there were two schools of thought: those who wanted to empower RAG, and those who wanted to limit its powers. The Plenary had never agreed to confer on RAG the important task of advising on the management of WRCs.

1.33 The **Chairperson** proposed that consideration of Resolution COM5/1 be suspended pending informal discussions to be coordinated by the delegate of the United Kingdom.

1.34 It was so **agreed**.

**Resolution COM5/7 - [Permanent] Procedures for the election of Member States to the Council, elected officials, and members of the Radio Regulations Board**

1.35 The **Chairperson of Committee 5** said that when the European proposal on which Resolution COM5/7 was based had been submitted, many countries had felt that the word "permanent" prejudged one of the questions to be considered by the proposed study. Thus, the word had been placed in square brackets throughout the text.

1.36 The **delegate of Belgium** said that it was clear from the discussions in Committee 5 that a majority favoured stable rules for elections, so as to improve the efficiency of plenipotentiary conferences. Deletion of the word "permanent" would render the text meaningless; election procedures were already in place, but were currently neither stable nor permanent. The word "permanent" should thus be retained in both title and text.

1.37 The **Chairperson** noted widespread support for the proposal by the delegate of Belgium.

1.38 The **delegate of Saudi Arabia** said it would be wiser to leave it to the Council to come up with appropriate proposals. A future plenipotentiary conference could then decide whether those procedures should become permanent. Meanwhile, the term should be deleted.

1.39 The **delegates of Syria** and **Kuwait** also favoured deletion of the word "permanent".

1.40 The **delegate of Turkey** said that some delegations equated the terms "permanent" and "immutable"; but plenipotentiary conferences were empowered to make whatever changes they deemed necessary. It was for the Conference, not for the Council, to decide whether or not the procedures should be permanent. His delegation strongly supported retention of the word "permanent", since the absence of stable election procedures prolonged the work of plenipotentiary conferences.

1.41 The **delegate of the Philippines** said that any perceived need for more stable election procedures should be embodied in the *considering* sections of the resolution.

1.42 The **Chairperson of Committee 5** said that it should be possible to come up with an acceptable alternative to the word "permanent".

1.43 The **Chairperson** said that one acceptable alternative might be the word "stable". He proposed that consideration of Resolution COM5/7 be suspended pending informal discussions.

1.44 It was so **agreed**.

1.45 The **Chairperson of Committee 5** reported that the compromise proposal that had emerged from his informal discussions with a number of delegations was to replace "permanent" with "stable" throughout, and to replace the text of *resolves 2* with a new text to read "2. to submit a report containing these draft stable procedures to the next Plenipotentiary Conference for examination and possible adoption as permanent procedures". Following an exchange of views concerning the connotations of "stable" and "permanent", in which the **delegates of Turkey, the Philippines, France, Mali** and **Russia** took part, he further proposed replacing "permanent" with "established" under *recognizing*, so as to refer to "established election procedures" in connection with other United Nations agencies.

1.46 Resolution COM5/7, thus amended, was **approved**.

**Resolution COM5/8 - Strategic Plan for the Union 1999-2003**

1.47 The **Chairperson of Committee 5** said that the square brackets around the last part of *considering b)* would be deleted once a final text had been submitted by Committee 6. The reference in *considering* c) to Resolution COM5/6 had been placed in square brackets at a time when the text had still to be approved by the Plenary. The square brackets around the term "operational plan" in the English text of *resolves* 1.3 were a typographical error.

1.48 The **delegate of Republic of Korea**, referring to *instructs the Secretary-General* 2, said that, as Sector Members were also Members of ITU, his delegation would have liked to propose that those parts of the reports relevant to each Sector should also be distributed to Sector Members of the relevant Sector, either by the Secretary-General or by the Director of the Sector. However, he would not insist on that proposal.

1.49 The **delegate of Spain** said that the square brackets in *instructs the Secretary-General* 2 should be deleted.

1.50 The **delegate of Paraguay** drew attention to an editorial inconsistency in the Spanish title of Annex 2 to the Resolution.

1.51 Resolution COM5/8, as amended, was **approved.**

**Resolution COM5/9 - Assistance and support to Bosnia and Herzegovina for rebuilding its telecommunication network**

1.52 Resolution COM5/9 was **approved.**

**Resolution COM5/10 - Assistance and support to Burundi, Liberia, Rwanda and Somalia for rebuilding their telecommunication networks**

1.53 Further to a query by the **delegate of Ghana**, the **Chairperson of Committee 5** said that the text of the *resolves* section should be aligned with the title by removing "and also now Burundi" from the fourth line and placing the name "Burundi" in the third line before "Liberia".

1.54 The **delegate of Burundi**, on behalf of the Government and people of Burundi, said that he was deeply grateful for the assistance to be provided in the rebuilding of his country's telecommunication network. His particular thanks went to the sponsors of the draft resolution.

1.55 The **delegate of Gambia** said that as Sierra Leone had suffered the effects of wars and conflict, it might be appropriate to include it in the list of countries to which assistance was to be given.

1.56 The **Chairperson** said that, regrettably, it was not possible to propose a substantive amendment of that kind at such a late stage in the conference.

1.57 Resolution COM5/10, as amended, was **approved.**

**Resolution COM 5/11 - Evaluation of the administrative due diligence procedure for satellite networks adopted by the World Radiocommunication Conference (Geneva, 1997)**

1.58 The **Chairperson of Committee 5**, introducing the resolution, said that it had not been possible to reconcile views within the Committee on the application of financial due diligence in relation to administrative due diligence. It had therefore been necessary to leave square brackets round the words "regarding the application of financial due diligence" in the *invites* section.

1.59 The **delegate of Luxembourg** said that the words in question should be retained. The wording might be more acceptable to other delegations if the word "possible" were inserted before "application". That proposal was supported by the **delegates of Denmark, France, the Netherlands** and **Turkey**.

1.60 The **delegate of the United States**, supported by the **delegates of Saudi Arabia** and **Japan**, said that he could not agree to the inclusion of the text regarding financial due diligence as it prejudged the results of WRC-2000.

1.61 Following brief informal consultations between the delegates of Luxembourg and the United States, the **delegate of Luxembourg** said that, reluctantly, and in a spirit of compromise, he was prepared to withdraw his request that the text in square brackets be retained. The **delegate of Turkey** said that his country, as a sponsor of the proposed resolution, could agree for the text to be deleted as the matter could be reviewed afresh at the following conference.

1.62 The **delegate of Morocco** said that, under No. 250 of the Convention, one conference could make recommendations to another; he requested therefore that *invites* be replaced with *recommends*. Further, in order to bring the text of the new *recommends* section into line with the usual wording of a resolution, he suggested that "to study" be replaced with "to consider" and the "conclusions reached by" with "recommendations of".

1.63 Resolution COM5/11, as thus amended, was **approved**.

**Resolution COM5/13 - Role of the Secretary-General of the ITU as depositary for memoranda of understanding**

1.64 The **Chairperson of Committee 6** said that the Committee had adopted a provision (MOD 193) regarding special arrangements under Article 42 of the Constitution. If that provision were approved by the Plenary, it might not be necessary to retain the *resolves* section of Resolution COM5/13.

1.65 The **Chairperson of Committee 5** said that he was in favour of retaining the *resolves* paragraph, which focused on an operational rather than a legal aspect of the Secretary-General's role and, moreover, was linked to *instructs the Council*, making reference to the criteria and guidelines that the Council would establish.

1.66 The **Chairperson of Committee 6** said that to keep the *resolves* section would be to allow a resolution to supersede the Constitution. Nevertheless, in a spirit of compromise, he would not insist on his proposed amendment.

1.67 The **delegate of Syria** said that he could support the views expressed by the Chairperson of Committee 5, on the understanding that the Chairpersons of Committee 5 and 6 were consulted when the resolution was finalized editorially. The **Chairperson** noted that the resolution would be forwarded to the Editorial Committee.

1.68 Draft Resolution COM5/13 was **approved**.

**Resolution COM3/1 - Approval of the arrangements between the Government of the United States of America and the Secretary-General of the International Telecommunication Union relating to the Plenipotentiary Conference (Minneapolis, 1998)**

1.69 Resolution COM3/1 was **approved**.

**The meeting rose at 1725 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

**PLENIPOTENTIARY CONFERENCE (PP-98)**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Corrigendum 1 to Document 344-E**
**18 March 1999**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

EIGHTEENTH PLENARY MEETING

Tuesday, 3 November 1998, at 1815 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please **replace** paragraphs 2.6, 2.28, 2.29, 2.30, 2.40 and 2.58 by the following text:

2.6 The **delegate of Syria** said that the cost of participation of a Sector Member in the activities of ITU-D study groups amounted to some CHF 7 500 as shown in Document DT/29 while the contributions of a Sector Member selecting 1/16 unit is about half of this value. He considered it illogical that participation of that Sector Member should be subsidized by the regular budget, and asked that Sector Members' contributions should cover at least the real cost of their participation and that the matter be addressed by the Council.

2.28 The **delegate of Morocco** supported that proposal, as did the **delegate of Syria**, who added, however, that in ITU Sectors, studies followed a well-defined procedure on the basis of Questions approved by the Members and then in the study groups and working parties. That type of study did not fall within the competence of the General Secretariat.

2.29 The **Chairperson** said that the Secretary-General elect would ensure that the General Secretariat would not exceed its remit.

2.30 With this understanding, Resolution COM5/14, as amended by both the Indian and Syrian delegations, was **approved**.

2.40 The **delegate of Syria** said that the draft resolution under consideration and the *resolves* in particular had not been examined in the committee.

2.58 The **delegate of Syria** pointed out that it had taken the Voluntary Group of Experts three years to study coordination procedures and make a proposal to WRC-95. The proposal, finally adopted by WRC-97, would not enter into force until 1 January 1999. He was prepared to agree that the technical characteristics should be reviewed, but not the procedures. He emphasized that the text of the *resolves* was contrary to all procedures and decisions followed hitherto in regard to the Radio Regulations and that if the present conference adopted that *resolves*, the agenda for WRC-2000 would have to be amended accordingly. He proposed also to delete the first "procedures" of *considering d)*.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 344-E**
**21 January 1999**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

EIGHTEENTH PLENARY MEETING

Tuesday, 3 November 1998, at 1815 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) | 222 |
| 2 | Fourth series of texts submitted by the Editorial Committee for first reading (B.4) | 266 |

## 1 Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) (Document 222)

1.1 The **Chairperson** invited participants to consider the provisions of the Convention left pending.

**Article 12 (CV) - Radiocommunication Bureau**

1.2 The **Chairperson of Committee 6** said that in ADD 175A the end of the text should be amended to read: "to the Council on the results of the work of the advisory group" and ADD 175B should be deleted.

1.3 ADD 175A, thus amended, was **approved**.

**Article 20 (CV) - Conduct of business of study groups**

1.4 The **delegate of Syria** proposed referring in MOD 242 to the appointment of "a chairman ... and one vice-chairman or more". The proposal was supported by the **delegate of Turkey**.

1.5 The **delegate of Syria** proposed deleting the words "preferably not more than two in total" in MOD 243.

1.6 MOD 242 and MOD 243, as amended, were **approved**.

## 2 Fourth series of texts submitted by the Editorial Committee for first reading (B.4) (Document 266)

**Article 38 (CS) - Establishment, operation and protection of telecommunication channels and installations**

2.1 ADD 189A was **approved**.

**Article 39 (CS) - Notification of infringements**

2.2 MOD 190 was **approved**.

**Article 54 (CS) - Administrative Regulations**

2.3 ADD 216A, SUP 217, ADD 217A, B, C and D, MOD 218, SUP 219-221, ADD 221A and B, SUP 222 and MOD 223 were **approved**.

**Article 3 (CV) - Other conferences and assemblies**

2.4 MOD 33 was **approved**.

**Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities**

2.5 ADD 241A was **approved**.

**Resolution COM7/11 - Review of the contribution of Sector Members towards defraying the expenses of the International Telecommunication Union**

2.6 The **delegate of Syria** said that the cost of participation of a Sector Member in the activities of ITU-D study groups amounted to some CHF 7 600 while the contributions of the Sector Members totalled less than 16 units. He considered it illogical that participation in that Sector should be subsidized by the regular budget, and asked that Sector Members' contributions should cover at least the real cost of their participation and that the matter be addressed by the Council.

2.7 The **delegate of France** recalled that, during consideration of the draft resolution in Committee 7, it had been deemed inappropriate to mention national contributions in the text. Following an exchange of views with the **delegate of Argentina**, he proposed that a footnote should be inserted referring to Argentina's Document 41.

2.8 It was so **agreed**.

2.9 The **Chairperson of Committee 6** proposed that *instructs the Council* 1 should be amended to read: "... and any contributions submitted by Member States ...".

2.10 It was so **agreed**.

2.11 Resolution COM7/11, as amended, was **approved**.

**Decision COM7/1 - Procedure concerning choice of contributory class**

2.12 The **Chairperson of Committee 4** said that the square brackets could be deleted.

2.13 Decision COM7/1 was **approved**.

**Resolution COM5/12 - Approval of Questions and Recommendations**

2.14 The **delegate of the United States**, supported by the **delegate of Mali**, proposed that consideration of Resolution COM5/12 should be deferred until the matter of Nos. 246A to 246C, placed in square brackets, in the *resolves* part had been settled.

2.15 The **Chairperson of Committee 6** endorsed those comments.

2.16 The **delegate of Spain** drew attention to the *having adopted* part of the text, placed between square brackets; in fact, while there was not a *de jure* need to consult Member States, it was nevertheless true that by taking part in the work of the Sectors they were consulted *de facto* when they participated in the work of the study groups. He therefore proposed the addition of the word "formally" between "without" and "consulting".

2.17 The **Chairperson of Committee 5** had no objection to deferring consideration of the draft resolution. He explained that some of the text had been placed between square brackets because of the need to coordinate the present work with subsequent decisions of Committee 6. He recalled that the resolution, intended to reflect the content of recommendation 17 of the ITU-2000 Group, was the result of extensive work in Committee 5 and requested delegates to bear that in mind.

2.18 The **delegate of Algeria** reminded the Chairperson of Committee 6 that the committee had decided that the provisions of Document DL/34 concerning the Convention, which were similar to those in Resolution COM5/12, would be considered in connection with that resolution. He would have preferred the provisions to be discussed when examining the Convention but accepted, as a compromise, that they be considered in the context of the resolution under discussion and should appear between square brackets. He reserved the right to speak later on the matter.

2.19 It was **decided** to defer any decision on Resolution COM5/12.

**Resolution COM5/14 - Internet protocol (IP)-based networks**

2.20 The **delegate of Mexico** was unhappy with the use of the term "connexiones" in the Spanish version of *resolves* 3. He asked that better wording should be found or that the text be kept in square brackets until the problem was solved. He suggested that the terms "redes" or "redes conjuntas" could be used.

2.21 It was **decided** to leave that matter to the Editorial Committee.

2.22 The **delegate of Syria** wondered about the role of the secretariat in *instructs the Secretary-General* 1. In his view, the secretariat could prepare informal documents but could not submit official documents to the Council. In addition, he proposed adding the adjective "relevant" before "international bodies" in *instructs the Secretary-General* 2.

2.23 The **delegate of Morocco** proposed deletion of the reference to the secretariat in *instructs the Sectretary-General* 1. The proposal was supported by the **delegate of Saudi Arabia**.

2.24 The **Secretary of the Plenary** explained that the secretariat had published a report on IP-based networks which had been greatly appreciated. Mention of the secretariat made it possible to take into account ongoing work in that sphere.

2.25 The **delegate of Germany** said that "secretariat" implied the General Secretariat which headed all Sectors and currently carried out all the activities to be taken into account. The **delegate of Canada** added that the Information Services Department of the General Secretariat possessed a very large amount of valuable information which should be used.

2.26 The **delegates of Japan** and **the Netherlands** endorsed the views of the previous two speakers.

2.27 The **delegate of India**, supported by the **delegate of Greece**, proposed the addition of the adjective "General" before "Secretariat" since the General Secretariat was defined in Article 7 of the Constitution.

2.28 The **delegate of Morocco** supported that proposal, as did the **delegate of Syria**, who added, however, that in ITU, studies followed a well-defined procedure on the basis of Questions approved by the Members and then in the study groups and working parties. That type of study did not fall within the competence of the General Secretariat.

2.29 The **Chairperson** said that the Secretary-General elect would ensure that the General Secretariat did not exceed its remit.

2.30 Resolution COM5/14, as amended by the Indian delegation, was **approved**.

**Resolution COM5/15 - Management of Internet domain names and addresses**

2.31 The **delegate of the Netherlands** said that in Committee 5 the expression "private-sector led management" in *instructs the Secretary-General* 1 had raised objections and resulted in adding the clarification "currently private-sector led management". As that addition had also given rise to objections, he proposed that the phrase "currently private-sector led management" in the paragraph should be deleted and that the phrase ", which is being led by the private sector," should be added after "of Internet domain names and addresses".

2.32 The **delegate of the Islamic Republic of Iran** said that the proposal was acceptable if the expression reflected the real situation.

2.33 Resolution COM5/15, thus amended, was **approved**.

**Resolution COM5/16 - International Telecommunication Regulations**

2.34 The **delegate of Colombia** expressed surprise that on a subject of such importance for the operation of the international telecommunication services a draft resolution should be prepared of which the purpose was not made clear, whether under *resolves*, *instructs the Secretary-General*, or *instructs the Council*.

2.35 The **delegate of Spain** was particularly surprised at the absence of any true decision in the *resolves* of the draft resolution.

2.36 The **Chairperson of Committee 5** said that the draft resolution should be taken as a whole. The development of telecommunications meant that some aspects of the rules adopted at WATTC-88 must be reviewed, and the decision taken would essentially be to study that problem.

2.37 The **delegate of Australia** recognized that the *resolves* part of draft Resolution COM5/16 was rather unusual as it recognized that there were matters of concern requiring further study.

2.38 The **delegate of Spain** said that the *resolves* was in fact a *recognizing*, and the **delegate of Australia** proposed that the *resolves* should become *considering further d)* and *instructs the Secretary-General* should read *resolves to instruct the Secretary-General* ... .

2.39 It was so **agreed**.

2.40 The **delegate of Syria** said that the draft resolution under consideration and the *resolves* in particular had not been examined in committee.

2.41 The **Chairperson of Committee 5** said that all the provisions of the draft resolution had been debated in committee and the text in the document under consideration had been prepared on the basis of Document DT/48 under the coordination of the delegate of Australia.

2.42 The **delegate of Australia** confirmed that after consideration in committee, the draft resolution had been passed to a small group in which the delegate of Syria had taken part, although the final text had not been submitted to the group. The amendments made to Document DT/48 concerned the various references to texts of the Union, not the *resolves*. The final text, as set out in Document 266, was contained in Document 255 which had been distributed the previous day and had aroused no comments.

2.43 The **delegate of Syria** reiterated that he could not accept the wording of the *resolves* or of the *resolves to instruct the Secretary-General*. Despite his requests, he had not seen the text under consideration, which the Australian delegation had told him would be handed directly to the Chairperson. He therefore wished the *resolves* part to be discussed.

2.44 The **delegate of Morocco** said that the draft resolution had not been approved by Committee 5 and that, under the usual procedure, the Editorial Committee should have prepared a blue document on the basis of the report of Committee 5 and not of a text submitted informally. The draft resolution should therefore first have been submitted in a document to the Plenary, and only then as a document of the Editorial Committee.

2.45 The **Chairperson of Committee 4** said that it was stated clearly in Document 255, containing draft Resolution COM5/16, that Committee 5 had adopted the draft resolution and that it was submitted to the Editorial Committee for consideration and subsequent transmission to the Plenary; the rules had been properly followed.

2.46 The **Chairperson of Committee 5** affirmed that his committee had discussed all the topics contained in the draft resolutions. He recalled in regard to the draft resolution under consideration, which had been set out in Document DT/48 (Note by the Chairperson of Committee 5), that it had been decided at the penultimate meeting of Committee 5 to make some editorial amendments which had been entrusted to the delegation of Australia. The draft resolution had been fully considered and there had been no comments on the *resolves* part.

2.47 The **Chairperson** proposed deferring consideration of draft Resolution COM5/16.

2.48 It was so **agreed**.

**Resolution COM5/17 - Coordination and notification procedures for satellite networks**

2.49 The **delegate of the United States** proposed deletion of the words "and financial" under *noting*.

2.50 The **delegate of the Islamic Republic of Iran** was in favour of retaining the text set out in Document 266, which was the result of a compromise. Financial due diligence should be mentioned even though the draft resolution was not on that subject.

2.51 The **Chairperson**, noting that the proposal by the delegate of the United States was widely supported, there being only one objection, concluded that the words "and financial" under *noting* should be deleted.

2.52 It was so **agreed**.

2.53 The **delegate of Syria**, referring to *resolves to request WRC-2000 and subsequent WRCs*, said that the Union had just finished revising the Radio Regulations which would enter into force in two months' time. He therefore considered it illogical to request WRC-2000 to revise the Regulations.

2.54 The **delegate of Morocco** added that it was a matter of examining and updating the characteristics required for application of the procedures, not the procedures themselves, with a view to cost saving. To that end, he suggested that the text be amended to read as follows: "to continually review and update the characteristics required for the advance publication ...so as to ensure that they reflect the latest technologies ...". He stressed also that the Voluntary Group of Experts referred to in *considering a)* should be identified.

2.55 The **delegate of Luxembourg** asserted that the *resolves to request* part was not restrictive but designed to allow WRC-2000 and subsequent WRCs to solve any problems encountered in the application of procedures or technical characteristics.

2.56 The **delegate of Morocco** emphasized that notification of satellite networks, carried out at the Union's expense, sometimes required 8 to 10 pages and, in other cases, over 1 000 pages. It was therefore necessary for WRCs to review the minimum characteristics required for application of the procedures in order for the Union to effect cost saving.

2.57 The **delegate of Luxembourg** acknowledged that the technical characteristics could pose problems. He suggested adding in *resolves to request WRC-2000 and subsequent WRCs* the wording "including the associated technical characteristics" after "coordination and notification procedures".

2.58 The **delegate of Syria** pointed out that it had taken the Voluntary Group of Experts three years to study coordination procedures and make a proposal to WRC-95. The proposal, finally adopted by WRC-97, would not enter into force until 1 January 1999. He was prepared to agree that the technical characteristics should be reviewed, but not the procedures. He emphasized that the text of the *resolves* was contrary to all procedures and decisions followed hitherto in regard to the Radio Regulations and that if the present conference adopted that *resolves*, the agenda for WRC-2000 would have to be amended accordingly.

2.59 With that comment, draft Resolution COM5/17 was **approved**, as amended by the delegations of the United States and Luxembourg and, for *considering a)*, by the delegation of Morocco.

**The meeting rose at 1940 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Corrigendum 1 to Document 345-E**
**5 March 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

NINETEENTH PLENARY MEETING

Wednesday, 4 November 1998, at 0940 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 8.5 by the following text:

8.5 The **delegate of Syria** asked for the change under *instructs the Director of the Radiocommunication Bureau*, which had been proposed by the Syrian delegation at a previous meeting but which had not been approved, namely: "*instructs the Director of the Radiocommunication Bureau*, based on contributions from the notifying administrations ...", to be placed on record in the minutes of the meeting as a reservation.

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 345-E**
**21 January 1999**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

NINETEENTH PLENARY MEETING

Wednesday, 4 November 1998 at 0940 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Status of Palestine in ITU (continued) | - |
| 2 | Transfer of powers | 282, 287 |
| 3 | Election of members of the Radio Regulations Board | - |
| 4 | Provisional application of changes to the composition of the Radio Regulations Board | 281 |
| 5 | Report by Committee 6 to the Plenary Meeting | 263 |
| 6 | Report by Committee 7 to the Plenary Meeting | 265, 278, 289 |
| 7 | Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) | 222 |
| 8 | Fourth series of texts submitted by the Editorial Committee for first reading (B.4) (continued) | 266 |
| 9 | First series of texts submitted by the Editorial Committee for second reading (R.1) | 273 |

## 1 Status of Palestine in ITU (continued)

1.1 The **delegate of Saudi Arabia** regretted that the question of the status of Palestine in ITU appeared as the eighth item on the agenda, although it concerned a most important issue, which had been submitted direct to Plenary. He asked for the item to be moved higher up the agenda.

1.2 The **Chairperson** said that the items on the agenda had been deliberately arranged in a certain order, which should be respected: matters submitted by committees for consideration should be taken up after texts submitted by the Editorial Committee but before matters submitted direct to Plenary. Moreover, it appeared that some of the documents concerning the status of Palestine were not yet ready.

1.3 The **delegate of Egypt** strongly supported the proposal by the delegate of Saudi Arabia.

1.4 The **Chairperson** urged participants to approve the agenda as it stood, assuring them that the question of the status of Palestine in ITU would be considered in the course of the day with all due attention.

1.5 The **delegate of Morocco**, on a point of order, reiterated the concern expressed by the delegate of Saudi Arabia and suggested, as a compromise, that the question of the status of Palestine in ITU should be considered at the beginning of the afternoon meeting.

1.6 The **delegate of Israel** said that there was no need at that stage to decide exactly when the question of the status of Palestine should be considered. Delegations should be allowed sufficient time to study all the relevant documents.

1.7 The **delegate of the Islamic Republic of Iran** was in favour of bringing forward consideration of the status of Palestine, in accordance with the proposals by the delegates of Saudi Arabia and Morocco.

1.8 The **Chairperson**, in a spirit of conciliation, proposed that the question of the status of Palestine in ITU should be taken up either after the texts submitted by the Editorial Committee, or at the beginning of the twenty-first Plenary Meeting, depending on the progress of work.

1.9 The **delegate of the United States**, on a point of order, supported the delegate of Israel and asked for the agenda to be kept as it stood.

1.10 The **delegate of Syria** approved the compromise proposal put forward by the Chairperson.

1.11 The **Chairperson** said that, if there was no objection, he would consider that his proposal was accepted.

1.12 It was so **agreed**.

## 2 Transfer of powers (Documents 282 and 287)

2.1 The **Chairperson of Committee 2** said that she had been authorized by Plenary to verify powers received after the date of Committee 2's report to Plenary (Document 243) and submit her conclusions. In response to that request, she was submitting Documents 282 and 287, where it was stated that, in conformity with No. 336 of the Convention (Geneva, 1992), the delegation of the Federated States of Micronesia and the delegation of Tuvalu had given mandates to the delegation of the State of Israel and the delegation of New Zealand respectively, to exercise their votes at the conference. The documents had been verified and Plenary was asked to approve the two transfers of power concerned.

2.2 Documents 282 and 287 were **approved**.

## 3 Election of members of the Radio Regulations Board

3.1 The **Chairperson** said that the tellers appointed after consultation were the delegates of Brunei Darrusalam, Cameroon, Guyana, Spain and Ukraine. He explained the voting procedure and announced the commencement of voting.

3.2 The **Secretary of the Plenary** called the roll of delegations having the right to vote, either present or represented.

**Region A**

3.3 Candidates: Mr. Carroll (United States) and Mr. Merchan Escalante (Mexico).

| | |
|---|---|
| Entitled to vote: | 132 |
| Number of ballot papers: | 132 |
| Invalid ballots: | 2 |
| Number of votes obtained: | |
| Mr. Merchan Escalante: | 124 |
| Mr. Carroll: | 116 |

3.4 **Mr. Carroll and Mr. Merchan Escalante were elected members of the RRB for Region A.**

**Region B**

3.5 Candidates: Mr. Aboudarham (France), Mr. Kieffer (Switzerland) and Mr. Kovacs (Hungary).

| | |
|---|---|
| Entitled to vote: | 132 |
| Number of ballot papers: | 132 |
| Invalid ballots: | 2 |
| Number of votes obtained: | |
| Mr. Aboudarham: | 85 |
| Mr. Kovacs: | 84 |
| Mr. Kieffer: | 83 |

3.6 **Mr. Aboudarham and Mr. Kovacs were elected members of the RRB for Region B.**

**Region C**

3.7 Candidates: Mr. Struzak (Poland) and Mr. Timofeev (Russia).

| | |
|---|---|
| Entitled to vote: | 132 |
| Number of ballot papers: | 132 |
| Invalid ballots: | 3 |
| Number of votes obtained: | |
| Mr. Timofeev: | 124 |
| Mr. Struzak: | 119 |

3.8 **Mr. Timofeev and Mr. Struzak were elected members of the RRB for Region C.**

**Region D**

3.9 Candidates: Mr. Mutesha (Zambia), Mr. Tandoh (Ghana), Mr. Toumi (Morocco) and Mr. Yao Kouakou (Côte d'Ivoire).

| | |
|---|---|
| Entitled to vote: | 132 |
| Number of ballot papers: | 132 |
| Invalid ballots: | 3 |
| Number of votes obtained: | |
| Mr. Yao Kouakou: | 104 |
| Mr. Tandoh: | 100 |
| Mr. Toumi: | 80 |
| Mr. Mutesha: | 71 |

3.10 **Mr. Yao Kouakou, Mr. Tandoh and Mr. Toumi were elected members of the RRB for Region D.**

**Region E**

3.11 Candidates: Mr. Agarwal (India), Mr. Behdad (Islamic Republic of Iran), Mr. Chebaro (Lebanon), Mr. Javed (Pakistan) and Mr. Railton (New Zealand).

| | |
|---|---|
| Entitled to vote: | 132 |
| Number of ballot papers: | 132 |
| Invalid ballots: | 0 |
| Number of votes obtained: | |
| Mr. Agarwal: | 101 |
| Mr. Javed: | 92 |
| Mr. Railton: | 78 |
| Mr. Behdad: | 62 |
| Mr. Chebaro: | 48 |

3.12 **Mr. Agarwal, Mr. Javed and Mr. Railton were elected members of the RRB for Region E.**

3.13 The **delegate of the United Kingdom** thanked the outgoing members of the RRB for the excellent work they had accomplished and wished the newly-elected members every success.

## 4 Provisional application of changes to the composition of the Radio Regulations Board (Document 281)

4.1 In the draft resolution in Document 281, the **Chairperson** drew attention to two editorial changes, one in the English version, under *conscious of*, the other in the French version under *décide*. The **delegate of Spain** said that, in the Spanish version, under *conscious of* and *resolves*, the word "modificaciones" would have to be changed to "enmiendas".

4.2 With those amendments, draft Resolution [RRB] was **approved**.

## 5 Report by Committee 6 to the Plenary Meeting (Document 263)

5.1 The **Chairperson of Committee 6**, introducing Document 263, said that Committee 6 (Constitution and Convention) had held fourteen meetings and had reviewed the provisions of the Constitution and the Convention. The proposed amendments, which had been agreed by consensus, had been forwarded free of square brackets to the Editorial Committee for consideration by Plenary. Those provisions on which no consensus recommendation by Committee 6 had been possible were shown within square brackets. In addition, Committee 6 had considered the recommendations transmitted to it by Committee 5 and Committee 7, including a number of draft resolutions. Several proposals, which had not been the subject of recommendations from Committee 5 or Committee 7, had nonetheless been dealt with by Committee 6, in order to save time for Plenary. All the results of Committee 6 had been transmitted to Committee 4 for action.

5.2 Document 263 was **noted**.

## 6 Report by Committee 7 to the Plenary Meeting (Documents 265, 278 and 289)

6.1 The **Chairperson of Committee 7**, introducing Document 265, said that Committee 7 (Management of the Union - Finance) had held ten meetings and had reached the following conclusions. The Committee had considered the Council's report entitled "Examination of the financial management of the Union by the Plenipotentiary Conference (1994-1997)" (Document 23) and proposed that Plenary should approve the accounts for those years (Resolution COM7/17). It had endorsed the Council's proposal that gratitude be expressed to the Government of the Swiss Confederation, together with the hope that the competent Swiss authorities would continue to carry out the external audit of the accounts (Resolution COM7/9). It had agreed with the Council's proposal to thank the Government of the Swiss Confederation for its willingness to advance funds to the Union should that become necessary, in the hope that those arrangements could be continued (Resolution COM7/10). It had considered the report by the Council relating to arrears and special arrears accounts, and the Council had been instructed to establish guidelines to be applied by the Secretary-General when negotiating and agreeing upon schedules for repayment of debts (Resolution COM7/7). It had approved requests by Member States to open special arrears accounts

as a means of settling their arrears (Resolution COM7/8). It had considered ITU-2000 recommendation 22 concerning the announcement of the class of contribution and, for the forthcoming period of the financial plan (1 January 2000 to 31 December 2003), had adopted Decision COM7/1. It had considered ITU-2000 recommendations (Document 13) and related proposals by Member States, as allocated to it (recommendations R.9/1, R.9/4, R.10, R.12, R.20, R.23, R.6/3). It had recommended that modifications be made to the basic instruments of the Union in order to take account of the broadly supported concept of using the upper limit of the amount of the contributory unit as the financial limit for the Council when establishing the biennial budgets of the Union (Document 233). Lastly, it had considered the draft Financial Plan submitted by the Secretary-General and related options (Document 42 + Add.1) as well as the related proposals made by Member States. During the examination of that agenda item, it had been clearly underlined that the limits for establishment of the Financial Plan were zero nominal growth both in total expenditure and in the amount of the contributory unit. On that basis, the Secretary-General and the Directors of the Bureaux had been instructed to prioritize the activities of ITU within those resource limits. When considering the second revision of the draft Financial Plan, it had agreed on the amount of 665 800 Swiss francs for overall expenditure for the period 2000-2003, but had not reached agreement on the draft Financial Plan as proposed in Document DT/50(Rev.1).

6.2 Document 265 was **noted**.

6.3 The **Co-Chairperson of Committee 7**, introducing Document 278, said that Committee 7 (Staff matters) had met three times and had considered the following items. It had approved draft Resolution COM7/1, which had resolved to reduce the annual contribution from the budget to the Provident Fund from 200 000 Swiss francs to 70 000 Swiss francs and to maintain that contribution at the necessary level until the Fund was able to meet its obligations. With regard to human resources management and development, three draft resolutions had been considered. Draft Resolution COM7/2 on HRM/HRD had been approved, as well as draft Resolution COM7/3 on compensation matters. Draft Resolution COM7/4 on ITU staff participation in conferences of the Union had also been approved, after refinement by a working group. Three draft resolutions had emanated from contributions by Member States. Two had been approved, one on the introduction in ITU of a long-term care insurance scheme (Resolution COM7/5) and one on occupational illness (Resolution COM7/6); the resolution on unemployment insurance had been left pending. Lastly, proposal CAN/146/1 MOD 69 (Document 146), dealing with Article 4 of the Convention, had been favourably received by the Committee, which had forwarded it to Committee 6 for review and submission to Plenary.

6.4 Document 278 was **noted**.

6.5 The **Co-Chairperson of Committee 7**, introducing Document 289, said that Committee 7 (General management) had held four meetings and had considered reports and proposals concerning operational planning, publications and documentation, cooperation with other international organizations, functioning of ITU-T and intersectoral coordination, future conferences, regional presence and the use of languages in the Union. It had taken note of Document 28 on future conferences and meetings of the Union (1998-2001) and invited Plenary to note the document as well. It had submitted to Committee 6 proposals for modification of Articles 5 (General Secretariat) and 35 (Languages) of the Convention (Document 226) and had submitted draft Resolutions COM7/12 (Linking strategic, financial and operational planning in ITU), COM7/13 (Documents and publications of the Union), COM7/14 (Reduction of the volume and cost of documentation for ITU conferences) and COM7/15 (Strengthening the regional presence) to Committee 4 for

subsequent transmission to Plenary (Document 268). Lastly, it had submitted draft Resolution COM7/16 (Gradual lifting of interim limitations on the use of official and working languages of the Union) to Plenary (Document 276).

6.6 Document 289 was **noted**.

## 7 Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) (Document 222)

7.1 The **delegate of the United Kingdom** informed Plenary that a corrigendum would be issued shortly in blue, giving the versions revised in the light of comments made the day before, of Resolution COM5/1 and Nos. 147C and 181A of the Convention.

7.2 The **Chairperson of Committee 4** proposed postponing consideration of Document 222 pending the issue of the aforementioned corrigendum.

7.3 It was so **agreed**.

## 8 Fourth series of texts submitted by the Editorial Committee for first reading (B.4) (continued) (Document 266)

**Resolution COM5/12 - Approval of Questions and Recommendations**

8.1 The **Chairperson** recalled that it had been decided to postpone consideration of Resolution COM5/12 until the final wording of Nos. 246 and 247 of the Convention was known.

**Resolution COM5/18 - The use of telecommunications for the safety and security of humanitarian personnel in the field**

8.2 The **delegate of Syria** said that his Administration hoped that the authors of the resolution would provide a definition of the term "humanitarian personnel" and that the definition would appear in the minutes of the Plenary Meeting.

8.3 Resolution COM5/18 was **approved**.

**Resolution COM5/19 - The role of the notifying administration in the case of an administration notifying on behalf of a named group of administrations**

8.4 Resolution COM5/19 was **approved**.

8.5 The **delegate of Syria** asked for the change under *instructs the Director of the Radiocommunication Bureau*, which had been proposed by the Syrian delegation at a previous meeting but which had not been approved, namely: "*instructs the Director of the Radiocommunication Bureau*, based on contributions from the notifying administrations ...", to be placed on record in the minutes of the meeting.

**Resolution COM5/20 - Urgent need for prompt action to address the Year-2000 problem**

8.6 The **Chairperson** said that the text of the resolution had been reprinted as a white document (Document 295), which would be considered later under the item "Year-2000 problem".

## 9 First series of texts submitted by the Editorial Committee for second reading (R.1) (Document 273)

9.1 The Chairperson recalled that on second reading only editorial amendments were taken into consideration.

**Resolution PLEN/1 - Inclusion of gender perspective in the work of ITU**

9.2 Resolution PLEN/1 was **approved**.

**Resolution COM5/2 - Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector**

9.3 Resolution COM5/2 was **approved**.

**Resolution COM5/3 - Telecommunications in the service of humanitarian assistance**

9.4 At the request of the **delegate of Spain**, the **Chairperson of Committee 4** said that the heading *instructs the Secretary-General* would be replaced by *resolves to instruct the Secretary-General*; the word *resolves* would be automatically added by the Editorial Committee to all resolutions where it was missing.

9.5 The **delegate of Cuba** said that under *further urges*, the words "en el" should be replaced by the word "del" in the Spanish version.

9.6 Resolution COM5/3, as amended, was **approved**.

**Resolution COM5/4 - Coping with the decreased use of the international telex service**

9.7 Resolution COM5/4 was **approved**.

**Resolution COM5/5 - Participation of Radiocommunication Sector Members at world radiocommunication conferences**

9.8 On a proposal by the **delegate of Algeria**, it was **decided** to withdraw the resolution from Document 273, as it had not yet been considered on first reading.

9.9 The **Chairperson of Committee 5** said that, for lack of time, it had not been possible to finalize the text of the Resolution and that a revised draft would be available the following day.

**Resolution COM5/6 - World Telecommunication Policy Forum**

9.10 The **delegate of Syria**, referring to *considering e)*, pointed out that there had already been two world telecommunication policy forums and that the plural would therefore be more appropriate.

9.11 The **delegate of Cuba** said that, in the Spanish version, under *resolves* 3, the quotes at the end of the paragraph should be deleted.

9.12 Resolution COM5/6 was **approved**, in the light of those comments.

**Resolution COM7/1 - Rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent Funds**

9.13 Resolution COM7/1 was **approved**.

**Resolution COM7/2 - Human resources management and development**

9.14 The **delegate of South Africa** said that, in the English version, the word "in" should be replaced by "into" in *considering c)*.

9.15 Resolution COM7/2 was **approved**, with that amendment.

**Resolution COM7/3 - Compensation matters**

9.16 Resolution COM7/3 was **approved**.

**Resolution COM7/4 - ITU staff participation in conferences of the Union**

9.17 Resolution COM7/4 was **approved**.

**Resolution COM7/5 - Introduction of a long-term care insurance scheme in the Union**

9.18 Resolution COM7/5 was **approved**.

**Resolution COM7/6 - Occupational illness**

9.19 Resolution COM7/6 was **approved**.

**Resolution COM7/7 - Arrears and special arrears accounts**

9.20 Resolution COM7/7 was **approved**.

**Resolution COM7/8 - Special arrears accounts**

9.21 Resolution COM7/8 was **approved**.

**Resolution COM7/9 - Auditing of the accounts of the Union**

9.22 Resolution COM7/9 was **approved**.

**Resolution COM7/10 - Assistance given by the Government of the Swiss Confederation in connection with the finances of the Union**

9.23 Resolution COM7/10 was **approved**.

**Instrument amending the Constitution of the International Telecommunication Union**

**Article 1**

9.24 In MOD 4, the **delegate of Ecuador** proposed, in the Spanish version, deleting the square brackets around "los" and "necesarios para dicha asistencia" and replacing the words "su ejecución" by the words "dicha asistencia".

9.25 MOD 4 was **approved**, subject to those amendments in the Spanish version.

9.26 The other amendments to Article 1 were **approved**.

**Article 2**

9.27 The amendments to Article 2 were **approved**.

**Article 3**

9.28 The **delegate of Morocco** said that MOD 26 should be withdrawn from Document 273 as it had not yet been considered on first reading.

9.29 That remark was **noted**.

9.30 The other amendments to Article 3 were **approved**.

**Articles 4, 6, 7, 8, 9, 10, 12, 14, 17, 18, 19, 21, 27, 35, 36, 38, 43, 45, 47, 48, 51, 52, 53**

9.31 The amendments to those Articles were **approved**.

**Article 55**

9.32 The **delegate of France** said he had understood that an explanatory footnote was to be added to MOD 224.

9.33 The **delegate of Morocco** said that the footnote would not appear in the Final Acts, but would be introduced by the Secretary-General in a reference document to be published after the Conference.

9.34 The amendments to Article 55 were **approved**.

**Articles 56, 57 and 58**

9.35 The amendments to those articles were **approved**.

**Annex**

9.36 The amendments to the Annex were **approved**.

9.37 Subject to the withdrawal of Resolution COM5/5 and MOD 26 from Document 273, the first series of texts submitted by the Editorial Committee to Plenary, as amended, was **approved** as a whole on second reading.

**The meeting rose at 1230 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 346-E**
**21 January 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWENTIETH PLENARY MEETING

Wednesday, 4 November 1998, at 1340 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Fifth series of texts submitted by the Editorial Committee for first reading (B.5) | 279+Corr.1 |

# 1 Fifth series of texts submitted by the Editorial Committee for first reading (B.5) (Document 279 + Corrigendum 1)

**Resolution COM7/12 - Linking strategic, financial and operational planning in ITU**

1.1 Resolution COM7/12 was **approved**.

**Annex to Resolution COM7/12 - Elements associated with operational planning**

1.2 The Annex to Resolution COM7/12 was **approved**.

**Resolution COM7/13 - Documents and publications of the Union**

1.3 Resolution COM7/13 was **approved**.

**Resolution COM7/14 - Reduction of the volume and cost of documentation for ITU conferences**

1.4 Resolution COM7/14 was **approved**.

**Annex to Resolution COM7/14 - Items for consideration with a view to reducing the volume and cost of documentation**

1.5 The Annex to Resolution COM7/14 was **approved**.

**Resolution COM7/15 - Strengthening the regional presence**

1.6 The **delegate of Senegal** said that a number of points which had been agreed when the resolution had appeared in Document DT/35(Rev.2) had not been reproduced in Document 268 or in the document now before the Plenary.

1.7 *Instructs the Director of BDT* 4 should be reworded to reflect exactly what had been intended by the text of Document DT/35(Rev.2). *Instructs the Director of BDT* 5 had raised concerns among some delegations when it had appeared in Document 268. Those delegations now proposed that it should be amended to read: "5 To ensure that the regional offices are given sufficient priority among the activities and programmes of the Union as a whole and, to implement funds-in-trust projects, have the autonomy, the decision-making authority, the necessary means and the financial authority within the framework of the Financial Regulations of the Union."

1.8 The **delegates of Côte d'Ivoire** and **Syria** fully supported that proposal, and the **Co-Chairperson of Committee 7** (General Management) agreed that the substance of the change was acceptable.

1.9 The **delegate of Germany** said that it was unrealistic to provide the regional offices with the necessary means to implement funds-in-trust projects, bearing in mind the scale, cost and limited duration of such projects. His delegation could agree, however, to their being in a position to supervise such projects.

1.10 It was **agreed**, at the suggestion of the **Chairperson**, that the interested parties should resolve the matter informally.

1.11 The **Chairperson of Committee 6** said that, in discussing the question of financial authority, the interested parties should bear in mind that, according to the Convention, the Secretary-General was responsible for the finances of the Union.

**Decision PLEN/1 - Treatment of decisions, resolutions and recommendations of plenipotentiary conferences**

1.12 The **Chairperson of Committee 6** suggested that the third indent of *decides* 2, referring to a list of unchanged resolutions, should be deleted from the resolution but such a list should be included in the consolidated text of the instruments of the Union. The **delegate of Germany** supported that proposal.

1.13 The **delegate of Japan** said the text of the indent as earlier agreed by the Plenary had read: "no text of unchanged resolutions" and should be reinstated accordingly. With regard to the second indent of *decides* 2, as the decision would come into effect once adopted, the secretariat should prepare a list of abrogated resolutions. In that connection, the delegate of Russia had submitted a specific proposal which merited consideration by the conference.

1.14 The **Chairperson of Committee 4** observed that if the third indent was deleted, no further action would be required because the list would automatically be included in the consolidated text.

1.15 It was **agreed** that the third indent should be deleted.

1.16 The **delegate of Syria** proposed that the word "also" should be inserted in *decides* 2 between "should" and "include".

1.17 It was so **agreed**.

1.18 Decision PLEN/1, as amended, was **approved**.

**Resolution COM6/1 - Working methods of the Radio Regulations Board**

1.19 The **Chairperson** drew attention to the note by the Chairperson of Committee 6 that two delegations had expressed their formal opposition to the draft resolution.

1.20 The **delegate of Saudi Arabia** said that he had felt that it was inappropriate to draft resolutions to be followed by the members of the Radio Regulations Board and that the Plenipotentiary Conference should not attempt to intervene in their work.

1.21 The **delegate of Algeria** said that his delegation had opposed the draft resolution as earlier presented for the reasons given by Saudi Arabia. However, the *resolves* paragraph was now more acceptable and his delegation, and undoubtedly that of Saudi Arabia, would be able to approve it, in a spirit of compromise.

1.22 Resolution COM6/1 was **approved**.

**Instrument amending the Constitution of the International Telecommunication Union (Geneva, 1992)**

**Article 3 (CS) - Rights and obligations of Member States and Sector Members**

1.23 It was **agreed** that ADD 28C should be left in abeyance until an agreement had been reached by an informal group, led by the delegate of the United States, on a series of interrelated texts including Article 3 (CS), Article 20 (CV) and Resolution 5/12 relating to an alternative approval process for questions and recommendations.

**Article 8 (CS) - Plenipotentiary Conference**

1.24 With respect to MOD 48, the **Chairperson of Committee 6** said that although there had not been time for the provision to be discussed in Committee 6, the deletion of the square brackets should pose no problem.

1.25 The **delegate of Ecuador** proposed that, once the square brackets had been removed, the phrase should read: "on the basis of proposals by Member States and taking account of reports by the Council ...".

1.26 MOD 48, as amended, was **approved**.

1.27 The **Chairperson of Committee 6** indicated that the three delegations which had opposed MOD 50 had now agreed to withdraw their objections. The text would therefore remain as adopted by ITU-2000.

1.28 MOD 50, MOD 51, ADD 51A and ADD 58A were **approved**.

**Article 10 (CS) - The Council**

1.29 MOD 70 was **approved**.

**Article 11 (CS) - General Secretariat**

1.30 ADD 74A and ADD 76A were **approved**.

**Article 13 (CS) - Radiocommunication conferences and radiocommunication assemblies**

1.31 MOD 92 was **approved**.

**Article 18 (CS) - World telecommunication standardization assemblies**

1.32 MOD 115 was **approved**.

**Article 22 (CS) - Telecommunication development conferences**

1.33 MOD 142 was **approved**.

**Article 25 (CS) - World conferences on international telecommunications**

1.34 MOD 147 was **approved**.

**Article 28 (CS) - Finances of the Union**

1.35 MOD 159, ADD 159A, B, C and D, MOD 160, MOD 161 and ADD 161A, B, C and D were **approved**.

1.36 With regard to ADD 161E, the **Chairperson of Committee 6** said that Committee 6 had considered that the recommendation by Committee 7 that announcements of contributory classes should be made before the end of the third week of a plenipotentiary conference would limit flexibility, and had therefore suggested that the plenipotentiary conference should set the date, on the understanding that it would be within the period of the conference.

1.37 The **delegate of Germany** supported the view of Committee 7 that Member States should announce their definitive choice of class of contribution before the end of the third week to give the plenipotentiary conference a firm basis on which to set the financial plan for the next four years.

1.38 The **Chairperson of Committee 6** argued that reference to the third week presupposed that all future plenipotentiary conferences would be of four weeks duration: the Convention made it clear that the duration would be set by the Council in consultation with Member States.

1.39 The **delegate of France** said that the first phrase of the provision should read: "once the financial plan has been revised" to reflect the procedure outlined in Document 199. The plan would be adopted only once Member States had made a definitive announcement of their class of contribution and the conference had determined the definitive upper limit of the amount of the contributory unit.

1.40 The **Chairperson of Committee 6** proposed that the provision should read: "Bearing in mind the draft financial plan as revised, the Plenipotentiary Conference shall determine the definitive upper limit of the amount of the contributory unit. The Secretary-General shall then invite the Member States to announce, before the end of the penultimate week of the plenipotentiary conference, their definitive choice of class of contribution."

1.41 ADD 161E, as thus amended, was **approved**.

1.42 ADD 161F, G, H and I, MOD 162, MOD 163 and SUP 164 were **approved**.

1.43 With respect to MOD 165, the **Chairperson of Committee 6** indicated that Committee 6 had been unable to agree whether the plenipotentiary conference or the Council should authorize a reduction in the class of contribution.

1.44 The **delegate of France**, supported by the **delegates of Spain, Denmark, Germany** and **Argentina**, proposed that such decisions should be taken by the Council, in order to provide the necessary flexibility. The four-year interval between plenipotentiary conferences was too long a delay in the case of natural disasters.

1.45 The **delegate of Morocco** observed that if between two plenipotentiary conferences a country found itself in difficult circumstances and unable to pay its contribution, the sum owing would be entered as a debt in the accounts of the Union.

1.46 Speaking as Chairperson of Committee 6, he said that if the Conference decided to replace the Plenipotentiary Conference by the Council in MOD 165, the reduction in the total contributory units would result in a reduction in the finances available to the Union. The Chairperson of Committee 7 might wish to indicate whether the system devised by his committee was feasible with a possible reduction in the classes of contribution between two plenipotentiary conferences.

1.47 Following brief informal consultations, the **Chairperson of Committee 6** said that it had been agreed that in MOD 165 the word "Council" and the square brackets should be deleted, and that a new provision would be added (ADD 165*bis*) repeating the second sentence of MOD 165 without the word "however" and with the deletion of the words "Plenipotentiary Conference".

1.48 It was so **agreed**.

1.49 MOD 165A, as amended, and ADD 165*bis* were **approved**.

1.50 ADD 165A was **approved**

1.51 Concerning SUP 166, the **Chairperson of Committee 6** said that, while the deletion of No. 166 of the Constitution had been considered by the majority of Committee 6 to be a logical consequence of the new system for the announcement of contributions, there had been some objections.

1.52 SUP 166 was **approved**.

1.53 SUP 167 and MOD 168 were **approved**.

1.54 It was **agreed** that MOD 169 should be left in abeyance pending discussion of Document 114 under a later agenda item.

1.55 MOD 170 was **approved**.

**Article 32 (CS) - Rules of Procedure of conferences and other meetings**

1.56 MOD 177 and MOD 178 were **approved**.

**Article 34 (CS) - Stoppage of telecommunications**

1.57 MOD 180 and MOD 181, as contained in Document 279(Corr.1), were **approved**.

**Article 55 (CS) - Provisions for amending this Constitution**

1.58 MOD 228 was **approved**.

**Instrument amending the Convention of the International Telecommunication Union (Geneva, 1992)**

**Article 3 (CV) - Other conferences and assemblies**

1.59 MOD 47 was **approved**.

**Article 4 (CV) - The Council**

1.60 MOD 61, MOD 69 and MOD 73 were **approved** and ADD 63B was **deleted**.

**Article 5 (CV) - General Secretariat**

1.61 MOD 86, ADD 86A, MOD 100 and ADD 102A were **approved**.

**Article 8 (CV) - Radiocommunication Assembly**

1.62 The **Chairperson of Committee 6**, referring to ADD 137A, said he thought there was a majority preference for retaining the word "refer", currently within square brackets, and deleting the alternative "[assign]". He also thought that "for opinion", currently within square brackets, should be replaced by "for advice".

1.63 The **delegate of the Islamic Republic of Iran** said that his delegation was in favour of "refer", and felt that the words "indicating the action required on these matters", currently within square brackets, should be deleted.

1.64 The **delegate of the United Kingdom** said that it seemed possible, to judge from recent discussion, that the periodicity of radiocommunication assemblies might vary in future, which meant that greater flexibility would be needed in the assignment of tasks to RAG; but any decision in that regard would be up to an assembly. Therefore, the word "assign" would be more appropriate in ADD 137A. Perhaps it would be better to discuss the point when considering the corrigendum which had been issued to Document 222.

1.65 It was **agreed** to defer consideration of Article 8.

**Article 10 (CV) - Radio Regulations Board**

1.66 It was **agreed** to defer consideration of Article 10, since ADD 147I also related to ADD 137A under Article 8.

**Article 11 (CV) - Radiocommunication study groups**

1.67 MOD 155 was **approved**.

**Article 13 (CV) - World telecommunication standardization assembly**

1.68 The **delegate of Canada**, responding to an observation by the **delegate of Syria** on ADD 191A, proposed that the word "assign" be retained and the square brackets removed, and that "[refer]", "[for opinion]" and "[indicating the action required on these matters]" be deleted.

1.69 The **delegate of France** supported the proposal, but stressed that there was no implied agreement to accord different treatment to the three Sectors; each of them could exercise flexibility in approaching its tasks, but the provisions of the Constitution and Convention applied equally to them all.

1.70 The **delegate of the United Kingdom** supported retention of the word "assign", which reflected the majority view prevailing during the relevant discussions.

1.71 The **Chairperson** said he took it that the amendments proposed by the Canadian delegation to ADD 191A were approved, but suggested nevertheless that consideration of Article 13 be deferred.

1.72 It was so **agreed**.

**Article 13A (CV) - Telecommunication Standardization Advisory Group**

1.73 ADD 191C-J were **approved**.

1.74 The **delegate of Canada**, referring to ADD 191K, proposed that, with a view to aligning the text with ADD 191A, the words "assigned" and "and transmit a copy to the Director for information" be retained and the square brackets removed, and that "[submission through the Director to]", and "[referred]" be deleted. Following an observation by the **delegate of Syria**, however, he said that he could agree to the deletion of "and transmit a copy to the Director for information". Responding to an observation by the **delegate of Greece**, he stressed that, in the context, the word "assigned" implied no transfer of powers.

1.75 The **delegate of Turkey** said it was important to avoid giving the impression that the advisory group might report to the assembly direct, instead of through the Director. He therefore proposed that "in accordance with No. 191A" be followed by "and transmit it to the Director for submission to the assembly", replacing the deleted final words.

1.76 The **delegates of Mexico**, **Pakistan** and **South Africa** supported the Turkish amendment.

1.77 The **delegate of the Islamic Republic of Iran** expressed reservations concerning the alignment of the texts of ADD 191K and ADD 191A as amended by the delegate of Canada, because he considered that the advisory bodies of the three Sectors should not be treated in the same way.

1.78 The **Chairperson** suggested that, if there were no objections, ADD 191K, as amended by the delegates of Canada and Turkey, be approved. The **delegate of Pakistan** supported that suggestion.

1.79 ADD 191K, as thus amended, was **approved**.

**Article 16 (CV) - Telecommunication development conferences**

1.80 The **delegate of the United States** requested that consideration of ADD 213A be suspended until a decision had been taken on ADD 137A, so that the wording of the two provisions could be aligned. The **delegate of Senegal**, pointing out that the three Sectors did not have to be dealt with together in the same fashion, said that ADD 213A should be considered first. The **Chairperson** suggested that, in the absence of any other objections to the United States' proposal, discussion on Article 16 should be deferred pending further consideration of ADD 137A.

1.81 It was so **agreed**.

**Article 16A (CV) - Telecommunication Development Advisory Group**

1.82 ADD 213C-I and ADD 213K were **approved**.

1.83 The **delegate of Saudi Arabia**, speaking as the Chairperson of the Telecommunication Development Advisory Group, said that the wording of ADD 213B gave rise to certain difficulties as it restricted participation in the advisory group to representatives of Member States and Sector Members and study group chairmen. As the participation of other entities was sometimes required, for example on matters of finance, he suggested adding a phrase such as "and other relevant entities" for greater flexibility, a view supported by the **delegate of Syria** who pointed out that the vice-chairmen of study groups should also be included.

1.84 Regarding ADD 213J, the **delegate of Canada** suggested that for the sake of consistency, the wording of that paragraph might be aligned with that of ADD 191K, which had just been approved.

1.85 The **delegate of Senegal**, again stressing the fact that the three Sectors could be dealt with differently, said that ADD 213J could not be considered without taking ADD 213A into account - a view supported by the **delegate of Mali** - and that both paragraphs might even be deleted as inapplicable to the Sector in question.

1.86 The **delegate of Cuba** said that in view of the divergences of opinion, he reserved his position regarding the matter of advisory groups, pending further discussion.

1.87 The **Chairperson** suggested that the delegates of Canada, Turkey and other interested delegates hold informal discussions on the wording of ADD 213J.

1.88 It was so **agreed**.

**The meeting rose at 1630 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 347-E**
**17 December 1998**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**COMMITTEE 6**

SUMMARY RECORD

OF THE

FIFTEENTH AND LAST MEETING OF COMMITTEE 6

(CONSTITUTION AND CONVENTION)

Monday, 2 November 1998, at 1635 hours

**Chairperson:** Mr. A. BERRADA (Morocco)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Consideration of provisions left pending (continued) | 15, 27, 32 + Corr.1-4, 70, 110, 198, 231, 232, 254; DT/23(Rev.3), DT/32, DT/52 |
| 2 | Rules of procedure of conferences and other meetings - Report by the Chairperson of the ad hoc Group | 41; DT/42 |
| 3 | Consideration of a draft text concerning reservations (continued) | DL/22 |
| 4 | Draft resolution concerning rules of procedure of ITU conferences and meetings | 41(Add.2); DT/44 |
| 5 | Draft resolutions concerning the revision and publication of the Constitution, Convention, Optional Protocol, decisions, resolutions and recommendations of the plenipotentiary conference | 41(Add.2), 59(Rev.1), 245; DT/44 |
| 6 | Draft resolution concerning the working methods of RRB | 32 + Corr.1-4; DT/44 |
| 7 | Closure of the work of the Committee | |

## 1 Consideration of provisions left pending (continued) (Documents 15, 27, 32 + Corr.1-4, 70, 110, 198, 231, 232, 254; DT/23(Rev.3), DT/32, DT/52)

1.1 The **Chairperson** invited Committee 6 to continue consideration of outstanding provisions of the Constitution in Document DT/23(Rev.3).

**Provision MOD 50**

1.2 The **delegate of Saudi Arabia**, supported by the **delegate of Syria**, proposed that MOD 50 be left in square brackets.

1.3 It was so **agreed**.

**Provision ADD 76A**

1.4 The **Chairperson** informed participants that in Document 232 Committee 5 requested Committee 6 to amend Article 11 of the Constitution and Article 5 of the Convention in order to include in them a reference to memoranda of understanding which were the subject of the draft resolution in Document 231. Since the new term required definition, the suggestion was that it should be related to the special arrangements mentioned in Article 42 of the Constitution.

1.5 The **delegate of the United States**, supported by the **delegate of the United Kingdom**, proposed that the word "shall" in ADD 76A should be replaced by "may" since the Secretary-General should not be required to act as depositary for all special arrangements. The **delegate of Mexico** agreed with that position. The **Chairperson** said that the French and Spanish versions of provision 76A should be brought into line with the English.

1.6 Provision ADD 76A, as amended, was **approved**.

**Provision MOD 92**

1.7 The **delegate of the United States** said that Committee 7 was approving a package of financial provisions giving more flexibility to the Council and relying less on decisions by the plenipotentiary conference. She therefore proposed that the end of the last sentence of MOD 92 should read "financial limits adopted by the Council in its decisions on the biennial budgets".

1.8 The **Chairperson** pointed out that the amendment to provision MOD 92 had been approved by Committee 7 and appeared in Annex C to Document 27.

1.9 Provision MOD 92 was **approved**.

**Provisions MOD 115, MOD 142, MOD 147**

1.10 **Approved**.

**Provision MOD 159**

1.11 The **delegate of the United States** said that as her delegation's proposal (USA/15/23) appeared as provision ADD 159C, she could accept the ITU-2000 text of MOD 159.

1.12 Provision MOD 159 was **approved**.

**Provision ADD 159A**

1.13 **Approved**.

**Provision ADD 159B**

1.14 In response to a query by the **delegate of Greece**, the **Chairperson** pointed out that it was stated in the Convention that the Council was responsible for adopting both the Staff Regulations and the Financial Regulations.

1.15 Provision ADD 159B was **approved**.

**Provision ADD 159C**

1.16 The **Chairperson** suggested that the word "proportional" should be replaced by "corresponding" and that the end of the sentence should read "... with Nos. 160 to 161I below."

1.17 It was so **agreed**.

1.18 Provision ADD 159C, as amended, was **approved**.

**Provisions ADD 159D, ADD 160, ADD 161, ADD 161A-ADD 161D**

1.19 **Approved**.

**Provision ADD 161E**

1.20 The **Chairperson** indicated that the first text in square brackets was that approved by Committee 7, the second an alternative leaving the choice of date to the Plenary.

1.21 The **delegate of the United Kingdom**, supported by the **delegates of Finland** and **the United States**, expressed a preference for the second text.

1.22 In reply to a request for clarification by the **delegate of Saudi Arabia**, the **Chairperson** said that the date would fall within the conference period. Noting a preference for the second text, he said it would be redrafted and transmitted to the Plenary without square brackets, leaving the first text in square brackets, together with an explanatory note.

1.23 It was so **agreed**.

1.24 Provision ADD 161E, as amended, was **approved**.

1.25 The **delegate of the United Kingdom** drew attention to a consequential amendment to Article 8 of the Constitution, which consisted in adding a subparagraph *e)* to No. 51 reading as follows: "establish, using the procedures referred to in Nos. 161A to 161E, the total number of contributory units for the period to the next plenipotentiary conference, based on announcements by Member States".

1.26 The **delegates of Denmark** and **the Netherlands** supported that proposal. The **delegate of Saudi Arabia**, while not objecting to it, considered that the issue fell within the purview of Committee 7.

1.27 The **Chairperson** said that he would refer to the matter in his note to the Plenary and inform the Chairperson of Committee 7.

**Provision ADD 161F**

1.28 **Approved**.

**Provision ADD 161G**

1.29 The **Chairperson** pointed out that the second text in square brackets had been added because it appeared that the text approved by Committee 7 had inadvertently omitted to mention the contribution of Sector Members.

1.30 The **delegate of the United States** expressed her agreement with the second text which was consistent with the conclusions of Committee 7. The **delegate of Mexico** pointed out that the contribution of Sector Members would not be known at the time of the plenipotentiary conference. He therefore considered that the first text in square brackets should be maintained together with the phrase "at the date on which the financial plan is approved".

1.31 The **Chairperson** said that he would draw the attention of the Plenary to the problem in an explanatory note.

1.32 Provision ADD 161G was **approved**.

**Provisions ADD 161I, MOD 162, MOD 163, SUP 164**

1.33 **Approved**.

**Provision MOD 165**

1.34 The **delegate of the United States** queried the change from the Council to the plenipotentiary conference in cases where a Member State requested a reduction in the number of contributory units under exceptional circumstances. As she recalled, Committee 7 had proposed no such change, being concerned to give greater responsibility and flexibility to the Council. Furthermore, a Member State facing exceptional circumstances might have to wait up to four years before obtaining relief.

1.35 The **Chairperson** confirmed that No. 165 had not been considered by Committee 7; it had been included in the work of Committee 6 since it might otherwise have been overlooked. The problem was that when selecting its class of contribution at a plenipotentiary conference, a Member State could not reduce it by more than two classes. Previously, in the interval between conferences, the Council had been authorized to accept reductions in exceptional circumstances, but with the introduction of biennial budgets those circumstances now had to be explained to the plenipotentiary conference. Committee 7 had taken no decision on the matter which could, of course, be raised in plenary.

1.36 The **delegate of France**, supported by the **delegate of Spain**, associated herself with the remarks of the delegate of the United States. In proposal EUR/32/52 the European countries had left the Council the power to authorize a greater reduction in exceptional circumstances.

1.37 Replying to a question by the **delegate of Saudi Arabia**, the **Chairperson** said that the request for a greater reduction had to be made by the Member State facing exceptional circumstances. He suggested that the provision be placed in square brackets and transmitted to the Plenary for a final decision, bearing in mind that if the Council were to authorize such a reduction, the financial plan would be insufficient to cover all expenses.

1.38 It was so **agreed**.

**Provision ADD 165A**

1.39 **Approved**.

**Provision SUP 166**

1.40 The **delegate of Argentina** said that he did not recall any decision by Committee 7 to delete No. 166. On the contrary, it had been regarded as the final safeguard for Member States against the possibility that their interests would be threatened by other Member States notifying the Secretary-General of a lower class of contribution than that originally selected. Moreover, the effect of removing that safeguard might be to encourage Member States to protect their positions by announcing a lower class of contribution from the outset.

1.41 The **Chairperson** said that the deletion of No. 166 was the direct consequence of the decision that Member States were to select their class of contribution at the plenipotentiary conference. In that connection, he drew attention to provision ADD 161E which stated that once the financial plan had been agreed upon, the conference would determine the definitive upper limit of the contributory unit and the Secretary-General would invite Member States to announce their definitive choice of class of contribution. If Member States were allowed to reduce their contribution between conferences, there might not be enough money to finance the whole financial plan.

1.42 The deletion of No. 166 was **approved**.

**Provisions SUP 167, MOD 168**

1.43 **Approved**.

**Provision MOD 169**

1.44 The **Chairperson** said that the Plenary would have to decide the matter and the square brackets should be maintained.

1.45 It was so **agreed**.

**Provision MOD 170**

1.46 **Approved**.

**Provisions MOD 177, MOD 178**

1.47 The **Chairperson** pointed out that the title of the new instrument would have to be added.

1.48 Provisions MOD 177 and MOD 178 were **approved**.

**Provisions MOD 180, MOD 181**

1.49 The **delegate of Spain**, supported by the **delegate of the Philippines**, proposed that the words "in accordance with their national legislation" should be inserted in both paragraphs after the words "reserve the right", as had been previously agreed.

1.50 It was so **agreed**.

1.51 After a brief exchange of views between the **Chairperson** and the **delegate of Kuwait**, it was **agreed** that the original title of Article 34 - "Stoppage of Telecommunications" - should be maintained.

1.52 Provisions MOD 180 and MOD 181, as amended, were **approved**.

1.53 The **Chairperson** invited the Committee to proceed to consider the outstanding provisions of the Convention in Document DT/23(Rev.3).

**Provision MOD 47**

1.54 The **Chairperson** said that the numbers in square brackets would be corrected, as appropriate, once the instrument had been adopted.

1.55 Provision MOD 47 was **approved**.

**Provision MOD 61**

1.56 **Approved**.

**Provision ADD 63B**

1.57 The **delegate of France**, responding to a question by the **delegate of Saudi Arabia**, said that proposal EUR/32/227 involved an addition to the Council's term of reference, allowing it to revise the Financial Regulations in order to meet any request from a future WRC for the introduction of a financial due diligence procedure.

1.58 The **delegate of Saudi Arabia** considered the proposal premature and felt that no decision should be taken until the results of the review of financial due diligence were available.

1.59 The **Chairperson** pointed out that since No. 63 of the Convention (Geneva, 1992) already gave the Council responsibility for revising the Financial Regulations and that No. 77 of the Convention allowed it to decide upon the implementation of conference decisions, he would prefer not to include provision 63B.

1.60 The **delegate of France**, supported by the **delegates of the United States, the Netherlands** and **the United Kingdom**, suggested that the provision should be put in square brackets and discussed in plenary.

1.61 It was so **agreed**.

**Provisions MOD 69, MOD 73, MOD 86**

1.62 **Approved**.

**Provision ADD 86A**

1.63 The **delegate of Canada** noted that both MOD 61 and ADD 86A referred to the preparation of annual reports on the implementation of the strategic plan. In order to assist the General Secretariat and the secretariats of the three Bureaux, she said it should be made clear that they were not expected to produce multiple reports.

1.64 The **Chairperson** said that he assumed that only one report would be submitted to the Council.

1.65 Provision ADD 86A was **approved**.

**Provision MOD 100**

1.66 The **delegate of the United States** said that the replacement of the words "within the limits" by "taking account of the financial limits" was inconsistent with the thrust of Committee 7's work and asked for an explanation.

1.67 The **Chairperson** explained that the wording was taken from Annex C of Document 27, as transmitted to Committee 6 by Committee 7. The delegate of the United States could, of course, raise the matter in plenary if she so wished.

1.68 Provision MOD 100 was **approved**.

**Provision ADD 102A**

1.69 **Approved**.

**Provision 139**

1.70 The **Chairperson** suggested that provision 139, which stipulated the number of RRB members, should be placed in square brackets and submitted to the Plenary.

1.71 It was so **agreed**.

**Provision MOD 155**

1.72 The **delegate of Russia**, referring to Document 254, said that, as he had been invited to do by Committee 5, he had consulted the delegates of the United States and Turkey and together they had agreed to replace the original Russian proposal by the ITU-2000 text with one modification, reading as follows: "These studies shall not generally address economic questions, but when they involve comparing technical or operational alternatives, economic factors may be taken into consideration." That text provided the flexibility his delegation sought.

1.73 The **delegates of Turkey** and **the United States** supported the proposal. The **delegate of Syria** said that he required further time to study the text and reserved his right to raise the matter in plenary.

1.74 Provision MOD 155, as amended by Russia, was **approved**.

**Provision MOD 240**

1.75 The **delegate of Japan** pointed out that the Asia-Pacific common proposal for a modification to provision 240 (APT/70/111) had been omitted from Document DT/23(Rev.3). She understood that it would be discussed after a decision had been taken with regard to provisions 233A, B and C.

1.76 The **delegate of France** supported the proposal in question. Two possible procedures could be followed in order to become a Sector Member: application could be made either through a Member State or directly to the Secretary-General. In the latter case, the request was accepted on the basis of criteria laid down by the Council; it was therefore logical that the Council should also establish criteria for denouncing the participation of those Sector Members.

1.77 The **delegate of Syria** drew attention to the financial implications of denunciation.

1.78 Following a comment by the **delegate of Mali** that, as the text did not appear in the document under discussion, it was difficult to follow the debate, the **Chairperson** agreed that there had not been adequate time to consider the proposal and suggested that it be placed in square brackets and submitted to the Plenary with a note indicating that the Committee had not been able to discuss it.

1.79 It was so **agreed**.

**Provision ADD 248A**

1.80 The **delegate of Germany** recalled that the idea was to facilitate the exchange of information between ITU and organizations such as standardization bodies, and not necessarily Sector Members or representatives of industry in a specific country. Wording should be found to exclude entities whose participation had been objected to by Member States.

1.81 The **delegate of Syria**, supported by the **delegates of China** and **Saudi Arabia**, considered that ADD 248A was unnecessary. The concept of outside participation had been approved by an advisory group; embedding it in the Convention would mean that justification would have to be given for inviting non-members to participate in study groups. He agreed with the delegate of Germany that it was sometimes advantageous to invite representatives of outside organizations, as had been done by TSAG, but there was no need for a legal framework.

1.82 The **delegate of the United Kingdom** supported ADD 248A. In response to the remarks of the delegate of Syria, he pointed out that the proposed text referred to "the Sector concerned", so that it would be up to the Director and perhaps the advisory group of that Sector to develop the procedure. In TSAG, such relationships were between an organization and an entire Sector, whereas the proposal was for links between one organization and one study group. The limited financial and human resources of ITU-T should not be wasted by duplication of work. Creation of a direct liaison with a study group would allow sharing of experience and save work, thus benefiting all players.

1.83 The **delegates of France** and **Denmark** supported ADD 248A, the delegate of France noting that recommendation 7 of the ITU-2000 Group clearly stated that it was important to strengthen cooperation between the Sectors and other organizations with related interests.

1.84 The **Chairperson** suggested that since opinion was divided on ADD 248A, it should be placed in square brackets.

1.85 It was so **agreed**.

**Provision ADD 248B**

1.86 The **delegate of Japan** pointed out that the Asia-Pacific common proposal (APT/70/124) contained an additional sentence, which read: "An Associate may not serve as a liaison from the study group to any other entity within the Union." She said that the purpose was to prevent an Associate from assuming the role of a Sector Member, for instance by participating in more than one study group.

1.87 The **delegate of the United States** supported the Asia-Pacific proposal.

1.88 The **delegate of the United Kingdom**, supported by the **delegate of Germany**, agreed with the intent of the proposal but considered that it was covered by the phrase "or liaison activity", which could be between study groups, with another Sector or in the drafting of liaison statements.

1.89 The **delegate of Saudi Arabia** asked who would decide in which study groups Associates would be allowed to participate.

1.90 The **delegate of Japan** agreed that the phrase "or liaison activity" covered liaison within the Union. She considered that Associates should be allowed to liaise with other organizations outside the Union and suggested the addition of the words "within the Union" at the end of ADD 248B.

1.91 The **delegate of the United Kingdom** was adamant that anyone who acted as a liaison from a study group, whether to another study group or to an organization outside the Union, must be a Member of ITU.

1.92 The **delegate of the United States** proposed insertion of the word "final" between "any" and "decision-making". She said that whereas decision-making was a continuous process, Associates participated only at the final stage.

1.93 The **delegate of the United Kingdom** said that informal voting was sometimes used to determine trends in opinion. The ITU-2000 Group had considered that it was not appropriate for Associates to take part in such indicative processes. He suggested that if the word "final" were to be introduced, it should be in square brackets.

1.94 The **delegates of Saudi Arabia** and **Syria** pointed out that it was difficult to decide when a decision-making process had ended, the last-mentioned adding that the idea behind associate membership was to encourage participation in a single study group, with limited responsibilities and obligations.

1.95 The **delegate of Australia** suggested that the sentence should be altered to read "... without being counted in any decision-making or taking part in any liaison activity".

1.96 The **Chairperson** pointed out that decisions were usually taken by consensus and not by counting. He asked whether the Committee could approve ADD 248B with no amendment.

1.97 Provision ADD 248B was **approved**.

**Provision MOD 468**

1.98 The **delegate of France** suggested that MOD 468 should make reference not only to Article 28 of the Constitution but also to No. 479 of the Convention, which specified that the lowest classes of contribution were restricted to the Member States and Sector Members of the Telecommunication Development Sector.

1.99 The **delegate of Syria**, supported by the **delegate of Saudi Arabia**, hoped that MOD 468 would not be misinterpreted to allow Sector Members to choose the 1/16 unit class of contribution. A decision allowing them to do so had not yet been taken by the Conference.

1.100 The **delegate of France** agreed to withdraw her proposal.

1.101 Provision MOD 468 was **approved**.

**Provision MOD 469**

1.102 **Approved**.

**Provision SUP 470**

1.103 The **delegate of the United Kingdom** said that the proposed deletion of provision 470 would remove a necessary step in communicating decisions to Member States that had been unable to attend plenipotentiary conferences. He suggested that it be retained and revised to read: "The Secretary-General shall communicate promptly to each Member State not represented at the plenipotentiary conference the decision of each Member as to the class of contribution to be paid by it."

1.104 Provision SUP 470, as amended, was **approved**.

**Provisions MOD 472 and MOD 473**

1.105 **Approved**.

**Provision NOC 474**

1.106 The **delegate of the United States** said that her country and the CITEL countries had proposed that the provision should be deleted, in order to bring the practice of ITU into line with that of most other United Nations specialized agencies, which was not to impose interest on arrears.

1.107 The **delegate of Syria** said that Committee 6 was not competent to discuss financial matters. He would be reluctant to accept the proposal of the delegate of the United States without considering its financial implications.

1.108 The **delegates of Denmark, Germany** and **the Netherlands** preferred to keep the provision as it stood.

1.109 The **delegate of Mexico** supported the delegate of the United States and said that ITU could not depend financially on the payment of interest on debts.

1.110 The **Chairperson** suggested that the provision should be placed in square brackets, with a note indicating that some delegates considered that its content was not within the terms of reference of Committee 6.

1.111 It was so **agreed**.

**Provision SUP 475**

1.112 **Approved**.

**Provision MOD 476**

1.113 In response to a query from the **delegate of Syria**, the **Chairperson** confirmed that the word "international" covered "regional" organizations.

1.114 The provision MOD 476 was **approved**.

**Provisions MOD 477 and SUP 478**

1.115 **Approved**.

**Provision MOD 479**

1.116 The **delegate of the Republic of Korea** suggested that since the words "Sector Members" had been added to MOD 468, the asterisked note in MOD 468 and the content of MOD 479 could be combined into a new provision, 468A.

1.117 The **Chairperson** said that the proposed modification was too extensive to be considered at the present meeting.

1.118 The **delegate of Turkey** pointed out MOD 479 stated that the classes of contribution 1/4, 1/8 and 1/16 were reserved for Member States and Sector Members of the Telecommunication Development Sector, while MOD 468 referred only to 1/8 and 1/16 in that respect.

1.119 The **Chairperson** said that MOD 479 referred only to the Telecommunication Development Sector, while MOD 468 was general in scope.

1.120 The **delegate of Syria** recalled that, in the discussion on cost recovery in Committee 7 (Management of the Union - Finance), it had been stated that the cost of participating in the Development Sector was greater than 1/16 of a contributory unit. He asked the Chairperson to report to the Plenary that the text of MOD 479 was not approved with regard to Sector Members in the Development Sector who opted to pay 1/16 of a unit.

1.121 The **Chairperson** said that MOD 479 would not be approved until information had been received from Committee 7. The text could be modified by the Plenary, if necessary.

1.122 It was so **agreed**.

**Provision MOD 480**

1.123 **Approved**.

**Provision ADD 480A**

1.124 The **Chairperson** drew attention to the comment from Committee 7 contained in Document 198 and suggested that ADD 480A should remain in square brackets.

1.125 It was so **agreed**.

**Provisions SUP 481, SUP 482 and SUP 483**

1.126 The **Chairperson** noted that the deletion of the three provisions was proposed as a consequence of the decision that the class of contribution would be selected at plenipotentiary conferences.

1.127 The deletion of the provisions was **approved**.

**Provision ADD 483A**

1.128 **Approved**.

**Provision MOD 484**

1.129 The **delegate of the United States** said that the issue of cost recovery was still being discussed by Committee 7, and it would be inappropriate to forward MOD 484 to the Plenary. In a note to the provision, reference was erroneously made to Document DT/32. She suggested that the correct reference was to Document DT/52, which contained a draft resolution on cost recovery for

some ITU products and services. That resolution did not instruct the Council to identify products and services to be offered on a cost recovery basis or that the revenues be identified as revenue to the Sector that had developed the product or service, as was stated in MOD 484. Rather, it clearly stated that cost recovery was not revenue generation, and instructed the Council to segregate cost recovery charges to the specific product or service and to ensure that those charges were consistent with and did not exceed the actual costs. The Council was further instructed to implement the resolution in such a way that no more than the actual costs of providing the products and services were recovered. It instructed the Secretary-General - not the Council - to develop, in consultation with the Directors of the Bureaux, Member States and Sector Members, a set of criteria to identify additional products and services to which the cost recovery approach might be applied.

1.130 The **delegate of Syria** said that activities such as publications emanating from the General Secretariat were not included in MOD 484.

1.131 The **delegate of Algeria** recalled that Committee 7 had agreed to the principle of cost recovery. The status of a resolution and of a provision of the Convention were quite different, and both could be considered in plenary.

1.132 The **Chairperson** suggested that MOD 484 should be placed in square brackets, as the wording might depend on the final wording of the resolution.

1.133 It was so **agreed**.

**Provisions MOD 490, MOD 491, MOD 493 and MOD 495**

1.134 **Approved**.

**Provision MOD 497**

1.135 The **delegate of the United States** asked whether the international obligations referred to in MOD 497 were those between Member States or whether there were other agreements at issue that might warrant the reference to Sector Members.

1.136 The **delegate of the United Kingdom** explained that Article 37 of the Convention referred to the rendering and settlement of accounts and dealt mainly with international accounting, exchange of traffic and settlements, as also covered in Article 6 and Appendix 1 of the International Telecommunication Regulations. MOD 497 gave recognition to the fact that most traffic and accounting was currently done by Sector Members rather than by administrations.

1.137 Provision MOD 497 was **approved**.

**Provision MOD 498**

1.138 The **delegate of Australia** said that MOD 498 was meaningful in the context of the obligations of membership in ITU; however, many recognized operating agencies were not Sector Members, and many Sector Members were not recognized operating agencies. The two terms were not synonymous. The wording did usefully imply that some such agencies acted outside any direct link to intergovernmental agreements, but that issue was addressed in a resolution being considered by another committee.

1.139 Provision MOD 498 was **approved**.

**Provisions MOD 500, MOD 505, MOD 506 and MOD 510**

1.140 **Approved.**

1.141 The **Chairperson** said that the Committee had as far as possible completed its consideration of outstanding provisions in Document DT/23(Rev.3).

## 2 Rules of procedure of conferences and other meetings - Report by the Chairperson of the ad hoc Group (Documents 41; DT/42)

2.1 The **delegate of Portugal**, speaking in his capacity as the Chairperson of the ad hoc Group established at the tenth meeting of the Committee, introduced Document DT/42 in which it was proposed that Articles 23-30 and 32 of the Convention should be removed and placed in a separate instrument. The document also contained two annexes: Annex A showed the changes proposed to the wording of the articles to be included in the new instrument, while Annex B gave the consequential amendments to the Constitution and the Convention that would be required after removal of those provisions. If Committee 6 agreed that a separate instrument should be drawn up, the two parts of Annex B should be merged into a single article. He reported that Argentina's proposal ARG/41/4 had unfortunately been omitted from the considerations of the ad hoc Group.

2.2 The **Chairperson** said that Chapter III of the Convention (Rules of Procedure) had been examined by three plenipotentiary conferences and studied by several groups of experts. The present Conference was also being asked, however, to transfer parts of Chapter II of the Convention (General Provisions Regarding Conferences) to a new instrument. He considered that it would not be advisable to decide on such an important action without detailed examination. He therefore suggested that a new instrument should be created for the content of Chapter III and that a resolution should be adopted requesting the Council to set up a group of experts to study the transfer of all or part of Chapter II to either a new instrument or the instrument created for Chapter III.

2.3 The **delegate of Syria** said that he saw no advantage to altering the Convention but would agree to the Chairperson's suggestion.

2.4 The **delegate of Saudi Arabia** also saw no clear reason for placing the articles in a separate instrument. If necessary, the Constitution and the Convention could be separated into several volumes.

2.5 The **delegates of Mali** and **China** endorsed the suggestion made by the Chairperson. The **delegate of Denmark**, supported by the **delegate of the Netherlands**, did so reluctantly, saying that she considered that there had been enough time to study the situation.

2.6 The **delegate of Portugal** expressed disappointment that the Committee was unable to reach a decision on a subject that had been under discussion for several years. He recalled that several reports had been submitted to the Council, and the present proposals had been circulated to delegates early enough to allow time for study. He would, however, accept the compromise suggested by the Chairperson.

2.7 The **delegate of Algeria** was well aware of the difficulty involved in moving provisions from one instrument to another. In his opinion, provisions that established who was allowed to attend plenipotentiary conferences or world radiocommunication conferences were not small, internal matters but were the stuff of treaties and should remain within the body of the Convention. The parts of the articles that related to internal regulations for meetings and conferences could, however, be transferred to a separate instrument.

2.8 The **delegate of France** said that although she was disappointed that no immediate decision would be taken, she could understand that some delegations required more time to consider the issue and could go along with the Chairperson's suggestion.

2.9 The **delegate of Spain** expressed great disappointment that Part I of Annex A to Document DT/42 would not be considered at the present Conference despite so much hard work.

2.10 The **delegate of the United Kingdom**, endorsing the view of the previous speaker, wondered in just how much detail the matter would have to be considered before a decision was taken. Every effort should be made to ensure that a positive decision was taken at the next plenipotentiary conference.

2.11 The **Chairperson** took it that the Committee accepted his suggestion. He thanked the Committee for its understanding and said that another reason behind his suggestion had been to reduce the excessive workload of the Plenary. He invited the Committee to consider the proposals for a new instrument based on Chapter III of the Convention, as contained in Part II of Annex A to Document DT/42. Deletions were shown in square brackets and additions had been given in italics. In response to a query from the **delegate of Algeria**, he confirmed that the Council had already approved the provisions.

2.12 The **delegate of Argentina**, referring to No. 441, drew attention to proposal ARG/41/4. He proposed a new sentence reading "This shall not apply on the last day of the meeting" should be added at the end of No. 441 to enable votes to be repeated on the last day of the conference.

2.13 It was so **agreed**.

2.14 The **delegate of Spain** drew attention to an editorial amendment in the Spanish text of ADD 130.

2.15 The proposed Rules and Procedure of Conferences and Other Meetings of the International Telecommunication Union, as contained in Part II of Annex A to Document DT/42, as amended, were **approved**.

2.16 The **Chairperson** invited the Committee to consider the consequential amendments to the Constitution and Convention, as proposed in Part II of Annex B to Document DT/42. He noted that section 16 (Reservations) of Article 32 of the Convention would be taken up when the draft text prepared by the delegation of Spain on the subject of reservations had been further discussed.

2.17 On that understanding, the consequential amendments were **approved**.

## 3 Consideration of a draft text concerning reservations (continued) (Document DL/22)

3.1 The **Chairperson** recalled that the Committee had already approved § 1 of the Spanish proposal E/7/2 in Document DL/22, and he took it that the text following "Administrative Regulations", which had been left in square brackets, was to be deleted. He invited the delegate of Spain to report on the informal consultations that had taken place on proposal E/7/2 since the previous meeting.

3.2 The **delegate of Spain** said that the delegates of Argentina, Australia and the Netherlands and he had met and the delegates of the Netherlands and Australia had suggested the deletion of paragraph 2 of proposal E/7/2 in Document DL/22; in view of the wording in paragraph 1, the procedure referred to in paragraph 2 was unnecessary.

3.3 The **delegate of Mali** expressed concern at the proposed deletion of paragraph 2 and said that further clarification was necessary.

3.4 The **delegate of Spain**, responding also to a query from the **delegate of Japan**, said that in his personal opinion the deletion of paragraph 2 would provide for the possibility of entering reservations to a provision of the Constitution, Convention or Administrative Regulations; if paragraph 2 were retained, it would be possible to enter a reservation with respect to the Constitution or Convention only up to the time of ratification.

3.5 The **Chairperson** said that in the interests of expediency and clarity, it might be preferable to retain the current text of Nos. 445 and 446 of the Convention (Geneva, 1992), rather than the text suggested in § 2 of E/7/2.

3.6 The **delegate of Spain** said that he could support that approach with the inclusion of the following wording: "until such time as its instrument of ratification, acceptance, approval or accession is deposited".

3.7 The **Chairperson** suggested that Nos. 445 and 446 should be submitted to the Plenary as a new Article 32B. together with the wording suggested by the delegate of Spain, which would be placed in square brackets.

3.8 It was so **agreed**.

3.9 Having clarified, for the benefit of the **delegate of Saudi Arabia**, that the provisions for modifying the new instrument were set out in section 25 of Annex A, Part II, to Document DT/42, the **Chairperson** suggested that the delegate of Portugal should prepare a draft resolution on further study of Chapter II of the Convention, concerning general provisions regarding conferences, for submission to the Plenary.

3.10 It was so **agreed**.

## 4 Draft resolution concerning rules of procedure of ITU conferences and meetings (Documents 41(Add. 2); DT/44)

4.1 The **delegate of Argentina** introduced proposal ARG/41/11 for a draft resolution. The text, which was set out both in Addendum 2 to Document 41 and in Document DT/44, sought to provide a framework for the approval of the establishment of the rules of procedure of conferences and meetings of ITU that the Committee had just discussed. Drawing attention to the *resolves* part of the draft resolution, he said that the rules of procedure should be a non-binding instrument, thereby obviating the need for Member States to enact legislation approving amendments or to deposit instruments of ratification, acceptance, approval or accession with the Secretary-General of ITU.

4.2 The **Chairperson** said that, in the absence of any objection, he would take it that the Committee could agree to the principle of adopting a draft resolution to approve the establishment of the rules of procedure.

4.3 It was so **agreed**.

4.4 In response to a question by the **delegate of Algeria**, the **Chairperson** said that the new instrument would form part of the Final Acts although it had not been signed or ratified by Member States; a new method of adoption was therefore justified.

4.5 The **delegate of Saudi Arabia** said that it was his understanding that the rules of procedure were to be a binding instrument. The **delegate of Mali** requested clarification on the matter from the Legal Affairs Unit.

4.6 The **Secretary**, speaking as the representative of the Legal Affairs Unit, said that the provisions in the rules of procedure of conferences and meetings of ITU would, by virtue of their status as a general rule-making instrument, be binding in nature, but would not have the value of an international treaty since they were no longer incorporated in the Convention. In most of the other specialized agencies in the United Nations system, the rules of procedure for conferences and meetings were a separate instrument, adopted by means of a resolution.

4.7 In response to a query by the **delegate of Lesotho**, the **Chairperson** confirmed that the rules of procedure would be included in the Final Acts, would be published in a separate document for conferences and meetings, and would enter into effect when the Convention entered into force.

4.8 The **delegate of Argentina**, having thanked the Secretary for his explanation, said that he had used the term "non-binding" in his introduction as the rules of procedure would not form part of an international treaty.

4.9 The **delegate of Saudi Arabia**, referring to the *instructs the Secretary-General* part of the draft resolution, said that the text should be amended to read "published in the languages of the Union". The **Chairperson** pointed out that there were six working languages of the Union, not three. The *having regard to* and *resolves* sections of the draft resolution might require simplification and he suggested that the Secretary of the meeting and the delegate of Argentina should work on a final formulation for transmission to the Plenary.

4.10 It was so **agreed**.

## 5 Draft resolutions concerning the revision and publication of the Constitution, Convention, Optional Protocol, decisions, resolutions and recommendations of the plenipotentiary conference (Documents 41(Add. 2), 59(Rev.1), 245; DT/44)

5.1 The **Chairperson**, drawing attention to proposals ARG/41/8 and IAP/59/121 for two draft resolutions, said that the texts contained in Document DT/44 had been drawn from Documents 41(Add. 2) and 59(Rev.1). He suggested that the Secretary of the meeting, the delegate of Argentina and a representative of CITEL should prepare a consolidated text for subsequent transmission to the Plenary, taking Document 245 into account.

5.2 It was so **agreed**.

## 6 Draft resolution concerning the working methods of RRB (Documents 32 + Corrigenda 1-4; DT/44)

6.1 The **Chairperson** invited the Committee to take up the draft resolution in Document DT/44 based on proposal EUR/32/229, to which attention had already been drawn by the delegate of Switzerland.

6.2 The **delegate of Saudi Arabia**, after recalling that the whole issue had been debated at length, said that his delegation and others had expressed strong opposition to the proposal when it had first appeared as an amendment to the Convention and continued to oppose it now that it had taken the form of a draft resolution.

6.3 The **delegate of Switzerland** said that the draft resolution had been toned down in comparison with the original proposal, since it now merely instructed RRB itself to examine ways of improving the transparency of its working methods in order to ensure a proper balance between the interests of the Radiocommunication Bureau and administrations, particularly in regard to satellite networks. It was to report to the next WRC, and not to the plenipotentiary conference. The draft resolution was supported by 39 CEPT administrations.

6.4 The **Chairperson**, referring to the call for a proper balance between the interests of the Bureau and administrations, believed that there should be no question of opposing the interests of administrations and those of officials, whether elected or permanent, since the interests of administrations were paramount.

6.5 The **delegate of Luxembourg** proposed that, in order to meet some of the concerns that had been voiced, *considering c)* and the second sentence of *resolves to instruct the Radio Regulations Board* should be deleted, which left only the question of transparency and reporting to the next WRC.

6.6 The **delegate of Algeria** pointed out that RRB was a consultative body whose task it was to interpret certain provisions and transmit its findings to the Director of the Radiocommunication Bureau, who in turn transmitted them to administrations. For the first time ever, a consultative body was being asked to report to a WRC. It was the responsibility of the Director to report to WRC on all matters relating to the functioning of RRB. Furthermore, it was the responsibility of administrations to make proposals to WRC on the working methods of RRB. So he failed to see the purpose of the draft resolution.

6.7 The **delegate of Luxembourg**, responding to the comments of the previous speaker, proposed a modification to the third sentence of the *resolves to instruct the Radio Regulations Board* paragraph consisting in adding the words "via the Director of the Radiocommunication Bureau".

6.8 That proposal was **approved**.

6.9 The **Chairperson** proposed that the words "possible changes to the Radio Regulations" in the *invites the next world radiocommunication conference* paragraph should be replaced by "possible action in this respect", and that the draft resolution, as amended, should be submitted to the Plenary with a note indicating that two delegates had objected to it.

6.10 It was so **agreed**.

## 7 Closure of the work of the Committee

7.1 The **delegate of Turkey**, speaking on behalf of the Committee, congratulated the Chairperson on having successfully completed the Committee's heavy workload.

7.2 The **Chairperson** said that it had been a pleasure to work with the members of Committee 6.

**The meeting rose at 2150 hours.**

The Secretary:
A. GUILLOT

The Chairperson:
A. BERRADA

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 348-E**
**21 January 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-FIRST PLENARY MEETING

Wednesday, 4 November 1998, at 1750 hours

**Chairperson:** Mr. Thomas SIEBERT

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Status of Palestine in ITU (continued) | 106+Corr.1-4, 115, 116, 175, 284, 285, 286 |

## 1 Status of Palestine in ITU (continued) (Documents 106 + Corrigenda 1-4, 115, 116, 175, 284, 285 and 286)

1.1 The **delegate of Saudi Arabia**, referring to Document 106, said that many countries considered the Palestinian Authority, with which they dealt directly on political and economic issues, as being the Government of the Palestinian State and, on that basis, had proposed to admit Palestine as a Member State of the Union. However, he understood that that proposal met with opposition from a number of countries. The draft resolution on the status of Palestine in ITU contained in Document 284 represented a compromise which would bring the status of Palestine as observer into line with that accorded to it by the General Assembly of the United Nations. It would confer additional rights to raise points of order and to co-sponsor draft resolutions and decisions on Palestinian and Middle East issues. It would enable Palestine to develop the direct international network links currently denied to it and would confer upon it what was, in his view, a very minimum in regard to its legitimate technical rights. He said that he was prepared to withdraw Document 106 on the understanding that the draft resolution in Document 284 was adopted.

1.2 The **delegate of Israel** said that she did not consider the draft resolution to be a compromise. Introducing Documents 115, 116, 175, 285 and 286, which presented the views of Israel, she regretted that the work of the Conference was being diverted into a politically motivated course of action which would have serious consequences in a number of areas.

1.3 The Palestinian Authority was not a sovereign state and therefore could not be admitted as a Member State of the Union. Further, to create a special observer status for the Authority would create confusion within ITU and would be in direct contravention of its Constitution, Convention and Administrative Regulations. She emphasized that any attempt to consider the PLO observer as an administration in accordance with No. 1002 of the Constitution would be a clear violation of the Union's basic instruments. Any attempt to bypass constitutional procedures would be damaging to ITU and it would discriminate among observers and, in the long term, it would undermine its credibility. She reserved her right to seek the opinion of the Legal Affairs Unit on the question.

1.4 Any attempt to change the observer status would also be in violation of both the Interim Agreement of 1995 between the State of Israel and the Palestinian Authority and the Wye River Memorandum of 23 October 1998. Article V of the Wye River Memorandum regarding unilateral actions stated specifically that "neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip in accordance with the Interim Agreement". Such action would also be in violation of Resolution 32 of the Plenipotentiary Conference (Kyoto, 1994) which recognized the existence and importance for ITU itself of the bilateral agreements signed by Israel and the Palestine Liberation Organization. Those agreements and the process of dialogue should not be interfered with by ITU but rather aided and encouraged. Both the peace process itself and the progress made within the framework of the bilateral agreements would be jeopardized by the proposal before the meeting. In particular, the Joint Technical Committee (JTC) set up in the Interim Agreement had successfully dealt with telecommunication issues and had permitted the Palestinian telecommunication sector to develop rapidly and effectively.

1.5 Referring to Document 116, she listed a number of areas, including frequency assignment, unlawful operation of ISPs, and measures to combat the millennium bug, in which significant progress had been made by Israel and the Palestinian Authority. There had been a number of frequency assignments and other agreements between the two parties. Israel and the Palestinian Authority were working in close and fruitful cooperation in the telecommunication sector. To jeopardize that cooperation would be to harm the economic and technical development achieved through the Interim Agreement.

1.6 In summary, any enhancement of the PLO observer status was a serious constitutional matter: the basic instruments of ITU were binding on all Member States; and even if all the constitutional requirements for amending the Constitution were met, the peace process between Israel and the Palestinians would be damaged, particularly at such a sensitive juncture in the negotiations. She called on all Member States to oppose any proposal to enhance PLO observer status or to apply the attributes of an administration to the PLO or the Palestinian Authority.

1.7 The **delegate of Saudi Arabia** said that the delegate of Israel had referred to the PLO as an observer: the correct term was Palestine, as reflected in the resolutions and decisions of ITU. The State of Israel had been the first to acknowledge the Palestinian National Authority as the legitimate Government of Palestine. It was not acceptable that Israel should speak on behalf of the Palestinian people within ITU. In her intervention, the delegate of Israel had focused on the relationship between Israel and Palestine. However, ITU was an intergovernmental body which dealt with matters at an international level: many countries wished to enter into dialogue with Palestine on telecommunication issues and ITU was the appropriate forum for that dialogue. Palestine had been accorded enhanced observer status by the United Nations General Assembly and it was proposed to mirror that status in the Union. In drafting the proposal contained in Document 284, the Arab group had made many concessions: the resolution did not call for the accession of Palestine to membership of ITU, nor did it call for Palestine to be recognized as an administration. The purpose of the resolution was not to gain political ends, but rather to accord Palestine its technical rights. On the basis of that compromise, he requested that the resolution be adopted by the Plenipotentiary Conference.

1.8 The **delegate of the United States** said that ITU had a crucial responsibility to facilitate the technical development of a modern global communication system. It was important to maintain the focus on technical concerns rather than to devote time to political issues. The United States did not question the right of the Palestinians to participate as an observer; however, the proposal to enhance that status without following correct ITU procedure was contrary to the Convention. The right to raise points of order and to co-sponsor resolutions could not be properly granted without amending the Convention and to seek to amend the Convention by adoption of a resolution would set a damaging precedent. Israel and Palestine had made a profound commitment to resolve their differences through negotiation. The United States had made and would continue to make every effort to facilitate that dialogue. However, it was not for ITU, a technical body, to take political actions which might impede the peace process in the Middle East. The United States, therefore, could not agree to the proposal contained in Document 284.

1.9 The **delegate of Israel** emphasized that Israel had not been consulted in the drafting of the resolution and it did not, therefore, represent a compromise, but an extreme position. Furthermore, under the Interim Agreement, the Palestinians themselves had agreed to allow Israel to represent their interests in the telecommunication sector in ITU until such time as final status negotiations should begin. She pointed out that Article 42 of the ITU Constitution allowed Member States to conclude special arrangements for telecommunication matters within their jurisdiction which did not concern other Member States. She did not accept that the decision by the United Nations General Assembly to upgrade the status of Palestine as an observer had any bearing on matters within ITU as the constitutional procedures of the two bodies were entirely different.

1.10 The **delegate of Algeria**, raising a point of order under No. 399 of the Convention, moved for closure of the debate. The issues involved were clear to all. He requested that the Conference proceed to a secret ballot on the adoption of the resolution contained in Document 284. His intervention was supported by the **delegate of Egypt**.

1.11 The **delegate of Israel**, supported by the **delegate of Micronesia**, opposed the motion to close the debate as there had not been time to hear the responses of other delegations.

1.12 The **delegate of Comoros**, raising a point of order under No. 422 of the Convention, moved that voting on closure of the debate be held by secret ballot.

1.13 The **Chairperson** having noted that that intervention was supported by more than five delegations present and entitled to vote, it was **agreed** that the motion to close the debate would be decided by secret ballot.

1.14 The **Chairperson of Committee 2** informed the meeting that the delegation of Bahrain had entrusted its power to vote to the delegation of Saudi Arabia.

1.15 The **Chairperson** announced that the tellers appointed after consultation were the delegates of Brunei Darussalam, Cameroon, Guyana, Spain and Ukraine. After reminding the meeting of the voting procedures, as set forth in the Convention, he announced the commencement of the voting.

1.16 The **Secretary of the Plenary Meeting** called the roll of the 147 Member States entitled to vote, present or represented.

1.17 The results of the voting were as follows:

| | |
|---|---|
| Number of ballot papers | 147 |
| Number of decisive ballots | 118 |
| Abstentions | 16 |
| Required majority | 60 |
| Votes in favour | 85 |
| Votes against | 17 |

1.18 **The motion was carried by 85 votes to 17, with 16 abstentions.**

1.19 The **delegate of the United States**, speaking on a point of order, sought clarification on the meaning of *resolves* 1 of the draft resolution in Document 284, to which the **Chairperson** replied that the debate having been closed by a decisive vote, he could not address that question and must proceed immediately to the vote on Document 284.

1.20 The **delegate of Israel** requested the Chairperson to examine No. 405 of the Convention - to be read in conjunction with No. 391 of the Convention - concerning the competence of the Conference to vote on the draft resolution.

1.21 The **delegate of Saudi Arabia**, raising a point of order, said he objected to any further discussion of the question raised by the delegate of Israel.

1.22 The **Chairperson** ruled that inasmuch as the remarks of the delegate of Israel concerned the competence of the Plenary and not the substance, the matter could be addressed.

1.23 The **delegate of Morocco**, speaking on a point of order, pointed out that since competence was not included in Nos. 390 to 391 of the Convention governing motions and points of order, the debate was necessarily one of substance, which could not be reopened once it had been closed.

1.24 The **delegate of Israel**, speaking on a point of order, said that No. 405 of the Convention provided that any question of competence must be settled before a vote was taken. The Plenary was not at that juncture competent to act in violation of the Constitution and Convention; proper

amendment of those instruments was required before a vote could be taken; and Article 42 of the Convention showed that the Plenary was not competent to intervene in the internal affairs of a Member State. She requested a legal opinion, if necessary through the Secretary-General.

1.25 The **Chairperson** reiterated that the delegate of Israel had questioned the competence of the Conference, with no reference to substance. He invited the Secretary-General to express his opinion.

1.26 The **delegate of Morocco**, speaking on a point of order, observed that not only did No. 59 of the Constitution authorize the Conference to deal with telecommunication questions, but the precedents established at the 1992 and 1994 Plenipotentiary Conferences conferred on the Conference the power to address the question of Palestine. Recalling that the Conference had refused the offer of a legal adviser made at the first Plenary Meeting, he reiterated that the Secretary-General was the Union' s legal representative and not the legal adviser to the Conference.

1.27 The **delegate of Israel**, raising a point of order, objected to the reference made by the delegate of Morocco to the substance of the matter. She pointed out that the issues concerning Palestine dealt with at the two previous Plenipotentiary Conferences had been very different, and she endorsed the request of the delegate of the United States for clarification of the subject of the vote as stated in *resolves* 1 of the draft resolution.

1.28 The **delegate of Saudi Arabia**, speaking on a point of order, said that acceptance of the inclusion of the issue of Palestine in the agenda signified the Union' s decision to address it, as did acceptance of the vote to close the debate. He objected to any further discussion of the document and demanded that the Chairperson proceed with the vote.

1.29 The **delegate of Lebanon**, speaking on a point of order, said that since No. 405 of the Convention cited by the delegate of Israel referred only to matters under discussion, it could not apply to Document 284. Under No. 399 of the Convention, the Chairperson was obliged to proceed immediately to the vote on substance, without any further intervention.

1.30 The **delegate of Israel**, speaking on a point of order, said that No. 405 provided that any question of competence that might arise must be settled before a vote was taken on the substance of the matter.

1.31 The **Chairperson** said that under No. 405 a motion for competence took precedence over a consideration of the substance of the proposal under discussion. However, irrespective of the merits of the competence issue, if the Conference itself decided that it was competent - *inter alia*, by a vote - it could then proceed. Precedents existed for the Conference to decide on its own competence to take up the issue. Accordingly, he would put the competence issue to a vote.

1.32 The **delegate of Saudi Arabia**, speaking on a point of order, said that the delegate of Lebanon had clarified the issue and that the Conference must now complete the procedure on which it had embarked, by putting Document 284 to a vote by secret ballot.

1.33 The **delegate of Israel**, speaking on a point of order and supported by the **delegates of Micronesia** and **the United States**, said that if the question of competence was put to a vote, her delegation would request a roll-call vote.

1.34 The **delegate of Syria**, speaking on a point of order, said that under No. 399 of the Convention the deadline for the raising of points of order was the closure of the debate.

1.35 The **Chairperson** said that the motion for closure of debate had been a procedural motion, and the rule clearly stated that a motion on the competence could be advanced at any time before a

vote on the substance was taken. Accordingly, Israel's point of order had been raised in a timely manner. The only way properly to resolve the competence issue was to put it to a vote of the Conference, which alone had authority to resolve the question.

1.36 The **delegate of Saudi Arabia**, speaking on a point of order, formally requested the Secretary-General to advise the Conference as to the correctness of the procedures it was following.

1.37 The **Secretary-General** said he was of the view that, now that the debate had been closed, the Conference should proceed immediately to a vote on the substance of Document 284.

1.38 The **delegate of Israel**, speaking on a point of order, said that the Chairperson of the Plenary had already ruled on the matter and that her delegation accepted his decision. She requested that a purely legal opinion be delivered to the floor before a vote was taken.

1.39 The **delegate of South Africa**, speaking on a point of order, said that technicalities were delaying the work of the Conference. Eighty-five delegations had voted in favour of closing the debate, in the full knowledge that, under No. 399 of the Convention, if the debate was closed the Conference would immediately move to a vote on the substance of the issue. Through that vote, the Conference had already declared its competence on the issue. The meeting should now vote, not on the issue of competence, but on the substance of Document 284.

1.40 The **Chairperson** asked whether there was support for the approach proposed by South Africa.

1.41 The **delegate of the United States**, speaking on a point of order, said his delegation wished to support the Chairperson's initial ruling that the issue of competence be put to a vote.

1.42 The **delegate of Morocco**, speaking on a point of order, requested the Chairperson to ask delegations in favour of the approach proposed by South Africa, which his delegation supported, to indicate their support by a show of hands.

1.43 The **delegate of Israel**, speaking on a point of order, said it was not possible to change the question put to a vote after the vote had been completed. She repeated her request for a roll-call vote, which had been seconded.

1.44 The **delegate of Saudi Arabia** supported the approach proposed by South Africa, which was also the one advocated by the Secretary-General. To adopt that approach would require a brave decision, but it was the right one.

1.45 The **Chairperson**, speaking in explanation of his earlier statement, said he had ruled that the motion raised by Israel with respect to competence had been raised in a proper and timely manner, before a vote on the substance and after the vote on the procedural question; but that irrespective of the merits of the competence issue, if the Conference itself decided that it was competent, it could then proceed. However, he had not ruled that the Conference would thus proceed in that manner. In the light of the statement by the Secretary-General, the proposal by South Africa and the decisive vote on closure of the debate, the Conference would now proceed to a vote on the substance of Document 284, as proposed by South Africa.

1.46 The **delegate of the United States**, speaking on a point of order, reminded the Chairperson that a proposal for a vote on the question of competence had been moved and seconded. Under No. 430 of the Convention, when there were two or more proposals on any one matter, they must be put to the vote in the order in which they were presented, unless the meeting decided to be contrary.

1.47 The **Chairperson** said that the procedure had advanced beyond the stage of proposals; the point of order should have been raised earlier.

1.48 The **delegate of Israel**, speaking on a point of order, asked why her duly seconded request for a roll-call vote had been set aside in favour of a proposal to change the question put to a vote after the vote had been taken. She reiterated her request that the ITU Legal Adviser make a statement on the issue of the Conference' s competence to bypass the Constitution and Convention.

1.49 The **delegate of the United States**, speaking on a point of order, again referred to the requirements of No. 430 of the Convention. Moreover, he seconded the request by Israel for a statement to be made by the Legal Adviser on whether the Conference had competence to bypass the Constitution in the manner proposed. The request by one delegation for a statement to be made by the Secretary-General had been heeded; a similar request by Israel and United States had been disregarded.

1.50 The **delegate of Saudi Arabia**, speaking on a point of order, said that despite the attempts by some delegations to delay the inevitable, the time had now come to proceed to a vote on Document 284.

1.51 The **Chairperson** said that, regrettably, the politics of issues sometimes assumed greater proportions than the issues themselves. Despite the efforts made by many delegations to avoid that outcome, he had always suspected that ultimately it would only be possible to resolve the issue through a vote by secret ballot. Were a vote to be taken on the question of competence, a precise framing of the issue would be very difficult to achieve. The sense of the meeting seemed to be that, following the outcome of the vote on the closure of the debate, it was time to proceed to a vote on Document 284. Furthermore, the Conference now needed to move its work forward. Accordingly, a vote on the draft resolution contained in Document 284 would be held forthwith, by secret ballot.

1.52 The **delegate of Israel**, speaking on a point of order regarding the voting procedures, said that her delegation was not satisfied regarding the failure to resolve the competence issue before a vote was taken, and reserved the right to revert to the matter at a later stage.

1.53 The **Chairperson** announced that the delegates of Brunei Darussalam, Cameroon, Guyana, Spain and Ukraine would act as tellers, and announced the commencement of the voting.

1.54 The **Secretary of the Plenary Meeting** called the roll of the 147 delegations, present or represented, having the right to vote.

1.55 The results of the voting were as follows:

| | |
|---|---|
| Number of ballot papers: | 120 |
| Number of decisive ballots: | 93 |
| Abstentions: | 27 |
| Required majority: | 47 |
| In favour: | 55 |
| Against: | 38 |

1.56 The draft resolution contained in Document 284 was thus **approved**.

**The meeting rose at 2105 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Corrigendum 1 to Document 349-E**
**5 March 1999**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-SECOND PLENARY MEETING

Wednesday, 4 November 1998, at 2220 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 3.22 by the following text:

3.22 In the light of minor modifications, draft Resolution COM5/1 was **approved**.

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 349-E**
**21 January 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-SECOND PLENARY MEETING

Wednesday, 4 November 1998, at 2220 hours

**Chairman:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Status of Palestine in ITU (continued) | 106+Corr.1-4, 115, 116, 175, 284, 285, 286 |
| 2 | Fifth series of texts submitted by the Editorial Committee for first reading (B.5) (continued) | 279+Corr.1 |
| 3 | Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) | 222(Corr.1) |

## 1 Status of Palestine in ITU (continued) (Documents 106+Corrigenda 1-4, 115, 116, 175, 284, 285, 286)

1.1 The **delegate of Israel**, speaking on a point of order, said that she did not believe that at the twenty-first Plenary Meeting five delegations had supported the calling of a vote by secret ballot on the draft resolution in Document 284. Only three delegations had supported the calling of that vote by secret ballot; the five delegations had supported the calling of a vote by secret ballot on the procedural issue, i.e. the motion for the closure of the debate.

1.2 In explanation of her delegation's vote, she said that Israel had voted against the draft resolution because it considered that the question of competence had not been resolved and that the Legal Adviser had not been consulted on the issue, or if so, the advice given had not been heeded. Having noted that No. 422 of the Convention had been violated as a result of the vote, she said that Israel would reserve the right to make extensive reservations to the resolution when signing the Final Acts, and to interpret the Interim Agreement and the Wye River Memorandum accordingly. Lastly, the State of Israel intended to continue to implement its international and bilateral commitments, and wished the Palestinian telecommunication sector continued prosperity and development.

1.3 The **delegate of the United States** said that, although he respected the outcome of the vote, he shared the views expressed by the previous speaker; the integrity of constitutionalism in ITU had been severely damaged by the vote.

## 2 Fifth series of texts submitted by the Editorial Committee for first reading (B.5) (continued) (Documents 279+Corrigendum 1)

2.1 The **Chairperson** invited the meeting to continue its consideration of Document 279 and Corrigendum 1.

**Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities**

2.2 The **delegate of China** proposed that the square brackets in ADD 233A and ADD 233C should be deleted.

2.3 It was so **agreed**.

2.4 The **Chairperson of Committee 6,** having pointed out that the note concerning [MOD 240] had been omitted from the French version of Document 279, said that the APT countries had had some difficulty with MOD 240 when it had been discussed in Committee 6; the provision had accordingly been placed in square brackets.

2.5 The **delegate of Japan** said that the content of MOD 240 flowed from the adoption of ADD 233C, and proposed the deletion of the square brackets.

2.6 It was so **agreed**.

2.7 ADD 233A, ADD 233B, ADD 233C and MOD 240, as amended, were **approved**.

**Article 20 (CV) - Conduct of business of study groups**

2.8 The **delegate of Japan**, speaking as the chairperson of the informal group established at the twentieth Plenary Meeting to consider the interrelated texts of Article 3 (CS), Article 20 (CV) and Resolution COM5/12, said that a number of compromises had been reached. For the purpose of clarity, her group suggested that the word "Sector" in ADD 246A (Article 20 (CV)) should be replaced by "Member States and Sector Members", and that the word "formal" should be added before "consultation" in ADD 246A-246C. The square brackets could then be deleted from Article 20 (CV) . Furthermore, in order to harmonize the provisions of the Convention with Resolution COM5/12, the group had suggested the addition of a new paragraph, ADD 246C*bis*, reading as follows: "The application of Nos. 246A-246C above shall be in accordance with Resolution COM5/12".

2.9 In order to make the text of ADD 28C (Article 3 (CV)) consistent with the other relevant provisions, the group had suggested the deletion of the square brackets and the amendment of the text as follows: "...provisions of the Convention and the relevant decisions of the Plenipotentiary Conference, ...". As a consequence of the suggested amendments, the word "formally" should be inserted before "consulting" in the *having adopted* section of Resolution COM5/12; the square brackets should be removed from that section and from the *resolves* part of the resolution.

2.10 The **delegate of Mali** said that it was rather difficult to follow the proposed amendments read out by the previous speaker and suggested that they should be submitted in writing for subsequent consideration.

2.11 The **Chairperson of Committee 6** said that the addition of a new ADD 246C*bis* would mean that Resolution COM5/12 was incorporated by reference in the Convention. He would caution against taking such a step since the slightest amendment to that resolution would mean that the new provision would have to be ratified by Member States.

2.12 The **delegate of Syria** said that he had some difficulty with the words "consultation of Member States" in ADD 246A; additional wording might have to be included to make it clear that all three Sectors and not just ITU-T were being referred to.

2.13 The **Chairperson** suggested that consideration of Article 20 (CV) should be deferred. The delegate of Japan should be requested to submit her proposals in writing, taking account of the views expressed at the present meeting.

2.14 It was so **agreed**.

**Chapter II - General provisions regarding conferences and assemblies**

2.15 MOD (Title) was **approved**.

**Article 23 (CV) - Invitation and admission to plenipotentiary conferences when there is an inviting government**

2.16 MOD 256, MOD 262A and MOD 263 were **approved**.

**Article 24 (CV) - Invitation and admission to radiocommunication conferences when there is an inviting government**

2.17 The **delegate of Morocco** suggested that consideration of MOD 280 be deferred until a draft amendment had been submitted by the Chairpersons of Committee 5 and 6.

2.18 It was **agreed** to defer consideration of Article 24.

**Article 25 (CV) - Invitation and admission to radiocommunication assemblies, telecommunication standardization assemblies and telecommunication development conferences when there is an inviting government**

2.19 MOD (Title), MOD 285, MOD 286 and MOD 298 were **approved**.

**Article 26 (CV) - Procedure for convening or cancelling world conferences or assemblies at the request of Member States or on a proposal of the Council**

2.20 MOD (Title), MOD 299-302, MOD 304-307 and MOD 309 were **approved**.

**Article 27 (CV) - Procedure for convening regional conferences at the request of Member States or on a proposal of the Council**

2.21 MOD (Title) and MOD 310 were **approved**.

**Article 28 (CV) - Provisions for conferences and assemblies meeting when there is no inviting government**

2.22 MOD (Title) and MOD 311 were **approved**.

**Article 29 (CV) - Changes in the place or dates of a conference or an assembly**

2.23 MOD (Title), MOD 312 and MOD 313 were **approved**.

**Article 30 (CV) - Time-limits and conditions for submission of proposals and reports to conferences**

2.24 MOD 316 and MOD 318-322 were **approved**.

**Article 31 (CV) - Credentials for conferences**

2.25 MOD 324, MOD 327, MOD 332, MOD 334, MOD 335 and MOD 339 were **approved**.

**Chapter III - Rules of procedure**

2.26 SUP (Chapter III) was **approved**.

**Article 32 (CV) - Rules of procedure of conferences and other meetings**

2.27 ADD 339A, (MOD) 340 and SUP 341-467 were **approved**.

**Article 32A (CV) - Right to vote**

2.28 ADD 340A, ADD 340B and ADD 340C were **approved**.

**Article 32B (CV) - Reservations**

2.29 The **delegate of the Netherlands** said that, as she recalled, Committee 6 had agreed to put square brackets around the wording "until such time...deposited with the Secretary-General" in ADD 340E proposed by Spain. She would prefer Nos. 445 and 446 of the Convention to be retained since she did not support a provision that would enable Member States to make reservations up until ratification, which could, in practice, mean any time over the following four years. The **delegates of Japan, Belgium** and **the Philippines** supported that position.

2.30 The **delegate of Spain,** supported by the **delegates of Algeria, Colombia** and **France**, said that the Member States that had signed the Final Acts should have an opportunity to enter reservations until ratification. The ratification process did not normally take four years. When the Secretary-General advised Member States of ratification by other Member States, he would also inform them of any reservations that had been entered.

2.31 The **Chairperson of Committee 6** noted that ADD 340D and F corresponded to Nos. 445 and 446 of the Convention, and pointed out that any delegation had the right to raise a matter discussed in committee in the Plenary.

2.32 The **Chairperson** said that it would be difficult to reconcile the two positions at the present juncture and suggested that Article 32B (CV) should be left pending to allow the parties concerned to hold informal consultations.

2.33 It was so **agreed**.

**Article 33 (CV) - Finances**

2.34 MOD 468, MOD 469, MOD 470, SUP 471, MOD 472 and MOD 473 were **approved**.

2.35 The **delegate of the United States**, after recalling that his own delegation and other CITEL member countries had proposed the deletion of [NOC 474], said that while the United States supported reasonable efforts to strengthen the finances of the Union, it did not believe that the imposition of interest on arrears was either viable or necessary. It was important for ITU to recognize the wide variety of budgetary practices followed by Member States, not all of which were in a position to conform to ITU's procedures. Above all, the elimination of interest on arrears would align the Union with most, if not all, other United Nations specialized agencies.

2.36 The **delegate of the Netherlands** pointed out that the provision in question had been in the Convention for some time and gave Member States a powerful incentive not to fall into arrears. Financial discipline being essential, he supported the retention of No. 474.

2.37 The **delegate of Morocco**, endorsing the previous speaker's comments, considered that No. 474 should be revised to make allowance for the fact that in some countries the national budget was not ready by 1 January. An interest-free period of some two to three months should be foreseen for administrative arrangements to be made to pay the Union.

2.38 The **delegate of Canada** supported the delegate of Morocco, as did the **delegate of Syria**, who queried whether it was true that other United Nations agencies did not charge interest on arrears.

2.39 The **delegate of the United States** observed that the imposition of interest on arrears did not appear to have achieved its objective, since 53 out of 188 Member States were in arrears.

2.40 It was **agreed** to defer further consideration of NOC 474.

2.41 SUP 475 and MOD 476-478 were **approved**, subject to a correction to the Spanish text of MOD 476 raised by the **delegate of Cuba**.

2.42 The **delegate of Syria** said that the reference to Member States in MOD 479 should be deleted since they belonged *ipso facto* to all three Sectors. In addition, his delegation had reservations regarding the right of ITU-D Sector Members to choose the 1/16 unit class of contribution since it did not cover the cost of participating in a study group. Accordingly "1/16" should be placed in square brackets.

2.43 The **Chairperson** noted that the Syrian proposal was supported.

2.44 The **Chairperson of Committee 4** said that the terms "Member State" and "Sector Member" had been defined and both should appear when reference was made to all those participating in the work of a Sector. While understanding the point raised by the delegate of Syria, he considered it essential to mention both Member States and Sector Members in MOD 479.

2.45 The **Chairperson of Committee 6** said that the delegate of Syria was perfectly correct.

2.46 The **Chairperson** urged the Chairpersons of Committees 4 and 6 to seek a solution to the problem, and proposed that meanwhile consideration of MOD 479 be deferred.

2.47 It was so **agreed**.

2.48 MOD 480 was **approved**.

2.49 The **delegate of Senegal** said that he was still seriously concerned by ADD 480A, which stipulated that financial contributions from Sector Members should be identified for the Sector for which they were made. In his view, that provision would greatly complicate the future financial management of the Union and would not be conducive to solidarity and the close cooperation between Sectors called for in No. 119 of the Constitution.

2.50 The **Chairperson of Committee 7** said that his Committee had approved ITU-2000 recommendation 9/4 in principle, leaving it to Committee 6 to improve the wording.

2.51 The **delegate of Mali**, endorsing the views of the delegate of Senegal, urged the Conference not to adopt ADD 480A which, in his view, was tantamount to programming the demise of the Development Sector. Recalling the imperative need for a spirit of solidarity at the present turning-point in the life of ITU, he proposed that any decision on the matter be deferred to the next Plenipotentiary Conference.

2.52 After the **Chairperson** had noted that there was widespread support for the deletion of ADD 480A, the **delegate of Canada** said that, while appreciating the views of the delegates of Senegal and Mali, he considered that the wishes of Sector Members also needed to be taken into account. The text approved by consensus by the ITU-2000 Group represented a reasonable course of action and should be maintained. In practice, he felt sure that it would not have any harmful effect on the contributions made to the Development Sector.

2.53 The **delegate of Denmark** endorsed the views of the delegate of Canada, as did the **delegate of Germany**, who observed that the private sector was looking forward with considerable interest to the outcome of the whole package of ITU-2000 recommendations, which were of great importance for ITU's future cooperation with the private sector.

2.54 The **delegate of Saudi Arabia** associated himself with the position of Senegal and Mali. Adoption of ADD 480A would amount to an attempt to split up the Sectors in budgetary terms and could have only dire consequences. The spirit of solidarity which had prevailed before the birth of the Development Sector should be maintained.

2.55 The **Chairperson** suggested that the delegates of Senegal and Canada meet to attempt to bridge the gap between their respective positions and that meanwhile ADD 480A be left in abeyance.

2.56 It was so **agreed**.

2.57 SUP 481-483 and ADD 483A were **approved**.

2.58 The **delegate of Japan** noted that MOD 484 was related to the cost recovery principle which was the subject of a draft resolution in Document DT/52(Rev.1). Since that matter had not yet been taken up by the Plenary, she proposed that MOD 484 be placed in square brackets and revisited after the discussion on cost recovery.

2.59 It was so **agreed**.

2.60 NOC 485-487 were **approved**.

**Article 35 (CV) - Languages**

2.61 In reply to a question from the **delegate of the United Arab Emirates** concerning MOD 491, the **Co-Chairperson of Committee 7** (General Management) and the **delegate of Portugal** confirmed that MOD 491 referred to the use of additional languages other than the six official and working languages that were the subject of Article 29 of the Constitution.

2.62 MOD 490-495 were **approved**.

**Article 37 (CV) - Rendering and settlement of accounts**

2.63 MOD 497 and MOD 498 were **approved**.

**Article 38 (CV) - Monetary unit**

2.64 MOD 500 was **approved**.

**Article 40 (CV) - Secret language**

2.65 MOD 505 and MOD 506 were **approved**.

**Article 41 (CV) - Arbitration: Procedure**

2.66 MOD 510 was **approved**.

**Article 42 (CV) - Provisions for amending this Convention**

2.67 MOD 523 was **approved**.

**Annex to Resolution [XXX] - Rules of procedure of conferences and other meetings of the International Telecommunication Union**

2.68 The **delegate of Japan** asked whether the rules of procedure contained in the annex under consideration had the same legally binding nature as the Constitution and the Convention. As they appeared in an annex to a resolution, they should obviously be respected, but the Japanese delegation understood that there would be no need to ratify any changes that might be made to them.

2.69 The **Chairperson** suggested that administrations that had difficulty with the legal status of the annex consult the Legal Affairs Unit.

2.70 The **delegate of Syria** said he had been under the impression that the rules of procedure for conferences and other meetings would be placed in an instrument that was as strongly binding as the Constitution and the Convention and could be changed only at a treaty-making conference. As that did not appear to be the case, he reserved his position on the status of the annex.

2.71 The **Chairperson of Committee 6**, supported by the **delegate of Mali**, pointed out that since the rules of procedure were referred to in Article 32 of the Constitution, the new instrument was binding on all Member States.

2.72 The **delegate of Argentina**, speaking as one of the authors of the draft resolution, said that he had been advised that the new instrument would not have the same legal status as the Constitution or the Convention but would be linked to those instruments through specific provisions. National administrations would not be required to ratify, accept, approve or accede to the new instrument each time an amendment was introduced. The express purpose of the study of the group of experts set up in Resolution 12 (Geneva, 1992) and continued in Resolution 8 (Kyoto, 1994) had been to create an instrument that could be revised frequently, with as little administrative red tape as possible.

2.73 The **delegate of Germany** said it would be helpful to identify the links with the Constitution and the Convention. Article 32 of the Constitution presently referred back to the Convention.

2.74 The **delegate of the Philippines** said it was her view that if the annex was considered legally to be an instrument of the Union, its title should be added to the list in No. 29 of the Constitution. Section 25 of the annex indicated that amendments could be made only at plenipotentiary conferences; it should also specify whether ratification, acceptance, approval and accession to the amendments would be required.

2.75 It was **agreed** to defer further consideration of the annex to Resolution [XXX] in Document 279.

## 3 Third series of texts submitted by the Editorial Committee for first reading (B.3) (continued) (Document 222 (Corrigendum 1))

3.1 The **delegate of the United Kingdom**, speaking as chairperson of the drafting group responsible for the modification of certain texts in Document 222, introduced Corrigendum 1 to Document 222 and explained the changes that had been made. He noted in particular the substantive change in *instructs the Director of the Radiocommunication Bureau* in draft Resolution COM5/1, which had been made in response to concern about the management of WRCs.

**Article 11A (CV) - Radiocommunication Advisory Group**

**ADD [147A]**

3.2 The **delegate of Mexico**, supported by the **delegates of Colombia, Ecuador** and **the Islamic Republic of Iran**, suggested that the strictly advisory nature of RAG be reflected by the addition of the words "and will act through the Director" at the end of the provision. The **delegate of the Philippines** said she also supported the proposal, noting that the unique structure of the Radiocommunication Sector included a treaty-making conference.

3.3 The **delegate of the United Kingdom** called the attention of the Plenary to ADD 147H and ADD 147I in Document 279, which required the preparation and submission of a report to the Director, indicating what action was to be taken. The provisions under consideration in Corrigendum 1 to Document 222 simply listed the activities of RAG; the composite provision indicated clearly that RAG had no executive authority. That view was supported by the **delegates of Germany** and **Denmark**.

3.4 ADD [147A] was **approved**, with the amendment proposed by the delegate of Mexico.

**ADD [147B]**

3.5 **Approved.**

**ADD [147C]**

3.6 In response to a comment by the **delegate of Mexico** on the Spanish text, the **delegate of Spain** said that the Spanish-speaking delegates would align the Spanish and English texts in the Editorial Committee.

3.7 It was so **agreed.**

3.8 The **delegate of Saudi Arabia**, supported by the **delegates of Germany** and **Denmark**, suggested that the end of the provision read "... as directed by a conference of the Union, a radiocommunication assembly or the Council".

3.9 ADD [147C], as amended, was **approved.**

**ADD [147D]**

3.10 The **delegate of Spain**, in response to a suggestion from the **delegate of Mexico**, said that the wording of ADD [147D] in Spanish would be brought in line with the English text.

3.11 ADD [147D] was **approved.**

**ADD [147E]**

3.12 The **delegate of the Philippines** suggested that the words "provide guidelines for" be replaced by "propose", to reflect RAG's advisory capacity.

3.13 The **delegate of the United Kingdom** said that the present text had been carried over from the 1994 Plenipotentiary Conference and the previous Radiocommunication Assembly. Any guidelines created by RAG were provided as advice to the Director; only the Assembly could implement them. In practice, the working methods of study groups were adopted by the Assembly but RAG often gave useful advice when additional guidelines were needed, which facilitated the work of the study groups.

3.14 ADD [147E] was **approved.**

**ADD [147F], ADD [147G], ADD 175C, MOD 177, MOD 178, MOD 180, ADD 181A**

3.15 **Approved.**

**Article 13 (CV) - World Telecommunication Standardization Assembly**

3.16 The **delegate of Syria** commented that an amendment relevant to the Standardization Sector, such as MOD 184, went beyond the mandate of the drafting group.

3.17 MOD (Title) and MOD 184 were **approved.**

**Resolution COM5/1 - World radiocommunication conference process**

3.18 The **delegate of Syria** suggested that the review of the efficiency of WRCs proposed in *noting d)* of the draft resolution was not appropriate, even if it were done by RAG. He proposed that the text be revised to read "... is planning to review the WRC structure to ensure its effectiveness."

3.19 The **delegate of the United Kingdom**, supported by the **delegates of Germany** and **Denmark**, said that the proposed wording was drawn verbatim from the Strategic Plan that had already been adopted by the Plenary (Document 189). The change in wording proposed by the delegate of Syria restricted the review to the structure of the WRC, whereas it was intended to be more comprehensive.

3.20 The **delegate of Syria** said that he could not find text in Document 189 that specifically empowered RAG to review the efficiency of the WRC process.

3.21 The **delegate of the United Kingdom** said that the wording represented a decision taken by RAG at its previous meeting in preparation for its meeting in February 1999.

3.22 Draft Resolution COM5/1 was **approved**.

**The meeting rose at 0020 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 350-E**
**21 January 1999**
**Original: French**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-THIRD PLENARY MEETING

Thursday, 5 November 1998, at 0940 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Fourth and fifth series of texts submitted by the Editorial Committee for first reading (B.4 and B.5) (continued) | 266, 279 |

# 1 Fourth and fifth series of texts submitted by the Editorial Committee for first reading (B.4 and B.5) (continued) (Documents 266, 279)

**Resolution COM7/15 - Strengthening the regional presence (Document 279)**

1.1 Following consultations, the **delegate of Canada** proposed the amendment of *instructs the Director of BDT, in close consultations with the Secretary-General and the Directors of BR and TSB* 5 as follows: delete the text after the words "the Union as a whole," and replace it with "and that, to supervise the implementation of funds-in-trust projects, they have the requested autonomy, the decision-making authority and the appropriate means".

1.2 Speaking on behalf of the group of Arab countries, the **delegate of Syria** noted that in the past the Regional Office for the Arab countries in Cairo had five staff. For reasons which were unclear, it now had only two. When the Council considered the matter it should envisage reverting to the original structure of the office, and appoint five professionals. The *considering* part of the resolution on strengthening the regional presence should be read in the light of that comment.

1.3 The comment was **noted**.

1.4 Resolution COM7/15, as amended, was **approved**.

**Article 8 (CV) - Radiocommunication Assembly (Document 279)**

1.5 The **delegate of the United Kingdom** said that since the issues concerning the radiocommunication advisory group had been settled he could accept the wording of ADD 137A preferred by some delegations. The provision would therefore read as follows: "A radiocommunication assembly may refer specific matters within its competence to the radiocommunication advisory group for advice".

1.6 The **delegate of Syria** drew attention to the fact that *noting d)* in Resolution COM5/1 on the world radiocommunication conference process had been left pending, and the **delegate of the United Kingdom** said that in the light of the decisions taken that paragraph could be deleted.

1.7 It was so **agreed**.

1.8 ADD 137A, as amended, was **approved**.

**Article 10 (CV) - Radio Regulations Board (Document 279)**

1.9 The **delegate of the United Kingdom** suggested, following the decision of the Plenary at an earlier meeting, that No. 139 should be deleted (on the understanding that the composition of the RRB would appear in the Constitution), ADD 147H be retained and ADD 147I be deleted as, in view of the adoption of ADD 137A, it was no longer necessary.

1.10 It was so **agreed**.

**Articles 16 and 16A (CV) - Telecommunication development conferences and Telecommunication Development Advisory Group (Document 279)**

1.11 The **delegate of Senegal** suggested that the same amendment should be made to Article 16 (ADD 213A) as to Article 8, and that ADD 213J should be deleted.

1.12 The **Chairperson** noted that the proposal received wide support.

1.13 The **delegate of South Africa**, without firmly opposing the proposal made by the delegate of Senegal in regard to ADD 213A, said that world development conferences met less frequently than radiocommunication assemblies and it might therefore be valuable to strengthen the function of the Telecommunication Development Advisory Group.

1.14 The **delegate of Senegal** said that he understood the comment made by the previous speaker. His proposal was not aimed at systematic alignment of the provisions relating to the various Sectors; in fact, the proposal was more a matter of coincidence than harmonization. The situation was not the same in the various Sectors. The Development Sector was not subject to the same technical constraints as the other two. Furthermore, the advisory groups had a fairly broad structure. It had been decided, for example, on the basis of an excellent proposal by Saudi Arabia, that representatives of bilateral cooperation and development aid agencies and multilateral development institutions could be invited by the Director of BDT to participate in the meetings of the advisory group (ADD 213K). It seemed difficult to require such a broadly constituted body to prepare a report for the world development conference but it was quite feasible to ask for its advice.

1.15 The **delegate of Syria**, who stressed the fact that the three Sectors were different, and the **delegate of Mali** supported the proposals by the delegate of Senegal concerning Article 16 (ADD 213A) and Article 16A (ADD 213J).

1.16 Referring to ADD 213B in Article 16A, the **delegate of Syria** said that at an earlier meeting he had proposed replacing the words "chairmen of study groups" by "chairmen and vice-chairmen of study groups". He recalled that the vice-chairmen of study groups represented regions. Even if his proposal was not reflected in the text of the Convention, he wished it to be taken into consideration.

1.17 The **Chairperson** said that he would transmit that comment to the Editorial Committee.

1.18 ADD 213A, ADD 213B and ADD 213K, as amended, were **approved** and ADD 213J was **deleted**.

1.19 The **Chairperson of Committee 6** said that Article 16A would become Article 17A.

**Article 20 (CV) - Conduct of business of study groups (Document 279) and Resolution COM5/12 (Document 266)**

1.20 The **delegate of Japan** said that the delegations which had taken part in the informal consultations on the article had finally reached the following consensus. ADD 246A, ADD 246B and ADD 246C would remain unchanged and the square brackets surrounding them would be deleted. It had also been proposed that a new No. 246C*bis* should be added, reading word for word the same as the *resolves* of Resolution COM5/12 (Document 266), except for the beginning of the first sentence which would read as follows: "Nos. 246A to 246C above shall not be used for Questions and Recommendations having policy or regulatory implications such as: ...". The square brackets around MOD 247 and ADD 247A would be deleted and those provisions would remain unchanged. The square brackets around part of ADD 28C (Article 3 of the Constitution) would be deleted, as well as the square brackets still remaining under *having adopted* and *resolves* in Resolution COM5/12.

1.21 The **delegate of Mexico**, referring to ADD 246A, proposed that the words "Le Secteur"/ "The Sector" should be replaced by the words "Les Membres des Secteurs"/"Sector Members" in the French and English versions so as to align them on the Spanish version which referred to "Los Miembros de los Sectores".

1.22 It was so **agreed**.

1.23 The **delegate of Syria** recalled that it had been decided to add the word "formal" before the word "consultation" in ADD 246A and ADD 246B.

1.24 The **delegate of Germany** said that, since the *resolves* part of Resolution COM5/12 had been incorporated in Article 20 of the Convention, the resolution was no longer needed.

1.25 The **delegates of Japan, Canada** and **Denmark** were against deletion of Resolution COM5/12, along with the **delegate of Syria**, who emphasized that the *resolves* of the resolution could be applied as from the end of the Plenipotentiary Conference, which was not the case for the new No. 246C*bis*.

1.26 The **delegate of the United States** said that his administration withdrew the reservations it had made in regard to the amendments to Article 20 of the Convention.

1.27 Resolution COM5/12 (Document 266), along with ADD 28C of the Constitution and ADD 246A, ADD 246B, ADD 246C, ADD 246C*bis*, MOD 247 and ADD 247A of the Convention (Document 279), as amended, were **approved**.

**Article 24 (CV) - Invitation and admission to radiocommunication conferences when there is an inviting government (Document 279)**

1.28 The **Chairperson** said that a joint proposal for amendment of MOD 280 would be submitted later by the Chairpersons of Committee 6 and Committee 5.

1.29 The **Chairperson of Committee 6** said that, in general, when an article of the Convention referred to Sector Members, it meant Sector Members of the Sector in question and not Sector Members of any Sector.

1.30 The **delegate of the United States** asked whether the expressions "recognized operating agencies" should not be replaced by "Sector Members" in MOD 272 and MOD 280.

1.31 The **Chairperson of Committee 6** said that the ITU-2000 Group's proposal to replace the expression "recognized operating agencies" by "Sector Members" in the Convention and the Constitution had not been accepted. He wished to know whether the delegate of the United States wanted the terms to be changed only in the two provisions mentioned or throughout the Convention. In the latter event, the amendments would have an effect on the Radio Regulations.

1.32 The **delegate of the United States** reserved the right to return to the issue.

**Article 32B (CV) - Reservations (Document 279)**

1.33 The **delegate of the Netherlands**, after consultation with a number of delegations, proposed that the beginning of the paragraph in ADD 340E should be amended as follows: "Any Member State that, during a plenipotentiary conference, reserves its right to make reservations as specified in its declaration when signing the Final Acts, ...". She also proposed deleting the word "Similarly" in ADD 340F and adding, after "decision" and before the semicolon, the words: "at the end of the conference adopting that revision".

1.34 The **delegate of Syria** said that he accepted that amendment provided that the Secretary-General notified all Member States whether, on the subject of an amendment to the Constitution or the Convention, he had received reservations from Member States which, after the Plenipotentiary Conference, had deposited their instruments of ratification, acceptance or approval of or accession to that amendment.

1.35 ADD 340D, ADD 340E, ADD 340F and ADD 340G were **approved**, subject to the amendments proposed by the delegate of the Netherlands.

**Article 33 (CV) - Finances (Document 279)**

**NOC 474**

1.36 The **delegate of the United States** reiterated that his administration wished No. 474 of the Convention to be deleted for the reasons given at the twenty-second Plenary Meeting.

1.37 The **Chairperson of Committee 6** proposed the following compromise solution: "The amounts due shall bear interest from the beginning of the fourth month of each financial year of the Union at 3% (three per cent) per annum during the following three months ...". The **delegate of Mali** supported the proposal.

1.38 After an exchange of views with the **Chairperson of Committee 6**, the **delegate of the United States** said that he could accept the proposal that had been made provided that the views of his administration were reflected in the minutes of the meeting.

1.39 The amendments to NOC 474 were **approved**.

**MOD 468 and MOD 479**

1.40 The **Chairperson** recalled that the Chairperson of Committee 6 had proposed deleting the words "for Member States and" in MOD 479. The **delegate of Syria** said that he had requested that the Editorial Committee should leave the fraction 1/16 between square brackets in MOD 479 until the relevant financial decisions had been taken.

1.41 The **delegate of Canada** said that the provision was important as it specified that the 1/4, 1/8 and 1/16 unit classes of contribution were not applicable to either ITU-R or ITU-T but were valid only for the Telecommunication Development Sector.

1.42 The **delegate of Senegal** said that there was a contradiction between MOD 479 and MOD 468, which indicated that the 1/8 and 1/16 unit classes were reserved for the least developed countries.

1.43 The **Chairperson of Committee 6** said that a small working group had considered the matter and proposed the following solution: to delete the asterisks and corresponding text from MOD 468 and to add two new provisions: ADD 468A and ADD 468B. ADD 468A would read as follows: "Only Member States listed by the United Nations as least developed countries and those determined by the Council may select the 1/8 and 1/16 unit classes of contribution". ADD 468B would read as follows: "Sector Members may not select a class of contribution lower than 1/2 unit, with the exception of Sector Members of the Telecommunication Development Sector, which may select the 1/4, 1/8 and 1/16 unit classes". No. 479 would be deleted. Finally, the first sentence of MOD 468 would be amended as follows: "The scale from which each Member State, subject to the provisions of No. 468A below, and Sector Member, subject to the provisions of No. 468B below, shall choose its class of contribution ...".

1.44 The **delegates of Denmark, Germany** and **Saudi Arabia** supported the proposals.

1.45 The **delegate of Syria** proposed adding the following sentence to ADD 468B: "However, the 1/16 unit class is reserved for Sector Members of developing countries".

1.46 Following an exchange of views between the **Chairperson of Committee 6**, the **delegate of Germany** and **the Director of BDT**, it was suggested that the proposal made by the delegate of Syria in regard to ADD 468B be amended as follows: "However, the 1/16 unit class is reserved for Sector Members of developing countries as determined by the list established by the United Nations Development Programme (UNDP) to be reviewed by the ITU Council".

1.47 The **delegate of Japan** said that in his country some Sector Members had already chosen the 1/16 unit class of contribution, which meant that if the proposal under consideration were adopted they might withdraw from the activities of the Union.

1.48 The **delegate of South Africa** said that ADD 468B should be worded in such a way that it was quite clear that the Sector Members in the developing countries could, if they wished, select a higher contribution than the 1/16 unit class.

1.49 That comment was **noted**.

1.50 MOD 468, ADD 468A and ADD 468B, as amended, were **approved**.

1.51 The **Secretary of the Plenary** said that the adoption of ADD 468A and ADD 468B rendered No. 479 and MOD 479 superfluous and he therefore proposed that No. 479 be deleted.

1.52 It was so **agreed**.

**ADD 480A**

1.53 The **delegate of Morocco,** who pointed out that the ITU-2000 Group had preferred the word "identified" to the word "attributed" as a compromise, proposed requesting the Editorial Committee to align the French version on the English version in regard to the word "identified".

1.54 It was so **agreed**.

1.55 The **delegates of Senegal, Canada** and **Saudi Arabia** proposed that consideration of ADD 480A should be deferred pending consensus in the informal consultations on the provision, which was considered by many delegations to be fundamental.

1.56 It was so **agreed**.

**Annex to Resolution [XXX] - Rules of Procedure of conferences and other meetings of the International Telecommunication Union (Document 279)**

1.57 The **Chairman of Committee 4** said that the Rules of Procedure set out in Document 279 were practically identical to the Rules of Procedure contained in Chapter III of the Convention.

1.58 The **Chairperson of Committee 6** indicated the few changes which had been made as compared with the Rules of Procedure set out in the Convention. Rules 1 and 1*bis* were new. Wording had been added to the end of Rule 37 and Rule 47. Rule 61 had been amended to the effect that, in the event of a motion for closure of debate, the floor could be given to three speakers, as against two formerly (see No. 399 of the Convention). A purely editorial amendment had been made to Rule 76. The provisions concerning the right to vote (Section 13) and reservations (Section 16) had been inserted under Article 32A and Article 32 of the Convention respectively. Finally, Section 25 (Proposal, adoption and entry into force of amendments to these Rules of Procedure) was new.

1.59 The Rules of Procedure of conferences and other meetings of the International Telecommunication Union, as set out in Document 279, were **approved**.

1.60 The **delegate of Japan** said that the Rules of Procedure should not be annexed to a resolution since, although they had less force than the basic instruments of the Union, they had more force than a resolution. He therefore proposed that the words "Annex to Resolution [XXX]" should be deleted.

1.61 The **delegate of Morocco** thought that it was not absolutely necessary, in legal terms, for the Rules of Procedure to be annexed to a resolution in order to be approved.

1.62 The **delegate of Syria** supported the proposal by the delegate of Japan. In his view, the Rules of Procedure should take precedence over all other rules and procedures of ITU governing conferences and meetings, in particular those adopted by WRCs. The Syrian delegation also deplored the fact that the question of status of the Rules of Procedure which had just been approved should be raised at such a late stage. In his opinion, the Rules of Procedure should have the same status as the basic instruments of the Union.

1.63 The **delegate of Denmark** recalled that the text and status of the Rules of Procedure had been known since 1996, which was when the Council had approved Document 96/13 containing the draft text; the addendum to that document had specified that the text could take the form of an annex to a resolution of the Plenipotentiary Conference.

1.64 The **Chairperson** invited participants to continue the discussion under the relevant agenda item.

**The meeting rose at 1235 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Corrigendum 1 to Document 351-E**
**5 March 1999**
**Original: English**

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-FOURTH PLENARY MEETING

Thursday, 5 November 1998, at 1345 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 5.22 by the following text:

5.22 The **Chairperson** proposed that the delegates of Australia, Saudi Arabia, Syria, the United States, Spain and other interested delegations should discuss the proposed amendments informally with a view to submitting an agreed text to the next Plenary Meeting.

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 351-E**
**21 January 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-FOURTH PLENARY MEETING

Thursday, 5 November 1998, at 1345 hours

**Chairman:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Fifth series of texts submitted by the Editorial Committee for first reading (B.5) (continued) | 279 + Corr.1, 308 |
| 2 | Second series of texts submitted by the Editorial Committee for second reading (R.2) | 222(Corr.1), 296 + Add.1 |
| 3 | Third series of texts submitted by the Editorial Committee for second reading (R.3) | 303 |
| 4 | Report by the Chairperson of Committee 5 (continued) - ITU-2000 recommendation 13 | 114 |
| 5 | Cost recovery for some ITU products and services | 292 |

## 1 Fifth series of texts submitted by the Editorial Committee for first reading (B.5) (continued) (Documents 279 + Corr.1, 308)

1.1 The **Chairperson** invited the meeting to resume consideration of Document 279 and Corrigendum 1, to review a number of items left in abeyance.

**Article 24 (CV) - Invitation and admission to radiocommunication conferences when there is an inviting government**

1.2 The **Chairperson**, referring to MOD 271, noted that it had been agreed to delete the words "with the exception of the reference to Article 23", and, with reference to MOD 272, to replace the words "recognized operating agencies" by "Sector Members".

1.3 Subject to those amendments, MOD 217 and MOD 272 were **approved**.

1.4 The revised text of MOD 280 contained in Document 308 was **approved**.

1.5 The **delegate of Australia** said that, while he had no objection to the text just approved, it did restrict the ability of operating agencies which were not Sector Members to participate in their own right.

**Article 32 (CV) - Rules of procedure of conferences and other meetings**

1.6 The **Chairperson of Committee 6**, replying to a question by the **delegate of France**, said that the revised text of ADD 369A, set forth in Document 308, did not in any way change the status of observers at a world conference.

1.7 ADD 369A was **approved**.

**Article 33 (CV) - Finances**

1.8 The **delegate of Senegal**, referring to ADD 480A, currently in square brackets, said that agreement had been reached on a proposed new text, worded: "When a Sector Member contributes to defraying the expenses of the Union under No. 159 of the Constitution, the Sector to which the contribution is made should be identified".

1.9 ADD 480A, as thus amended, was **approved**.

1.10 With the exception of MOD 484, left pending under Article 33 (CV), the fifth series of texts submitted by the Editorial Committee (B.5) was **approved** as a whole on first and second readings.

## 2 Second series of texts submitted by the Editorial Committee for second reading (R.2) (Documents 222(Corr.1), 296 and Addendum 1)

2.1 The **Chairperson** invited the meeting to consider the texts contained in Document 296.

**Article 3 (CS) - Rights and obligations of Member States and Sector Members**

2.2 The **Chairperson of Committee 4**, replying to a question by the **delegate of Mexico** relating to ADD 28A, said that he constantly urged careful clarification of the various categories of membership of the Union, in view of the confusion which could arise following the recent changes in terminology. In the case of the Spanish text, confusion probably arose from the use of a capital

letter M in the phrase "...del Sector de que sean Miembros", the corresponding word for members in the English and French versions having a small "m".

2.3 The **Vice-Chairperson of Committee 4** said that, as he understood it, Article 3 related to the rights and obligations of the Union membership as a whole. The relevant word in the Spanish text should have appeared with a small "m".

2.4 On that understanding, ADD 28A and ADD 28B were **approved**.

**Article 8 (CS) - Plenipotentiary Conference**

2.5 MOD 47 was **approved**.

**Article 11 (CS) - General Secretariat**

2.6 ADD 73A, MOD 74, MOD 75 and MOD 76 were **approved**.

**Article 12 (CS) - Functions and structure**

2.7 MOD 83 and ADD 84A were **approved**.

**Article 13 (CS) - Radiocommunication conferences and radiocommunication assemblies**

2.8 MOD 90 and MOD 91 were **approved**.

**Article 15 (CS) - Radiocommunication study groups and advisory group**

2.9 MOD (Title) and MOD 102 were **approved**.

**Article 17 (CS) - Functions and structure**

2.10 MOD 104 and ADD 108A were **approved**.

**Article 21 (CS) - Functions and structure**

2.11 ADD 132A was **approved**.

**Article 23 (CS) - Telecommunication development study groups and advisory group**

2.12 MOD (Title) was **approved**.

2.13 MOD 144 was **approved**, subject to an editorial amendment to place the words "study groups" before "advisory group".

**Article 31 (CS) - Legal capacity of the Union**

2.14 MOD 176 was **approved**.

**Article 33 (CS) - The right of the public to use the international telecommunication service**

2.15 MOD 179 was **approved**.

**Article 37 (CS) - Secrecy of telecommunications**

2.16 MOD 184 was **approved**.

**Article 42 (CS) - Special arrangements**

2.17 MOD 193 was **approved.**

**Article 44 (CS) - Use of the radio-frequency spectrum and of the geostationary-satellite and other satellite orbits**

2.18 MOD (Title) and MOD 196 were **approved.**

**Article 54 (CS) - Administrative Regulations**

2.19 MOD 223 was **approved.**

**Article 1 (CV) - Plenipotentiary Conference**

2.20 MOD 2, MOD 4 and MOD 6 were **approved.**

**Article 2 (CV) - Elections and related matters**

2.21 MOD 7, MOD 8, MOD 9 and MOD 12 were **approved.**

**Article 3 (CV) - Other conferences and assemblies**

2.22 MOD (Title), MOD 23, MOD 24, MOD 25, MOD 27, SUP 29, MOD 30, MOD 34, MOD 39, MOD 41, MOD 42, MOD 44 and MOD 46 were **approved.**

**Article 4 (CV) - The Council**

2.23 MOD 50, MOD 50A, MOD 53, MOD 55, MOD 56, MOD 57, MOD 58, MOD 60, ADD 60A, MOD 75, MOD 79 and MOD 81 were **approved.**

**Article 5 (CV) - General Secretariat**

2.24 ADD 87A and MOD 102 were **approved.**

**Article 6 (CV) - Coordination Committee**

2.25 MOD 109 was **approved.**

**Article 7 (CV) - World radiocommunication conference**

2.26 MOD 117, MOD 118, MOD 121 and MOD 123 were **approved.**

**Article 8 (CV) - Radiocommunication assembly**

2.27 Consideration of MOD 131 was **deferred.**

2.28 MOD 136 was **approved.**

**Article 9 (CV) - Regional radiocommunication conferences**

2.29 MOD 138 was **approved.**

**Article 11 (CV) - Radiocommunication study groups**

2.30 MOD 149, ADD 149B, MOD 150 and MOD 151 were **approved.**

**ADD Article 11A (CV) - Radiocommunication Advisory Group**

2.31 The **delegate of the United Kingdom**, responding to questions by the **Chairperson of Committee 6** and the **delegate of Syria**, said that agreement had been reached on the text appearing in Corrigendum 1 to Document 222 (third series of texts submitted for first reading), with some additional amendments: in ADD 147A, the words "and will act through the Director" were to be added to the end of the text; and in ADD 147C the words "and any specific matters as directed by a conference of the Union, a radiocommunication assembly or the Council" were to be added at the end. With those amendments, and subject to consequential renumbering, the text contained in that document relating to Article 11A (CV) was to be taken as the text submitted for second reading. In addition, there was to be an ADD 160H, the text of which was taken from ADD 147H appearing in the fifth series of texts submitted for first reading (Document 279).

2.32 As so amended, Article 11A (CV) was **approved**.

**Article 12 (CV) - Radiocommunication Bureau**

2.33 MOD 164, MOD 169, ADD 175A, ADD 175B, MOD 177, MOD 178 and MOD 180 were **approved**.

2.34 The **delegate of the United Kingdom**, referring to ADD 181A, said that, as a result of consultations, it had been agreed to remove the square brackets and to add the words "in accordance with Article 11A" after the words "to be reviewed by the Radiocommunication Advisory Group".

2.35 ADD 181A, as amended, was **approved**.

**Article 13 (CV) - World telecommunication standardization assembly**

2.36 MOD (Title) was **approved**.

2.37 MOD 184 was **approved**, the word "telecommunication" having been added editorially before "standardization assembly".

2.38 MOD 185-187, (MOD) 190 (NOC in English) and ADD 191B were **approved**.

**Article 14 (CV) - Telecommunication standardization study groups**

2.39 MOD 192, MOD 194 and MOD 197 were **approved**.

**Article 15 (CV) - Telecommunication Standardization Bureau**

2.40 MOD 200-204, ADD 205A, ADD 205B and ADD 205C were **approved**.

**Article 16 (CV) - Telecommunication development conferences**

2.41 MOD 213 was **approved**.

**Article 17 (CV) - Telecommunication development study groups**

2.42 ADD 215A and ADD 215B were **approved**.

**Article 18 (CV) - Telecommunication Development Bureau**

2.43 MOD 222, (MOD) 223, ADD 223A, ADD 223B, MOD 224 and MOD 225 were **approved**.

**Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities**

2.44 MOD 229, MOD 230, MOD 233, MOD 234 and MOD 237-239 were **approved**.

**Article 20 (CV) - Conduct of business of study groups**

2.45 MOD 242 and MOD 243 were **approved**.

**Article 42 (CV) - Provisions for amending this Convention**

2.46 MOD 519, MOD 520, MOD 524 and MOD 526 were **approved**.

2.47 The **delegate of Syria** placed on record that his delegation would have preferred the addition of the words "and all reservations" at the end of the text of MOD 526.

**Annex (CV) - Definition of certain terms used in this Convention and the Administrative Regulations of the International Telecommunication Union**

2.48 MOD 1002 was **approved**.

**Resolution COM5/7 - Stable procedures for the election of Member States to the Council, elected officials and members of the Radio Regulations Board**

2.49 Resolution COM5/7 was **approved**, subject to editorial change of the word "established" to "stable" in *resolves to instruct the Council* 1 and 2.

**Resolution COM5/8 - Strategic Plan for the Union 1999-2003**

2.50 Resolution COM5/8 was **approved**, the square brackets in *considering b)* being deleted.

**Resolution COM5/9 - Assistance and support to Bosnia and Herzegovina for rebuilding its telecommunication networks**

2.51 Resolution COM5/9 was **approved**.

**Resolution COM5/10 - Assistance and support to Burundi, Liberia, Rwanda and Somalia for rebuilding their telecommunication networks**

2.52 Resolution COM5/10 was **approved**.

**Resolution COM5/11 - Evaluation of the administrative due diligence procedure for satellite networks adopted by the World Radiocommunication Conference (Geneva, 1997)**

2.53 Resolution COM5/11 was **approved**.

**Resolution COM5/13 - Role of the Secretary-General of the ITU as depositary for memoranda of understanding**

2.54 Resolution COM5/13 was **approved**.

**Resolution COM3/1 - Approval of the arrangements between the Government of the United States of America and the Secretary-General of the International Telecommunication Union relating to the Plenipotentiary Conference (Minneapolis, 1998)**

2.55 Resolution COM3/1 was **approved.**

**Article 38 (CS) - Establishment, operation and protection of telecommunication channels and installations**

2.56 ADD 189A was **approved.**

**Article 39 (CS) - Notification of infringements**

2.57 MOD 190 was **approved.**

**Article 54 (CS) - Administrative Regulations**

2.58 ADD 216A, SUP 217, ADD 217A-D, MOD 218, SUP 219-221, ADD 221A, ADD 221B and SUP 222 were **approved.**

**Article 3 (CV) - Other conferences and assemblies**

2.59 MOD 33 was **approved.**

**Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities**

2.60 ADD 241A was **approved.**

**Resolution COM7/11 - Review of the contribution of Sector Members towards defraying the expenses of the International Telecommunication Union**

2.61 The **delegate of Japan** said that, following the rapid approval of the text of Resolution COM7/11 on first reading, with the last-minute amendment proposed by the delegate of Syria, strong views had been expressed by many Sector Members who had been unable to voice their opinion in the discussion. He therefore proposed adding a new *noting* paragraph before the *resolves* section to read: "that new provisions in No. 468B of the Convention may cause problems to the Sector Members who have already chosen the class of contribution 1/16 and that the situation should be reviewed," and inserting the phrase "and the review of the implications of No. 468B of the Convention" after the words "Sector Members" in *resolves* 2.

2.62 The **Chairperson** said that, while appreciating the spirit in which those proposals were put forward, he could not accept the amendments as they were of a substantive nature. He reminded the Conference that at the present stage of its proceedings only editorial amendments could be made.

2.63 The **delegate of Côte d'Ivoire** said that in the French text, the word "Bureau" should be in the plural.

2.64 The **Chairperson of Committee 4**, replying to a comment by the **delegate of France**, confirmed that the inclusion of a footnote to *instructs the Council* 1 making reference to proposals in Documents 13 and 41 of the Plenipotentiary Conference (Minneapolis, 1998) had been approved at the first reading but had not been included in Document 296.

2.65 The **delegate of Saudi Arabia** objected to the fact that amendments of substance were being put forward at the present stage in the discussions, a view supported by the **delegate of Senegal**. The **Chairperson** said that the only proposal of substance which had been heard had been that by the delegate of Japan, which had been ruled out of order. The reminder by the delegate of France concerning the footnote was editorial in nature.

2.66 The **Chairperson of Committee 5**, responding to a query by the **delegate of Lesotho** as to whether it was correct practice to include in the Final Acts footnotes which referred to specific proposals by administrations, said that it was common practice to include a footnote referring to conference documents without mentioning the administrations which had presented them.

2.67 Resolution COM7/11, as amended, was **approved**.

**Decision COM7/1 - Procedure concerning choice of contributory class**

2.68 Decision COM7/1 was **approved**.

**Resolution COM5/12 - Approval of Questions and Recommendations**

2.69 The **Chairperson of Committee 5**, responding to comments by the **delegates of Spain** and **Syria**, confirmed that the word "formally" should be inserted before the word "consulting" in the *having adopted* section.

2.70 Following comments by the **delegates of Japan** and **Turkey** and the **Chairperson of Committee 6**, it was **agreed** that in the *resolves* section the square brackets should be removed.

2.71 Resolution COM5/12, as amended, was **approved**.

**Resolution COM5/14 - Internet protocol (IP)-based networks**

2.72 Following a request by the **delegate of the United Arab Emirates** to include reference to the Internet "domain" in *considering d)*, the **Chairperson** said that the Editorial Committee would include that amendment if it clarified the text.

2.73 On that understanding, Resolution COM5/14 was **approved**.

**Resolution COM5/15 - Management of Internet domain names and addresses**

2.74 Resolution COM5/15 was **approved**.

**Resolution COM5/16 - International Telecommunication Regulations**

2.75 The **Chairperson of Committee 5**, responding to a request for clarification by the **delegate of India**, said that Resolution COM5/16 had been withdrawn pending the outcome of the consideration of Document 294.

**Resolution COM5/17 - Coordination and notification procedures for satellite networks**

2.76 Resolution COM5/17 was **approved**.

2.77 The **Chairperson** drew attention to Addendum 1 to Document 296, which set out the annexes to Resolution COM5/8 (Strategic Plan for the Union 1999-2003).

**Annex 1 - Strategic Plan for the Union 1999-2003**

**I Introduction**

2.78 The **delegate of Pakistan** drew attention to an inconsistency between the wording of paragraph 6 of the introduction and *resolves* 1.1 of Resolution COM5/8 concerning the Strategic Plan for the Union 1999-2003. The **Chairperson** said that the texts would be aligned by Committee 4.

2.79 The Introduction was **approved**.

**II Environmental analysis**

2.80 **Approved**.

**III General goals, strategies and priorities**

2.81 **Approved**.

**IV Goals, strategies and priorities for the Sectors**

2.82 **Approved**.

**Annex 2 - Goals, strategies and priorities for the General Secretariat and the three Bureaux**

2.83 **Approved**.

2.84 Annexes 1 and 2 to Resolution COM5/8, as amended editorially in respect of paragraph 6 of the introduction, were **approved**.

2.85 Consideration of MOD 131 having been deferred and Resolution COM5/16 withdrawn, the second series of texts submitted by the Editorial Committee (R.2), as amended, was **approved** as a whole on second reading.

## 3 Third series of texts submitted by the Editorial Committee for second reading (R.3) (Document 303)

**Resolution COM5/18 - The use of telecommunications for the safety and security of humanitarian personnel in the field**

3.1 Resolution COM5/18 was **approved**.

**Resolution COM5/19 - The role of the notifying administration in the case of an administration notifying on behalf of a named group of administrations**

3.2 Resolution COM5/19 was **approved**.

**Resolution COM7/12 - Linking strategic, financial and operational planning in ITU**

3.3 Resolution COM7/12 was **approved**.

**Annex to Resolution COM7/12 - Elements associated with operational planning**

3.4 The annex to Resolution COM7/12 was **approved.**

**Resolution COM7/13 - Documents and publications of the Union**

3.5 Resolution COM7/13 was **approved.**

**Resolution COM7/14 - Reduction of the volume and cost of documentation for ITU conferences**

3.6 Resolution COM7/14 was **approved.**

**Annex to Resolution COM7/14 - Items for consideration with a view to reducing the volume and cost of documentation**

3.7 The annex to Resolution COM7/14 was **approved.**

**Decision PLEN/1 - Treatment of decisions, resolutions and recommendations of plenipotentiary conferences**

3.8 Decision PLEN/1 was **approved.**

**Resolution COM6/1 - Working methods of the Radio Regulations Board**

3.9 Resolution COM6/1 was **approved.**

**Instrument amending the Constitution of the International Telecommunication Union (Geneva, 1992) (Amendments adopted by the Plenipotentiary Conference (Minneapolis, 1998))**

3.10 The amendments to Article 8 (CS), Article 10 (CS), Article 11 (CS), Article 13 (CS), Article 18 (CS), Article 22 (CS) and Article 25 (CS) were **approved.**

3.11 Discussion of MOD 169 in Article 28 (CS) was **deferred** pending consideration of Document 114 concerning the rights of Member States in arrears (ITU-2000 recommendation 13).

3.12 The amendments to Article 32 (CS), Article 34 (CS) and Article 55 (CS) were **approved.**

**Instrument amending the Convention of the International Telecommunication Union (Geneva, 1992) (Amendments adopted by the Plenipotentiary Conference (Minneapolis, 1998))**

3.13 The amendments to Article 3 (CV), Article 4 (CV) and Article 5 (CV) were **approved.**

3.14 The third series of texts submitted by the Editorial Committee (R.3) was **approved** as a whole on second reading, with the exception of Article 28 (CS), MOD 169, pending consideration of Document 114.

## 4 Report by the Chairperson of Committee 5 (continued) - ITU-2000 recommendation 13 (Document 114)

4.1 The **Chairperson of Committee 5** said that only the first indent of recommendation 13, in which it was recommended that Member States which were in arrears should not be elected to the Council, or to any management bodies for conferences, had been examined by Committee 5; the second indent containing a proposal to abolish the concept of special arrears accounts had been discussed in Committee 7. As no consensus had been reached in Committee 5, the recommendation had been referred to the Plenary Meeting.

4.2 The **delegate of Mauritania** said that recommendation 13 caused serious concern for certain administrations which were doing their best to participate in ITU's activities. The rapid development of telecommunications had made the role of the Council more dynamic and it was therefore more than ever necessary to show solidarity as a basis for unity. The **delegates of Mexico** and **Mali** also expressed opposition to the recommendation. The **delegates of Denmark, Germany, Netherlands** and **the United Kingdom** supported the recommendation.

4.3 After a show of cards which indicated a clear majority against the recommendation, the **Chairperson** proposed that the first indent of ITU-2000 recommendation 13 be rejected.

4.4 It was so **agreed**.

## 5 Cost recovery for some ITU products and services (Document 292)

5.1 The **delegate of Australia**, introducing the document, which had been drawn up in an ad hoc group of Committee 7 which she had chaired, said that the aim of the draft resolution was to take a clear decision to adopt cost recovery and to provide the Secretary-General and the Council with clear instructions on its implementation. The resolution was general, covering no specific cases, and its text had been agreed by all participants in the ad hoc group.

5.2 The **delegate of the United States** said that when the draft resolution had been developed, the United States had advocated exemption from cost recovery for certain networks and systems operated on a non-profit basis and without commercial services. Although that concept had been rejected in the ad hoc group, the United States continued to believe that such systems and networks as research, global positioning and meteorological satellites, that provided benefit to the world community, merited exemption from filing fees. He therefore proposed to add a subparagraph *resolves* 4 vii) which would read: "that the Council shall implement cost recovery in a way that allows for exemption of networks or systems operated on a non-profit basis and carrying no commercial services."

5.3 The **delegate of Luxembourg** was opposed to the principle of exempting certain systems. The *resolves* 4 iv) and v) subparagraph instructed the Council to take account of the special needs of developing countries and allowed all Member States a minimum level of product or services. The services referred to by the United States, such as MetSat, were in frequency bands in which the cost of processing was low due to their minimum coordination requirements. It should be left to the Council to decide how such questions should be addressed.

5.4 The **delegate of Australia**, speaking as chairperson of the ad hoc group, added that the provision proposed by the United States had been considered to be too specific for inclusion in the draft resolution. Such matters should be decided by the Council on a case-by-case basis; non-profit was also difficult to define, and there was a risk that unintended consequences might arise.

5.5 The **delegate of the Netherlands** was against the proposal from the point of view of both procedure and substance. The item was ambiguous and ill-defined.

5.6 After a show of cards, the **Chairperson** noted that there was a clear majority in favour of rejecting the United States' proposal.

5.7 The **delegate of Spain** proposed that the last part of *considering f)* should be brought into line with *resolves* 2 ii) by making it clear that the Council could also take a decision on the basis of a recommendation by a conference or assembly of a Sector.

5.8 The **delegate of the United States** said that his delegation strongly believed that only a treaty conference or the Council should have authority for cost recovery. Standardization and development conferences should not have that power. He therefore proposed the insertion of the word "treaty" before "conference" in *considering f)*.

5.9 Following further brief discussion, it was **agreed** that the text should not be limited to treaty conferences.

5.10 The **delegate of Luxembourg**, supported by the **delegate of Denmark**, said that it was important that the world telecommunication standardization assembly should also have decision-making authority in respect of cost recovery. The **delegate of Australia**, speaking as chairperson of the ad hoc group, acknowledged that point as being valid; it had been overlooked by the ad hoc group. The **delegate of the United States** having inquired which bodies of the Union would not be able to impose cost recovery, she replied that those with the necessary authority would be those at which the entire membership of the Union was represented, such as a plenipotentiary conference, WRC, standardization assembly or the Council. The **delegates of the United States** and **Saudi Arabia** said that in the light of that view they remained concerned about the scope of the draft resolution.

5.11 The **delegate of Spain** proposed that "functions" in *resolves* 2 i) should be replaced by "products and services", in order to be consistent with *resolves* 2 ii) and the title.

5.12 The **delegate of Saudi Arabia** suggested that as only a few developing countries attended assemblies, *resolves* 2 ii) should be amended to read: "for products and services for which a conference or the Council has recommended application of the principle".

5.13 The **delegate of Pakistan** said that the expression "where appropriate" in *resolves* 4 v) was unclear in that context. The paragraph should be consistent with *considering f)* to indicate that Member States should be allowed a minimum level of the product or service free of charge when it formed part of the functions of the Union.

5.14 The **delegate of Colombia** suggested that, in the same paragraph, "minimum level" should be replaced by "adequate level".

5.15 The **delegate of Saudi Arabia** emphasized that it should be clear in *resolves* vi) that the date of application was the date of the Council's decision.

5.16 The **delegate of Australia**, speaking as chairperson of the ad hoc group, said that "where appropriate" had been included because of the uncertainty as to which types of product and services would be subject to cost recovery; such details had been left to the Council. Pakistan's concerns might be met by such wording as "where these [products or services] are essential and basic functions of the Union". She had no objection to replacing "minimum" by "adequate" as suggested by Colombia. With regard to the proposal by Saudi Arabia, emphasis on the date of the Council's decision would exclude the possibility of a decision being taken by the plenipotentiary conference.

5.17 The **delegate of Saudi Arabia** proposed that in *instructs the Secretary-General* 1, the word "finalize" should be replaced by "recommend", in line with the mandate of the Secretary-General.

5.18 The **delegate of Syria** said that it was more logical for Member States and Sector Members to be consulted by the Council after it had received the Secretary-General's report. He therefore proposed that "Member States and Sector Members" be deleted from the first line of *instructs the Secretary-General*, and that the phrase "and after proper consultation with the Member States and Sector Members" be inserted after "report of the Secretary-General" in *instructs the Council* 1.

5.19 The **delegate of Australia**, speaking as chairperson of the ad hoc group, replied that the intention was that the Council should be in a position to take action as soon as possible after taking a decision: consultation with the Member States or Sector Members might result in a 12-month delay. There had also been a specific proposal in the ad hoc group that the work of the Secretary-General should include some consultation with those likely to be affected before the report stage was reached.

5.20 The **delegate of Syria** argued that the Member States constituted the highest authority in ITU and should therefore be consulted at the proper time.

5.21 The **delegate of Spain** proposed that the phrase "and shall act accordingly" be added to the end of *instructs the Council* 7.

5.22 The **Chairperson** proposed that the delegates of Australia, Saudi Arabia, the United States, Spain and other interested delegations should discuss the proposed amendments informally with a view to submitting an agreed text to the next Plenary Meeting.

5.23 It was so **agreed**.

**The meeting rose at 1635 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 352-E**
**10 February 1999**
**Original: French**

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-FIFTH PLENARY MEETING

Thursday, 5 November 1998, at 1745 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

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## 1 Cost recovery for some ITU products and services (continued) (Document 292)

1.1 The **delegate of Australia**, speaking as chairperson of the ad hoc group of Committee 7, said that further to informal consultations the following had been agreed: *considering f)* was to be deleted in order to avoid any confusion; in *resolves* 2 i), "for new functions of ITU" was to be replaced by "for new ITU products and services"; in *resolves* 4 v), "a minimum level of the product or service" was to be replaced by "an adequate level of the product or service"; and in *resolves* 4 vi), "by the Council or the Plenipotentiary Conference" was to be inserted after "decision". In *instructs the Secretary-General* 1, "finalize" was to be replaced by "recommend"; in § 2, "identify" was to be replaced by "propose"; and in § 3, "develop" was to be replaced by "propose". Lastly, the phrase "and to act accordingly" was to be added to *instructs the Council* 7.

1.2 The **delegate of Pakistan** said that account should be taken of his proposal regarding *resolves* 4 v), that products or services free of charge should be available in respect of the basic tasks of the Union. That proposal was **noted**.

1.3 Document 292, as amended, was **approved** on first and second readings.

## 2 Processing charges for satellite network filings (Documents 230, 260)

2.1 The **Chairperson of Committee 5** recalled that the application of charges to the processing of satellite network filings had been debated at length without producing a consensus; an ad hoc group had therefore been set up, and had produced the draft resolution in Document 260.

2.2 The **Chairperson of the ad hoc group of Committee 5** said that, given that Document 292 had been approved, in *resolves* 1 of the draft resolution "[adopted in Resolution DT/52]" could be replaced by "adopted in Document 292". In addition, several administrations had expressed the wish to amend *resolves* 2 to read "... concerning advance publication, and their associated requests for coordination ...".

2.3 The resolution in Document 260, as amended, was **approved** on first and second readings.

## 3 Use of languages in the Union (Document 276(Rev.1))

3.1 The **Co-Chairperson of Committee 7** (General management), introducing Document 276(Rev.1), explained that the changes of substance made to the text in Document 276 related to the *resolves* section, in which all the square brackets had been deleted and the term "shall" had been replaced by "are to be" in the English version of § 1, and to the *resolves further* section. As a compromise solution, draft Resolution COM7/16 did not set a budget figure for its implementation; that would be done when the financial ceilings applicable to the next plenipotentiary period were considered.

3.2 The **delegate of Saudi Arabia**, speaking on behalf of the Arab Member States of ITU, said that the use of languages was extremely important. In his view, the different treatment given to the various official and working languages was contrary to the spirit of the Constitution and Convention of ITU. His delegation was aware of the financial implications of the use of languages on the Union's budget, and agreed in principle that savings should be made in that area, but for all languages on an equal footing. He accepted the draft resolution under consideration despite its flaws and, in particular, despite the fact that it referred twice to implementation within the financial limits set. As the draft resolution was apparently the result of a compromise in which the resources

required for languages would be identified in the budget, it would be useful to know the amount allocated to them in the budget. In all events, consideration of the issue must cover all six languages and be taken up again when the budget was considered.

3.3 Resolution COM7/16 in Document 276(Rev.1), as amended, was **approved** on first and second readings.

## 4 Expenditure of the Union for the period 2000 to 2003 (Document 302)

4.1 The **Chairperson of the ad hoc Group of the Plenary**, introducing draft Decision COM7/2 in Document 302, confirmed to the delegate of Saudi Arabia that there was a link between the decision and Document 276(Rev.1) and that the amount given in *decides* 1.2 of the decision formed part of the set of measures that had been accepted. The draft decision, which set total expenditure at 665 million Swiss francs for 2000 to 2003, differed in some respects from Decision 1 (Kyoto, 1994): in the *decides* section, the amount that could be allocated to the three working languages Arabic, Chinese and Russian now stood at 30 million Swiss francs (§ 1.2); the principle of applying cost recovery was taken into account (§ 1.3); the Council exercised control over expenditure and income (§ 1.4), and determined the value of the contributory unit taking account of cost recovery income (§ 9). Addition of the *instructs the Secretary-General* section meant that the Council would have the data it required to establish the biennial budgets. In the *noting* section, with the addition of the word "proposed" the square brackets were to be deleted. *Decides* 5 and the text in square brackets in *decides* 6 authorized the Council to exceed the limits of the budget set in § 1.1 to take account of the changes referred to in § 4; some Member States did not approve that principle, others considered that the Council should be given greater flexibility. As a compromise, § 5 was to be reworded as follows: "that the Council may authorize expenditure beyond the amounts indicated in paragraph 1.1 in the light of the information in paragraphs 4.1, 4.2 and 4.3 above only if it is not possible in the short term to adjust an allocation of funds within the expenditure ceiling or to implement other measures to take account of these changes". In *decides* 6 the text in square brackets was to be deleted.

4.2 The **Secretary-General elect** anticipated that on the threshold of the new millennium the Union would be beset by new requests for tasks. Some were already proposed to the conference but ITU would not be able to do everything. He undertook to make every effort to make savings by increasing the Union's efficiency. Already, reductions in some expenditure on publications had been proposed, and numerous vacant posts in the secretariat had not been filled. But as the Union's budget was rigid, since 76% of it went towards staff costs, an additional 12 million Swiss francs for the use of languages meant a reduction of 8% in salary costs, which were fixed costs. Therefore, notwithstanding the ceiling proposed for the use of languages and an increase in the Union's efficiency, it would most likely be necessary to relinquish some activities, otherwise ITU would not be able to provide the required services efficiently. The membership must bear in mind that their decisions would have considerable repercussions on ITU, whose credibility was liable to suffer.

4.3 The **delegate of Senegal** said that he was at pains to understand the rationale of the decision under consideration. He understood the comments on the choices of priorities that had been made and which in his view were not in conformity with Article 1 of the Constitution of ITU. He considered that Document 302 failed to deal equitably with the requirements of countries, and he accepted neither its reference to an incomplete Financial Plan nor the allocation of a sum to one activity at the expense of others, as all activities to be financed should appear in a definitive Financial Plan. The **delegates of Mali** and **Lebanon** supported that statement.

4.4 The **Chairperson** recalled that consensus did not mean unanimity: he proposed that it be recognized that some delegations were not fully in agreement with Document 302.

4.5 The **Chairperson of Committee 7** recalled that the Financial Plan, considered by Committee 7 (Finance) on the basis of Document 42, had given rise to a long debate, leading to the preparation of the revised Financial Plan in Document DT/50(Rev.1). Committee 7 had not been able to conclude on the matter, nor to propose an approved Financial Plan to the Plenary, as many issues had been left in abeyance. At the same time, the Committee had considered draft Decision 1 in Document 302, which should help to reach an agreement on the subject. Nonetheless, the question of the draft Financial Plan had to be settled.

4.6 The **delegate of Saudi Arabia** understood the concerns of the delegates of Senegal and Mali. While supporting Document 302, he recommended that priority be given to the concerns of the developing countries, especially the LDCs, thus ensuring that the approval of any subject would not be at the expense of development. Lastly, he agreed that the Council should be given all necessary room for manoeuvre in its decision-making, but according to clear rules.

4.7 The **delegate of Egypt** supported the statement by the delegate of Senegal; it would be difficult to approve Document 302 without a financial plan.

4.8 The **delegate of Côte d'Ivoire** supported the delegate of Senegal and requested the conference to reconsider Document 302. He was supported by the **delegates of Burkina Faso, Cameroon** and by the **delegate of Pakistan**, who asked for a financial plan to be established that ensured the allocation of funds to telecommunication development taking account of the requirements of the developing countries and LDCs.

4.9 The **Chairperson** said that even if Document 302 set a financial ceiling for the activities of the Union, it was certainly not a budget in the proper sense of the term, but a framework in which the budget must be prepared. It was too late to put forward a new draft decision on the subject.

4.10 The **delegate of Senegal** said that his objections were not to the setting of a ceiling, but to what he regarded as inequitable treatment of countries' requirements.

4.11 The **Chairperson of the ad hoc Group of the Plenary** proposed that all reference to the Financial Plan should be removed from Document 302, and that the *noting* section should therefore be deleted.

4.12 It was so **agreed**.

4.13 The decision in Document 302, as amended, was **approved** on first and second readings.

## 5 Fifth series of texts submitted by the Editorial Committee for first and second readings (continued) (Document 279 and Corrigendum 1)

5.1 The **Secretary-General** said that one of the texts submitted by the Editorial Committee, namely MOD 484 of the Convention, had to be reviewed in the light of the decision taken by the conference on cost recovery. He proposed that the provision be worded as follows: "the Council shall determine criteria for the application of cost recovery for some products and services of the Union and shall revise the Financial Regulations accordingly", so as to indicate what the Council could and must do.

5.2 The **delegate of France** proposed to delete the last words, "... and shall revise the Financial Regulations accordingly", which were inappropriate in a basic text.

5.3 It was so **agreed**.

5.4 MOD 484, as amended, was **approved** on first and second readings.

## 6 Sixth series of texts submitted by the Editorial Committee for first reading (B.6) (Document 304)

**Resolution PLEN/2 - Provisional application of the changes to the composition of the Radio Regulations Board**

6.1 Resolution PLEN/2 was **approved**.

**Resolution PLEN/3 - Status of Palestine in ITU**

6.2 The **delegate of Israel** made the statement reproduced in Annex A.

6.3 Resolution PLEN/3 was **approved**.

6.4 The **delegate of Israel** having again requested that the words "Palestinian delegation" be replaced by "PLO" in *resolves* 3, the **delegate of Syria** pointed out that Resolution PLEN/3 had been approved and debate on the matter should therefore not be reopened. Furthermore, the term "PLO" had disappeared from United Nations terminology.

6.5 The **Chairperson** noted that the vast majority of participants did not support the amendment proposed by the Israeli delegation, and confirmed that Resolution PLEN/3 was approved without change.

**Resolution COM7/17 - Approval of the accounts of the Union for the years 1994 to 1997**

6.6 Resolution COM7/17 was **approved**.

6.7 The sixth series of texts submitted by the Editorial Committee was **approved** as a whole on first, then on second, readings.

## 7 Improvement of the management, functioning and structure of ITU (Documents 293, 305)

7.1 The **Chairperson of Committee 5** said that no consensus had been reached in committee on improvement of the management, functioning and structure of the Union. An informal working group had therefore been instructed to prepare a draft resolution, which was contained in Document 293.

7.2 The **delegate of Germany**, introducing draft Resolution [5/100-1] in Document 293, said that the review and improvement of the management, functioning and structure of ITU should be seen as on ongoing process. After commenting briefly on the different parts of the resolution, he stressed that the Directors of the Bureaux were instructed to consult their respective advisory groups and to report to the Council on the effectiveness of the changes made or to formulate suggestions for change. The Secretary-General was instructed to carry out a similar exercise with regard to the General Secretariat, whereas the Council was instructed to establish a working group representing the Member States and Sector Members to consider the suggestions of the Sectors and to draw on

outside expertise if considered necessary. The Council's interim report would be submitted to the Member States and Sector Members in the first instance, the final report subsequently to the next Plenipotentiary Conference.

7.3 The **delegate of Spain** said that he could not readily accept *invites the Council* 1 of the draft resolution.

7.4 The **delegate of Saudi Arabia**, introducing the draft resolution in Document 305, said that it had some points in common with the resolution in Document 293 in that it stressed the need to continue the process of improving the functioning and structuring of the Union in the light of technological development. The draft resolution in Document 305 nevertheless took account of the Plenipotentiary Conference's adoption of a number of ITU-2000 recommendations. He pointed out that "1 January 2003" should be changed to "1 January 2000" in *considering b)*.

7.5 The **delegate of the Netherlands** said that her delegation could not readily accept the date 1 January 2000.

7.6 The **Chairperson** invited the delegates of Germany and Saudi Arabia to prepare a new text jointly.

7.7 Further to informal consultations, the **delegate of Germany** said that the small group responsible for consolidating Documents 293 and 305 had noted that the documents differed more in structure than actual content, as both shared the objective of continuing to improve the balance between the rights of Member States and Sector Members and the management and structure of the Union. It had therefore been agreed to retain only Document 305, but with the following modifications: in *considering a)*, "recommendations" would be replaced by "a number of recommendations", the square brackets around *considering b)* would be deleted, and those around the date would be retained, but only until the date of entry into force of the Constitution and Convention had been set; in *resolves to invite the Council* 1, "of Member States and Sectors Members" would be inserted after "working group" and "based on the reports" would be replaced by "taking into account the reports"; and in the *invites* section, the last part of the text would be deleted as from "and pending action ...", so as to allow the conferences, assemblies and advisory groups to implement the changes that fell within their respective remits without having to wait for the next plenipotentiary conference.

7.8 He also proposed to adopt the suggestion by the **delegate of the United Kingdom**, to also delete the word "current" in the *invites* section.

7.9 The **delegate of South Africa** pointed out that two elements that appeared in the corresponding section of Document 293 were missing from the *resolves to invite the Council* section. The first related to the balanced representation of Member States and Sector Members, which was particularly important given the unbalanced composition of the ITU-2000 Group, and the second to the possibility of drawing on outside expertise if considered necessary. It should be clear that the Council had the authority to draw on outside expertise when it set up the working group.

7.10 The **delegate of France** said that the text under consideration should include the provision that appeared in Document 293, according to which the Directors of the Bureaux would be instructed to report to the Council on the effectiveness of the changes adopted at the Plenipotentiary Conference. The **delegate of Germany** regarded that addition as acceptable but not vital, in so far as no change could be proposed without an assessment of past experience and the present situation.

7.11 The resolution in Document 305 was **approved** on first and second readings, subject to the amendments proposed by the delegates of Germany and France.

## 8 Publication of the instruments of ITU (Document 301)

8.1 The **delegate of New Zealand**, introducing the draft resolution on publication of the ITU Constitution and Convention, decisions, resolutions and recommendations and the Optional Protocol on the compulsory settlement of disputes, said that the resolution had been coordinated by the delegation of Argentina once Committee 6 had completed its work.

8.2 The resolution in Document 301 was **approved** on first, then on second, readings.

## 9 Future conferences and assemblies of the Union (Document 269)

9.1 Resolution PLEN/3, in Document 269, was **approved** on first, then on second, readings.

9.2 The **delegate of Turkey** recalled that his country had been a Member State of the Union since its creation, and was extremely pleased to be hosting the next WRC in Istanbul, in spring of the year 2000.

## 10 General provisions regarding conferences and assemblies of ITU (Document 288)

10.1 The **delegate of New Zealand** said that the draft resolution on the general provisions regarding conferences and assemblies of ITU, in Document 288, had been approved unanimously in Committee 6 further to extensive debate.

10.2 The resolution in Document 288 was **approved** on first, then on second, readings.

## 11 Rules of procedure of conferences and other meetings of ITU (Document 298)

11.1 The **Chairperson of Committee 5**, referring to the debate that had taken place on the rules of procedure at the twenty-third Plenary Meeting, said that if a committee had instructed its chairperson to prepare a draft resolution to establish the rules of procedure of conferences and other meetings of the Union, the Plenipotentiary Conference could not simply note that the document containing the draft had been withdrawn. It must state clearly that it did not consider it necessary to adopt a draft resolution formally establishing the said rules of procedure, and indicate that the adoption of such a draft resolution would weaken the provisions of the rules of procedure. Notwithstanding, as the delegate of Argentina, he agreed with the decision taken not to adopt a draft resolution on the subject.

11.2 The above statement was **noted**.

## 12 Reform of the international accounting rate system and special measures concerning alternative calling procedures (Document 270)

12.1 The **delegate of New Zealand**, introducing the first draft resolution in Document 270, on reform of the international accounting rate system, said that it highlighted those aspects of that very difficult issue on which there was consensus, and served the two-fold objective of noting the progress made by ITU-T Study Group 3 and urging the study group to further accelerate its work. Nevertheless, in order to make the text more precise and balanced, he proposed several

modifications which, without altering the substance, would reflect various facts, namely: that a general agreement on trade in services had been concluded within the framework of WTO, that the problem went beyond the simple question of degrees of development, and that settlement rates could be neither the only nor the main source of financing of telecommunication development.

12.2 The **delegate of the United Kingdom** said that New Zealand's proposals were well balanced, and above all they underscored the important fact that settlement rates alone were not the cause of all the development problems faced by numerous countries. Even so, as the text's main objective was for Study Group 3 to effect its work as quickly and efficiently as possible, and since Resolution 22 (Kyoto, 1994) set that forth very clearly, it might suffice to re-adopt Resolution 22.

12.3 The **delegate of Saudi Arabia** considered that the telecommunication community could not content itself with a text adopted four years previously, as little progress had been made since. Furthermore, it was not enough simply to request an ITU-T study group to accelerate its work; ITU-T and the Development Sector had to be strongly urged to make an effort.

12.4 The **Director of TSB** said that while the progress made since the Kyoto conference could not be termed considerable, it was real. Study Group 3 met every six months and it had working parties and a task group. The most important thing, rather than establishing a new text, was to make use of the tools available by participating actively in the work and showing the willingness required if an agreement was to be reached on that extremely complex matter.

12.5 The **delegate of Syria** considered the draft resolution in Document 270 to be acceptable, along with the amendments proposed by New Zealand, with the exception of the change relating to WTO, as not all Members of ITU were members of WTO. Since however the draft resolution did not appear to meet with the approval of the majority, it might be preferable to take Kyoto Resolution 22 up again, adding to it, as a *further resolves* section, §§ 1 and 2 of the *urges ITU-T Study Group 3* section of the draft under consideration, since no one had challenged those two paragraphs. The **delegate of Germany** supported that proposal.

12.6 It was so **agreed**.

12.7 The **delegate of Mexico**, introducing the second draft resolution in Document 270, on special measures concerning alternative calling procedures, said the text was balanced in respect of ITU's geographical regions, it recognized the sovereign right of each Member State to prohibit certain or all alternative calling procedures, and it recalled the results of work by ITU-T which showed that some such procedures seriously degraded the quality and performance of the PSTN. The text should perhaps be strengthened by replacing *urges the Standardization Sector* by *resolves to urge the Standardization Sector*.

12.8 The **delegate of the United Kingdom** considered that the second inset of *recalling d)*, which referred back to Resolution 22 (WTDC-98), should, like that resolution, indicate that ITU-D and ITU-T must "collaborate so as to avoid" any duplication of work.

12.9 The second resolution in Document 270 was **approved** on first and second readings, subject to the amendments proposed by the delegates of Mexico and the United Kingdom.

## 13 International Telecommunication Regulations (Document 294)

13.1 The **delegate of Australia** said that the ad hoc group instructed to produce the final version of draft Resolution COM5/16 had endeavoured to take account of all comments made during the debate and to remove all items of potential controversy. The International Telecommunication Regulations defined the relationships between the responsibilities of Member States as regards the

management of telecommunication operators, and that posed a problem to many Member States on account of the enormous changes that had taken place in recent years. The purpose of the draft resolution was therefore to start a process, both open and cautious, aimed to provide the Council with all the necessary information for it to submit, to the next plenipotentiary conference, an opinion on the course that should be followed in this area.

13.2 The **delegate of Morocco** proposed that the text be strengthened by changing the *instructs the Council* into *resolves to instruct the Council*, to restrict § 2 thereof to "to report to the next plenipotentiary conference for it to consider the actions taken", and to add a section recommending that the next plenipotentiary conference "convene at an appropriate date a conference to revise the International Telecommunication Regulations".

13.3 The **delegate of Australia** pointed out that a plenipotentiary conference could not take decisions that committed the following conference, especially since all the other decisions in the draft resolution consisted in studying, undertaking an exploratory study and reporting, without recommending any particular solution in advance.

13.4 The **delegate of the Islamic Republic of Iran** pointed out that the text of *noting b)* in Document 294 differed from that agreed to by the ad hoc group.

13.5 After consulting the delegates of Morocco and the Islamic Republic of Iran, the **delegate of Australia** proposed to take account of the concerns expressed by deleting "..., particularly the World Trade Organization (WTO) Agreement" at the end of *noting b)*; deleting the last part of *instructs the Council* 2, from "including the convening of ..."; and adding a new section recommending that the next plenipotentiary conference "consider convening, at an appropriate date, a competent international conference to revise the International Telecommunication Regulations".

13.6 The **delegate of India** observed that, as each plenipotentiary conference was sovereign, it would be more appropriate to invite the next plenipotentiary conference to do something rather than recommend that it did so.

13.7 Resolution COM5/16 was **approved** on first and second readings, subject to the modifications proposed by the delegates of Australia and India.

## 14 Year 2000 problem (Document 295)

14.1 The **delegate of the United States** explained that the draft resolution on the Year 2000 problem had already been approved by Committee 5, but her country, which had written the draft, had wished to improve the text by taking account of several valuable suggestions made by other delegations. The text now drew attention to the resolution adopted on the matter by the United Nations General Assembly, and highlighted the work accomplished by the ITU-T Year 2000 task force. A last minute modification, suggested by the Republic of Korea, was to amend the beginning of *instructs the Director of TSB* 2 to read: "to take the necessary steps to continue to raise awareness of and to facilitate the sharing of information and experience on the Year 2000 problem, including information on ...".

14.2 The **delegate of Uganda** supported the draft resolution and recalled that its country, in Document 105, had described the work it had accomplished to cope with the Year 2000 problem.

14.3 The resolution in Document 295 was **approved** on first and second readings, subject to the amendments proposed by the delegate of the United States on behalf of the Republic of Korea.

## 15 World and regional telecommunication exhibitions and forums (Document 236)

15.1 The **delegate of France**, speaking as the chairperson of the ad hoc group of the Plenary on Resolution 11 (Kyoto, 1994), recalled that Germany, in Document 73, had proposed that the resolution be revised to stress the need for transparent selection criteria for the venues of the events and to delete reference to the city of the seat of the Union as the preferable venue for the world exhibitions and forums. The text in Document 236, which had been agreed to by all members of the ad hoc group, reflected those proposals but also stressed the need to mention the cost elements that should be included in the criteria for selecting venues, and the additional costs entailed when a world exhibition was held outside Geneva.

15.2 The **delegate of Switzerland** supported the draft resolution put forward by the ad hoc group, but said that he would like the words "taking account of the commitments made by Switzerland towards ITU" to be added to the *considering* section.

15.3 The **delegate of Senegal** said that Committee 7 had decided that all surplus income generated by TELECOM activities should be regarded as extrabudgetary income for BDT; he proposed that "..., as extrabudgetary income for the Telecommunication Development Bureau," be added after "TELECOM" in *resolves* 6.

15.4 The **delegate of South Africa** supported Senegal's proposal, and pointed out that Resolution 11 (Kyoto, 1994), dealing with the use of surplus income from TELECOM, indicated that such surplus should be used for the developing countries, and primarily for the least developed countries.

15.5 The **delegate of Algeria** said that, at its last session, the Council had indeed allocated surplus income from TELECOM to BDT activities.

15.6 The **delegate of Mali** considered that *resolves* 3 placed too much emphasis on costs. The text should stress the need for objective criteria, and leave it up to the Secretary-General and the Council to establish those criteria. Holding exhibitions outside Geneva might in fact produce savings rather than additional costs.

15.7 The **delegate of France** said that, following consultations with the delegate of Senegal, it was proposed to word *resolves* 6 as follows: "..., as extrabudgetary resources for the Telecommunication Development Bureau, ...". That was in line with the decision taken by Committee 7.

15.8 The **delegate of Canada** recalled that a steering committee had been set up to oversee the use of surplus income from TELECOM. He wondered whether that arrangement would continue under the new resolution.

15.9 The **Secretary-General** confirmed that the Council, at its 1997 session, had decided to establish the committee on projects undertaken using surplus income from TELECOM, and nothing in the resolution under consideration prevented the committee from continuing.

15.10 The resolution in Document 236 was **approved**, as amended, on first, then on second, readings.

## 16 World Telecommunication Day (Document 280)

16.1 The **Deputy Secretary-General** explained that it was the tradition for plenipotentiary conferences to adopt a draft resolution inviting the Council to choose a specific theme for each World Telecommunication Day. The draft also invited Member States and Sector Members to celebrate the day by organizing national programmes, and to inform the Secretary-General thereof so that he could prepare a consolidated document for circulation to the entire membership.

16.2 The Resolution in Document 280 was **approved** on first and second readings.

## 17 Participation of regional and international organizations as observers at plenipotentiary conferences (Document 246)

17.1 The **delegate of New Zealand** said that MOD 262A, proposed by his country in Document 246, was intended to rectify the anomaly whereby regional and other international telecommunication, standardization, financial or development organizations, which were included as Sector Members in Article 19 of the Convention (CV231), had not been included amongst those organizations which could be invited to send observers to plenipotentiary conferences.

17.2 MOD 262A was **approved** on first and second readings.

## 18 Planning of the broadcasting-satellite service (television) (Document 208 and Corrigendum 1)

18.1 The **delegate of Algeria**, introducing Document 208 and Corrigendum 1, said that, as set forth in the Constitution (CS196), radio frequencies and the geostationary-satellite orbit must be used in a way that ensured that countries or groups of countries had equitable access to both, taking into account the special needs of the developing countries and the geographical situation of particular countries. At present, the broadcasting-satellite service allowed reception of TV signals direct to home, and had a significant social, economical and cultural impact on Member States. When a country received those signals over its territory, it was practically impossible for it to determine who was responsible for the problems caused by those signals. The first WRC to have allocated frequency bands to the broadcasting-satellite service had done so on condition that the bands were used on the basis of plans adopted by WRCs; it had also limited transmissions by a country over the territory of another country to unavoidable overlap. In that manner, plans had been established for the three radiocommunication regions and for feeder links. Nevertheless, those plans, which were contained in Appendices 30 and 30A of the Radio Regulations, were now outdated and must be adapted. The 1995 and 1997 WRCs had adopted Resolutions 531 and 533 respectively, containing rules for replanning the bands in Regions 1 and 3. Unfortunately, the approaches adopted for implementation of that replanning departed from the principles contained in Appendices 30 and 30A, since they favoured the development of commercial systems with a wider coverage area, to the detriment of those countries not in a position to launch satellites in the near future. The Plenipotentiary Conference should issue a reminder of the principles in question by providing the next WRC with clear guidelines following an established order of priority. In the first instance, the requirements of national coverage should be met, by increasing the number of channels for the purpose; next, account should be taken of the requirements of subregional systems submitted on behalf of intergovernmental organizations, the requirements submitted by administrations intended to cover the territories of other countries, to the extent that they did not completely fill the frequency bands, and lastly, of the requirements for additional coverage, which must be limited to

the lifetime of the satellite providing that coverage. In conclusion, although the requests contained in the draft resolution relating to equitable access to the frequency spectrum and geostationary-satellite orbit were contained in the decisions of conferences, they had not been given an order of priority. The countries which had co-signed the draft resolution wished to see an order of priority established so as to take account of the requirements of the developing countries.

18.2 The **delegate of the United Kingdom** stressed the complexity of the subject, and pointed out that the present conference had not been able to consider Document 208, which dealt with detailed procedures which were not within its competence but within that of a WRC. The issue of replanning the broadcasting-satellite service (television) had been brought up at WRC-97 and had been the subject of work by ITU-R study groups. The agenda of WRC-2000 had been amended by the Council to include BSS. For those reasons, Document 208 should not be considered in detail.

18.3 The **Chairperson** noted that there was no support for the draft resolution, and recalled that the subject would be dealt with by WRC-2000.

18.4 The **delegate of Algeria** noted those comments, but pointed out that Document 208 had been submitted to the conference on 28 October. The working methods of the conference had not made it possible to consider the document, which raised no technical problems but a policy problem based on No. 196 of the Constitution. On behalf of all the countries that had co-signed the document, he observed that it was difficult to oppose the draft resolution without wishing to sacrifice the interests of the developing countries, given that in some cases a single country occupied the entire band allocated to BSS. He therefore wished to protest against that state of affairs.

18.5 The **delegate of the United States** made the statement reproduced in Annex B.

18.6 The above comments were **noted**.

## 19 World summit on the information society (Document 196)

19.1 The **delegate of Tunisia** said that the draft resolution on the holding of a world summit on the information society was an initiative by his country based on similar events held in the past (summits on the environment, population, etc.). The Union stood at the forefront, and must play a leading role in that very complex field and send a strong signal to all countries on the subject.

19.2 The **delegate of the United States** said that, while it was a very interesting proposal, the summit would add to a schedule of meetings that was already very heavy. Recalling that the Finance Committee had recommended zero growth, he wondered whether there were credits foreseen for the summit, whether the Member States and Sector Members would be called upon to contribute financially, or whether it would be financed by extrabudgetary resources.

19.3 The **delegate of Tunisia** said that the world summit came within the framework of the Union's strategic activities, and recalled that the Council could authorize expenditure beyond the limits set for conferences, meetings and study cycles if such excess expenditure could be offset by sums that came within the limits of credits remaining available from previous years or to be deducted from the following year. Consultations should be held between the Union and other organizations to identify what each could contribute to the summit.

19.4 The **delegate of Saudi Arabia** supported the summit proposed by Tunisia.

19.5 The **delegate of France** agreed that it was time to deal with matters related to the information society. He stressed the inter-agency nature of the project, which would highlight the driving role played by ITU.

19.6 The **Secretary-General**, while noting that no-one contested the value of the proposal, pointed out that organizing the summit on the global society posed a financial problem. He reminded delegates that the Council had to find 12 million Swiss francs in order to implement the Plenipotentiary Conference's decisions, which implied that the Union would decrease some of the products and services it had planned to provide. The conference could approve the holding of the summit on condition that extrabudgetary resources could be found. He also noted, with regard to *resolves to instruct the Secretary-General* 1, that participants at the last meetings of the United Nations Administrative Committee on Coordination had considered that enough summits had already been held. In conclusion, although the idea of the summit was attractive, nothing could be decided without financial and human resources. He invited participants not to tie the Secretary-General elect's hands with decisions that could have detrimental consequences for the Union's resources.

19.7 The **delegate of Tunisia** observed that if nothing was done over the next four years on the information society, the Union would miss the opportunity to demonstrate its pre-eminence. ITU's role, as conceived in the draft resolution under consideration, was above all that of a pioneer, and the Secretary-General was basically being invited to approach other United Nations organizations to secure their financial contribution to organizing the summit.

19.8 The **Chairperson**, summing up, proposed that the draft resolution on holding a world summit on the information society be adopted on condition that extrabudgetary funding could be found for the summit.

19.9 It was so **agreed**.

19.10 Document 196 was **approved** on first, then on second, readings.

## 20 Consideration of the instruments amending the Constitution and Convention (Document 314)

20.1 The **Chairperson of Committee 4** said that the text under consideration contained traditional provisions, the only difference with regard to previous conferences being the footnote on the resolution on gender perspective. The Conference would have to decide on the date of entry into force of the two instruments.

20.2 The **delegate of Saudi Arabia** proposed that the date of entry into force of the instruments amending the Constitution and Convention should be set at 1 January 2000.

20.3 It was so **agreed**.

20.4 On that understanding, Document 314 was **approved** on first, then on second, readings.

20.5 The **delegate of Japan** made the statement reproduced in Annex C.

## 21 Internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU Sector (Document 229)

21.1 The **delegate of Senegal** introduced Document 229, containing a draft resolution on the internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU Sector. He recalled that world telecommunication policy forums, radiocommunication assemblies, WRCs and ITU-T or ITU-R study groups often requested BDT to undertake development activities which were supposed to be covered by voluntary contributions. BDT was frequently obliged to defray the costs not covered by such voluntary contributions and, with the exception of publication sales, and UNDP contributions, which were low, it could not count on cost recovery for its external activities. It was therefore proposed that all development activities should be evaluated and billed to those requesting them.

21.2 The **delegate of Japan** recognized that BDT would have to provide its regional offices with resources and therefore to better define priorities with regard to use of resources. Although payment for BDT activities that did not come under the Development Sector's projects might be envisaged, it would be more difficult to accept the Sectors' paying for activities relating specifically to ITU-D, as that would considerably jeopardize collaboration between the Sectors and the priorities of BDT. He therefore opposed the draft resolution. The **delegate of the United States** endorsed those comments.

21.3 The **Chairperson** having proposed approval of Document 229, the **delegate of Germany** said that it would be inadvisable to approve the draft resolution without having further information as to its consequences. The **delegate of Spain** shared that position.

21.4 There being no other objections, the resolution on internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU Sector (Document 229) was **approved** on first, then on second, readings.

## 22 Special actions for LDCs (Document 47)

22.1 Document 47 was **noted**.

22.2 The **delegate of Syria**, speaking on behalf of the Arab States, asked for Resolution 32 (Kyoto, 1994) to be maintained.

22.3 The **Chairperson** said that Resolution 32 had not been deleted, therefore there was no reason to take special measures to maintain it.

## 23 Decisions of WTDC-98 (Document 30)

23.1 The **delegate of the Niger** stressed the need to take concrete measures with regard to the decisions of WTDC-98.

23.2 The decisions of WTDC-98 were **noted**.

## 24 Time-limit for the deposit of declarations/reservations

24.1 The **Chairperson** said that the time-limit for depositing declarations/reservations was set at 0100 hours on 6 November 1998.

24.2 The **delegate of Japan**, having recalled that his delegation had supported the Chairperson's guidelines on organization of the work of the conference in Plenary, nevertheless stressed that several delegations had had to approve resolutions without having been able to fully consider all the consequences. Japan would endeavour to apply as best possible the resolutions adopted, but reserved its position on texts which had been approved hastily and might have a negative impact on the Union.

**The meeting rose at 2255 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

**Annexes:** 3

# ANNEX A

Original: English

## Statement by the delegate of Israel

1 The delegation of the State of Israel hereby reserves for its Government the right:

a) to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services, should they be affected by the decisions or resolutions of this conference or by the reservations made by other delegations;

b) to take any action to avail itself of its rights to safeguard its interests should any Member State fail to comply with the requirements of the ITU Constitution and Convention (Minneapolis, 1998), or the annexes and protocols attached thereto;

c) to take any other action in accordance with its legal system.

2 Regarding the process by which Document 284 was adopted by the conference, the delegation of the State of Israel, on behalf of its Government, protests the following matters:

a) a specific request on the part of the delegation of the State of Israel for a legal opinion from the secretariat regarding the competence of the conference to vote on Document 284, in accordance with No. 405 of the Convention, was ignored, although this request was seconded by the delegation of the United States of America;

b) a specific request on the part of the delegation of the State of Israel for a roll-call vote on the matter of competence referred to in "a)" above, seconded by the delegation of the United States of America in accordance with No. 420 of the Convention, was ignored;

c) the conference took no vote whatsoever on the question of the competence of the conference to vote on Document 284, although such a vote was requested as specified in "b)" above;

d) the secret ballot taken on Document 284 itself is invalid, since it was requested by only three delegations, and not the five required by No. 422 of the Convention.

3 The delegation of the State of Israel, on behalf of its Government, protests the violation of No. 193 of the Constitution, entitled "Special Arrangements", which is inherent in Document 284.

4 The delegation of the State of Israel, on behalf of its Government, protests the inclusion of the "*considering further*" paragraph of the resolution, which is contrary to international law and practice, does not reflect a factual legal situation, and is thus misleading and inappropriate.

5 The delegation of the State of Israel, on behalf of its Government, strongly objects to the words "the Palestine delegation" in Part 3 of the resolution. Instead, the words "the PLO" should be inserted. This correction reflects the phrase under "*resolves*", which states that "pending any further change in the status of Palestine in ITU, the following shall apply". The status quo can only be preserved, in accordance with the express intent of the resolution, if the PLO continues to be classified as an observer and not a delegation, as the last term refers exclusively to Member States.

6 The delegation of the State of Israel, on behalf of its Government, protests the general non-compliance of the conference with the constitutional procedures for the amendment of the Constitution and Convention of ITU which result from Document 284, both procedurally and substantively.

7 The delegation of the State of Israel, on behalf of its Government, reserves its sovereign right to interpret and apply the Interim Agreement of 25 September 1995 and the Wye River Memorandum of 23 October 1998, in accordance with its understanding of those agreements, with regard to the implementation of telecommunication issues between the Israeli side and the Palestinian side.

8 The delegation of the State of Israel, on behalf of its Government, reserves its sovereign right to interpret and apply Document 284 in accordance with its understanding of this resolution and in accordance with paragraph 1 above.

# ANNEX B

Original: English

## Statement by the delegate of the United States

I would like to make a statement to be placed in the minutes of this meeting on the role of Council in the WRC agenda preparation process. The United States is concerned about the Council, except for budgetary or some other most unusual consideration, making substantive changes in an agenda recommended by a WRC. While authority for the Council to establish agendas for WRCs should be retained in the Constitution, the views of the 46-member Council should not ordinarily thwart decisions of a WRC made with a much broader membership plus its access to experts from the Member States in attendance.

# ANNEX C

Original: English

## Statement by the delegate of Japan

The amendments to the Constitution and Convention which were adopted at the Kyoto Plenipotentiary Conference are in force among those Members of the Union which have ratified them, in accordance with the provisions of the Constitution and the Convention of the ITU.

However, this means that the Members of the Union would be divided into those which are legally bound by the amended Constitution and Convention and those which are not, according to whether or not they have ratified these amendments. This state of affairs, theoretically speaking, makes the situation unstable with regard to the implementation of these instruments. We are concerned that this may seriously hamper the efficient running of ITU and its activities.

Therefore, henceforth, when we consider new amendments to the Constitution and Convention, we believe they should include provisions which ensure that all the Members of the Union are bound by the amendments, upon the fulfilment of certain preconditions, irrespective of whether or not they have been ratified by individual Members. This should be the case, as in most of other international organizations, for at least those amendments which do not directly relate to the rights and obligations of the Members of the Union.

We would like to propose that this matter be given serious consideration by the Members of the Union at various opportunities as an issue to be resolved at the next Plenipotentiary Conference.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 353-E**
**10 February 1999**
**Original: French**

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-SIXTH PLENARY MEETING

Friday, 6 November 1998, at 1100 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Declarations and reservations | 311 |
| 2 | Time-limit for the deposit of additional declarations and reservations | - |

## 1 Declarations and reservations (Document 311)

1.1 The **Chairperson** said that there was a general mistake in the texts of declarations and reservations. It was inaccurate to refer to "the provisions of the Constitution and Convention of the International Telecommunication Union (Minneapolis, 1998)"; that wording should be replaced by "the provisions of the instrument amending the Constitution and the Convention (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994)". The secretariat would correct the error in all the declarations and reservations containing it.

1.2 The **delegate of Spain** asked that the Spanish text of paragraph 2 d) of declaration/reservation 77 (for the State of Israel) should be corrected and aligned on the English and French versions.

1.3 The **delegate of Switzerland** requested that the words "la Suisse" should be replaced by "la Confédération suisse" in the French version of declaration/reservation 64.

1.4 The **delegate of Germany** requested that, in the French version of declaration/reservation 97, the words "République de l'Allemagne" should be replaced by "République fédérale d'Allemagne".

1.5 The **delegate of South Africa** requested that in the French version of declaration/reservation 45, the words "la République sudafricaine" be replaced by "la République d'Afrique du Sud".

1.6 The **Chairperson** said that the secretariat would make all the necessary amendments.

1.7 Document 311 was **noted**.

## 2 Time-limit for the deposit of additional declarations and reservations

2.1 The **Chairperson** said that the time-limit for the deposit of additional declarations and reservations was 1230 hours. He announced that the Final Acts would be distributed first in hard copy at the end of the afternoon then, a little later, on CD-ROM. Signing of the Final Acts would take place at the last Plenary Meeting, at 1900 hours.

**The meeting rose at 1140 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

UNION INTERNATIONALE DES TÉLÉCOMMUNICATIONS

# CONFÉRENCE DE PLÉNIPOTENTIAIRES (PP-98)

**Document 354-F/E/S**
**7 novembre 1998**

MINNEAPOLIS, 12 OCTOBRE - 6 NOVEMBRE 1998

## LISTE FINALE DES PARTICIPANTS
## *FINAL LIST OF PARTICIPANTS*
## LISTA FINAL DE PARTICIPANTES

I. États Membres / *Member States* / Estados Miembros

II. Observateurs / *Observers* / Observadores

- II.1 Nations Unies et ses institutions spécialisées
  *United Nations and its Specialized Agencies*
  Naciones Unidas y sus organismos especializados
- II.2 Organisations régionales de télécommunications
  *Regional Telecommunication Organizations*
  Organizaciones regionales de telecomunicaciones
- II.3 Organisations intergouvernementales exploitant des systèmes à satellites
  *Intergovernmental Organizations Operating Satellite Systems*
  Organizaciones intergubernamentales que explotan sistemas de satélite
- II.4 Entités et organisations invitées en vertu du numéro 262A de la Convention
  *Entities and organizations invited pursuant to Number 262A of the Convention*
  Entidades y organizaciones invitadas en virtud del número 262A del Convenio
- II.5 Résolution 741 du Conseil
  *Resolution 741 of the Council*
  Resolución 741 del Consejo

III. Membres du Comité du Règlement des radiocommunications
*Members of the Radio Regulations Board*
Miembros de la Junta del Reglamento de Radiocomunicaciones

IV. Fonctionnaires élus / *Elected Officials* / Funcionarios de Elección

V. Secrétariat de la Conférence / *Secretariat of the Conference* / Secretaría de la Conferencia

VI. Secrétariat général et Secteurs
*General Secretariat and Sectors*
Secretaría General y Sectores

VII. Services de la Conférence / *Services of the Conference* / Servicios de la Conferencia

VIII. Représentants du personnel / *Staff Representatives* / Representantes del Personal

* * * * * * * *

Les symboles suivants sont utilisés / *The following symbols are used* / Se utilizan los símbolos siguientes:

| | | |
|---|---|---|
| C | : | Chef de délégation - Head of Delegation - Jefe de delegación |
| CA | : | Chef adjoint - Deputy Head - Subjefe |
| D | : | Délégué - Delegate - Delegado |
| A | : | Conseiller - Adviser - Asesor |
| O | : | Observateur - Observer - Observador |

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## Observers - Recognized Operating Agencies (Number 262A of the Convention)
## Observadores - Empresas de explotación reconocidas (Número 262A del Convenio)

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## II.4 Observateurs - Exploitations Reconnues (Numéro 262A de la Convention)
## Observers - Recognized Operating Agencies (Number 262A of the Convention)
## Observadores - Empresas de explotación reconocidas (Número 262A del Convenio)

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## II.4 Observateurs - Exploitations Reconnues (Numéro 262A de la Convention)
## Observers - Recognized Operating Agencies (Number 262A of the Convention)
## Observadores - Empresas de explotación reconocidas (Número 262A del Convenio)

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## II.4 Observateurs - Exploitations Reconnues (Numéro 262A de la Convention)
## Observers - Recognized Operating Agencies (Number 262A of the Convention)
## Observadores - Empresas de explotación reconocidas (Número 262A del Convenio)

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## II.4 Observateurs - Exploitations Reconnues (Numéro 262A de la Convention)
## Observers - Recognized Operating Agencies (Number 262A of the Convention)
## Observadores - Empresas de explotación reconocidas (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

USA **Etats-Unis d'Amérique - United States of America - Estados Unidos de América**

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
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## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## II.4 Observateurs - Organismes scientifiques ou industriels (Numéro 262A de la Convention)
## Observers - Scientific or Industrial Organizations (Number 262A of the Convention)
## Observadores - Organismos científicos o industriales (Número 262A del Convenio)

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## Observadores - Organizaciones regionales y otras organizaciones internacionales

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## II.5 Observateurs - Résolution 741 du Conseil
## Observers - Resolution 741 of the Council
## Observadores - Resolución 741 del Consejo

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Mme N. Obuobi

M. H. Chasia, Vice-Secrétaire général
*Assistante:* Mme C. Dajani

### IV.2 Bureau des radiocommunications (BR)

M. R. W. Jones, Directeur
*Assistante:* Mme D. Steel

### IV.3 Bureau de normalisation des télécommunications (TSB)

M. Th. Irmer, Directeur
*Assistante:* Mme D. Steel

### IV.4 Bureau du développement des télécommunications (BDT)

M. A. Laouyane, Directeur
*Assistantes:* Mme I. Gordon
Mme S. Conway

## V. SECRETARIAT DE LA CONFERENCE - SECRETARIAT OF THE CONFERENCE - SECRETARIA DE LA CONFERENCIA

**V.1 Secrétaire de la Conférence** : M. P. Tarjanne, Secrétaire général

**Coordonnatrice** : Mme H. Laugesen
*Assistante:* Mme D. Allamand

**V.2 Séances plénières et commissions**

**Séance plénière et Commission 1** (Direction) : M. D. MacLean
*Assistante:* Mme S. Crawford

**Commission 2** (Pouvoirs) : M. W. Kirsch
*Assistante:* Mme B. Bux

**Commission 3** (Contrôle budgétaire) : M. A. Tazi-Riffi
*Assistante:* Mme P. Bertinotti

**Commission 4** (Rédaction) : M. W. Kirsch
M. E. Dalhen
*Assistantes:* Mme R. Cabrera
Mme N. Arencibia

**Commission 5** (Politiques et Plans stratégiques) : M. D. Schuster
*Assistante:* Mme M. Furcy

**Commission 6** (Constitution et Convention) : M. A. Guillot
M. A. Levin
*Assistante:* Mme M.J. Urena

**Commission 7** (Gestion de l'Union)

(Finances) : M. A. Tazi Riffi
*Assistante:* Mme P. Bertinotti

(Personnel) : M. A. Descalzi
*Assistante:* Mme N. Takesh

(Questions générales de gestion) M. H. Pieterse

## VI. SECRETARIAT GENERAL ET SECTEURS - GENERAL SECRETARIAT AND SECTORS - SECRETARIA GENERAL Y SECTORES

| | | | |
|---|---|---|---|
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| **VI.2** | **Unité de planification stratégique** | : | Chef de l'unité:<br>M. D. MacLean |
| **VI.3** | **Unité des affaires juridiques** | : | M. A. Guillot<br>M. A. Levin |
| **VI.4** | **Département des finances** | : | Chef de département:<br>M. A. Tazi-Riffi<br><br>M. R. Chalindar<br>M. J.P. Lovato<br>M. V. Muccioli<br>M. K. Raade<br>Mme C. Braillard |
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| **VI.7** | **Département des conférences** | : | Chef de département:<br>Mme H. Laugesen |
| **VI.8** | **Département des services communs** | : | Chef de département:<br>M. H. Radjy |
| **VI.9** | **Bureau des radiocommunications** | : | Chefs de département:<br>M. K. Olms<br>M. M. Giroux |
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|---|---|---|---|
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| | **Secrétaire du Président** | : | Mme H. Tulloch |
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| **VII.3** | **Contrôle des documents** | : | Mme E. Baron |
| | **Enregistrement des délégués** | : | |
| | | | *Assistants - Contrôle des documents:*<br>Mlle P. Janin<br>M. C. Bochet<br>Mme A.M. Gevaud<br><br>*Assistantes - Enregistrement des délégués:*<br>Mme J. Jones-Ferrer<br>Mlle J. Goodrick<br>*Support technique:* M. O. Trolliet |
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| M. M. Boussommier | M. B. Granger | M. A. Escribano Juárez |
| Mme A.M. Deturche | M. D. Collard | M. A. Fernandez-Santisteban |
| Mme A. Duperron | M. N. Hennin | M. E. Laureiro |
| M. J.P. Missire | M. P. Whiting | M. J.M. Mazo Giménez |
| Mme M. Touraud | | |

*Secrétaire:* Mme D. Porcelli

### b) Procès-verbalistes : 

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Mme A. Haden
Mme A.C. Akesson
Mme C. Briand
Mme V. Costarini
M. K. Cowx
Mme C. Dixon
Mme J. Ellison
M. R. Ferrat
Mme E. Heseltine
M. N. Jotcham
M. J.N. Maire
M. R. Pickering
Mme M. Pring-Abdou
Mme M.D. Rosat
Mme G. Seriot
Mme B. Thorpe-Morris
Mme M. Logean

### c) Interprétation : Mme J. Jouffroy (Coordonnatrice)

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| Ciolkovitch H. Mme | Desbonnet E. Mme | Hernaez-Cuevas S. Mme |
| Dana M.J. Mme | Edwards Ch. Mme | Kucharik de Sotelo A.M. Mme |
| Girot M. Mme | James R. Mme | Lopez J. Mme |
| Gucassoff M. Mme | Kuriansky D. Mme | Meibergen C. Mme |
| Rojas Ch. Mme | Lewis S.M. M. | Posewitz R. Mme |
| Stuby F. Mme | Pearl S.B. M. | Sandoz M.E. Mme |
| Villaume B. M. | Van Reigersberg F.A. M. | Udler J. Mme |

| *Cabine arabe* | *Cabine chinoise* | *Cabine russe* |
|---|---|---|
| Mme J. Aouad | M. J. Chi | Mme L. Alexanderson |
| M. A. Attia | Mme L. Huang | Mme C. Bielik-Gerasimov |
| Mme G. Elias | Mme L. Hui | Mme G. Bogdanova |
| M. A. El Guindi | Mme Y. Jin | M. A. Dolgov |
| Mme E. El Zeinaty | Mme Y. Lei | M. A. Dorogoi |
| Mme M. Homsi | Mme R. Pan | Mme N. Gal |
| Mme H. Ismail | M. Q. Qui | M. V. Soudovtsev |
| Mme D. Mastour | M. J.L. Schott | M. A. Tadevossian |
| M. Ch. Rayess | M. G. Shen | |
| Mme J. Sfeir | Mme Z. Wu | |
| Mme J. Stephan-Chikhani | M. J. Yang | |
| Mme S. Touma | M. X. Yang | |

**VII.6 Composition des documents** : Mmes J. Félisaz et L. Scolari
M. J.C. Chanson

| *Français* | *Anglais* | *Espagnol* |
|---|---|---|
| Mme C. Arminjon | Mme D. Clarke | Mme L. Corrales |
| Mme M.C. Barbier | Mme N. Moore | Mme K. De Leon |
| Mme L. Detraz | Mme M. Murphy | Mme F. Guenier |
| Mme D. Ducrot | Mme V. Rolston | Mme M.C. Julia-Marquez |
| Mme A. Geneux | Mme R. Ruepp | Mme M. Muñoz |
| Mme C. Missilier | Mme M. Stephens | |
| Mme M.H. Sane | Mme A. Whittingham | |
| | Mme C. Williams | |

**VII.7 Reprographie** : M. Ph. Vialetto
Mme M. Clavel
M. C. Despond
M. S. Dubois

**VII.8 Distribution des documents** : M. R. Gachet
M. M. Civic
M. B. Pihen
M. E. Wasf

**VII.9 Service des messagers** : M. J. Sanou
M. T. Berrod

**VII.10 Huissiers de salle** : M. M. Diaby
M. M. Bentobbal

**VII.11 Service de presse** : Mme F. Lambert
Mme V. Shahna-Ekman
M. D. Holman

| | | | |
|---|---|---|---|
| **VII.12** | **Service informatique** | : | M. P. Prasad<br>M. A. Al-Attar<br>M. P. Lindner |
| **VII.13** | **Nouvelles de l'UIT / PP-98 News**: | | Mme P. Lusweti |

## VIII. REPRÉSENTANTS DU PERSONNEL

M. J. Cordeiro
Mme D. Fabiani
Mme P. Faccin
Mme S. Imru-Caminiti

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INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Corrigendum 1 to Document 355-E**
**5 March 1999**
**Original: English**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-SEVENTH AND LAST PLENARY MEETING

Friday, 6 November 1998, at 1920 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

Please replace paragraph 3.3 by the following text:

3.3 The **delegate of Syria**, speaking both on behalf of the Arab Group and personally, offered his appreciation and thanks to the people and Government of the United States, the State and Governor of Minnesota, the town and Mayor of Minneapolis and the people working at the Conference Center for their welcome and hospitality. On behalf of the Arab delegations, he also thanked the current leadership of ITU and the staff of the General Secretariat for their efforts and wished them every success for the future. The successful outcome of the conference owed a great deal to the cooperation which the ITU regions had shown in their relationships. As an example, he cited Resolution PLEN/3 on the status of Palestine, a historical text for the Arab and Islamic world in that it restored some of the Palestinian people's fundamental rights in the field of telecommunication. He offered the new ITU management team his best wishes and, on behalf of the Arab countries and personally, congratulated the Chairperson on his moderation, even handedness and firmness. Finally, he expressed his thanks to all delegations.

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

**Document 355-E**
**10 February 1999**
**Original: French**

**PLENARY MEETING**

MINUTES

OF THE

TWENTY-SEVENTH AND LAST PLENARY MEETING

Friday, 6 November 1998, at 1920 hours

**Chairperson:** Mr. Thomas SIEBERT (United States)

| **Subjects discussed** | | **Documents** |
|---|---|---|
| 1 | Additional declarations and reservations | 312 |
| 2 | Signing of the Final Acts | - |
| 3 | Closure of the conference | - - |

## 1 Additional declarations and reservations (Document 312)

1.1 The **Chairperson** invited delegates to take note of Document 312 containing additional declarations and reservations.

1.2 The **delegates of Russia** and **Cyprus** gave corrections to be made to the English and French versions of declaration/reservation 114 and the English version of declaration/reservation 104, respectively, and the **delegate of Greece** requested rectification of an error in the French version of declaration/reservation 112.

1.3 The **delegates of Armenia** and **Belarus** requested that the names of their countries should be added to the list of co-authors of declaration/reservation 114. Following an objection from the **delegate of Germany**, the **Chairperson** said, after consultation with the representative of the Legal Affairs Unit, that Armenia and Belarus were not authorized at present to add their names to declaration/reservation 114.

1.4 With those comments, Document 312 was **noted**.

## 2 Signing of the Final Acts

2.1 The **Secretary of the Plenary Meeting**, after drawing the attention of delegates to the procedure to be followed for the signing ceremony, called the roll of those delegations whose credentials had been found to be in order.

2.2 The Final Acts were signed by the following delegations:

Algeria (People's Democratic Republic of), Germany (Federal Republic of),
Andorra (Principality of), Saudi Arabia (Kingdom of), Argentine Republic, Armenia (Republic of),
Australia, Austria, Azerbaijani Republic, Bahamas (Commonwealth of the), Bahrain (State of),
Bangladesh (People's Republic of), Barbados, Belarus (Republic of), Belgium, Belize,
Benin (Republic of), Bhutan (Kingdom of), Bolivia (Republic of),
Bosnia and Herzegovina (Republic of), Botswana (Republic of), Brazil (Federative Republic of),
Brunei Darussalam, Bulgaria (Republic of), Burkina Faso, Burundi (Republic of),
Cameroon (Republic of), Canada, Cape Verde (Republic of), Central African Republic, Chile,
China (People's Republic of), Cyprus (Republic of), Vatican City State, Colombia (Republic of),
Comoros (Islamic Federal Republic of the), Korea (Republic of), Costa Rica,
Côte d'Ivoire (Republic of), Croatia (Republic of), Cuba, Denmark, Djibouti (Republic of),
Dominica (Commonwealth of), Egypt (Arab Republic of), El Salvador (Republic of),
United Arab Emirates, Ecuador, Eritrea, Spain, Estonia (Republic of), United States of America,
Ethiopia (Federal Democratic Republic of), Fiji (Republic of), Finland, France, Gabonese Republic,
Gambia (Republic of the), Georgia, Ghana, Greece, Guatemala (Republic of), Guinea (Republic of),
Guyana, Haiti (Republic of), Hungary (Republic of), India (Republic of), Indonesia (Republic of),
Iran (Islamic Republic of), Ireland, Iceland, Israel (State of), Italy, Japan,
Jordan (Hashemite Kingdom of), Kazakstan (Republic of), Kenya (Republic of), Kuwait (State of),
Lao People's Democratic Republic, Lesotho (Kingdom of), Latvia (Republic of),
The Former Yugoslav Republic of Macedonia, Lebanon,
Libya (Socialist People's Libyan Arab Jamahiriya), Liechtenstein (Principality of), Luxembourg,
Madagascar (Republic of), Malaysia, Malawi, Maldives (Republic of), Mali (Republic of), Malta,
Morocco (Kingdom of), Marshall Islands (Republic of the), Mauritania (Islamic Republic of),
Mexico, Micronesia (Federated States of), Moldova (Republic of), Monaco (Principality of),
Mongolia, Mozambique (Republic of), Namibia (Republic of), Nepal, Niger (Republic of the),

Nigeria (Federal Republic of), Norway, New Zealand, Oman (Sultanate of), Uganda (Republic of), Uzbekistan (Republic of), Pakistan (Islamic Republic of), Panama (Republic of), Papua New Guinea, Paraguay (Republic of), Netherlands (Kingdom of the), Peru, Philippines (Republic of the), Poland (Republic of), Portugal, Qatar (State of), Syrian Arab Republic, Democratic Republic of the Congo, Kyrgyz Republic, Slovak Republic, Czech Republic, Romania, United Kingdom of Great Britain and Northern Ireland, Russian Federation, Saint Lucia, San Marino (Republic of), Western Samoa (Independent State of), Senegal (Republic of), Sierra Leone, Singapore (Republic of), Slovenia (Republic of), Sri Lanka (Democratic Socialist Republic of), South Africa (Republic of), Sweden, Switzerland (Confederation of), Suriname (Republic of), Swaziland (Kingdom of), Tanzania (United Republic of), Chad (Republic of), Thailand, Togolese Republic, Tonga (Kingdom of), Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, Uruguay (Eastern Republic of), Venezuela (Republic of), Viet Nam (Socialist Republic of), Yemen (Republic of), Zambia (Republic of) and Zimbabwe (Republic of).

2.3 The **Secretary of the Plenary Meeting** announced that 157 delegations had signed the Final Acts of the Plenipotentiary Conference.

## 3 Closure of the conference

3.1 The **Secretary-General** thanked all participants and expressed his satisfaction at the outcome of the conference. Although important results had been obtained, the new ITU management team still had a great deal of work to do. He also thanked the officials elected at Kyoto for the spirit of cooperation which had prevailed in their work together, as well as the ITU staff in general and the General Secretariat staff in particular for the support they had given him and the loyalty they had shown over the past four years.

3.2 Finally, he thanked the Chairperson of the conference for the remarkable work he had accomplished despite the short period of preparation, and presented him with the ITU silver medal and chairperson's gavel as souvenirs.

3.3 The **delegate of Syria**, speaking both personally and on behalf of the Arab Group, offered his thanks to the people and Government of the United States, the State and Governor of Minnesota, the town and Mayor of Minneapolis and the people working at the Conference Center for their welcome. On behalf of the Arab delegations, he also thanked the current leadership of ITU and the staff of the General Secretariat for their efforts and wished them every success for the future. The successful outcome of the conference owed a great deal to the cooperation which the ITU regions had shown in their relationships. As an example, he cited Resolution PLEN/3 on the status of Palestine, a historical text for the Arab and Islamic world in that it restored some of the Palestinian people's fundamental rights in the field of communication. He offered the new ITU management team his best wishes and, on behalf of the Arab countries and personally, congratulated the Chairperson on his moderation, even handedness and firmness. Finally, he expressed his thanks to all delegations.

3.4 The **delegate of Zambia** said it was an honour for him to speak on behalf of the members of the Pan-African Telecommunications Union (PATU) and personally to thank the secretariat and the Chairperson, whose determination, talent and sustained endeavours had greatly contributed to the success of the conference, as had cooperation among Member States. After paying tribute to all

those who had contributed to the work of the conference, he thanked ITU for its efforts to promote telecommunication development in the developing countries and assured the new elected officials of PATU's support.

3.5 The **delegate of Greece**, speaking at the request of the representatives of the European countries, thanked the United States and Minneapolis, and particularly the volunteers from that town, for their welcome. He paid tribute to the Chairperson who had succeeded in reconciling the technical and political aspects of the conference, as well as to the outgoing ITU leadership and the elected and re-elected officials whose varied origins illustrated the extent to which the synthesis of civilizations could lead to good results. Although the achievements at Minneapolis were considerable, there remained a great deal to be done so that the next Plenipotentiary Conference in Marrakesh could establish the new telecommunication order of the next millennium.

3.6 The **delegate of the Netherlands** added that the aim of the CEPT had been to participate in the conference with a view to improving ITU's efficiency, in the interests of the Union and, particularly, of its membership. The work done at Minneapolis was considerable, and she emphasized the importance of good negotiation which had generated an atmosphere of trust and borne fruit. In conclusion, she thanked the Chairperson for his work and also thanked all those who had contributed, in the debates and behind the scenes, to the success of the conference.

3.7 The **delegate of Tanzania**, speaking on behalf of the women participating in the conference, paid tribute to the Chairperson who had enabled the conference to approve the resolution on the inclusion of gender perspective in the work of ITU. She thanked the Chairperson and Vice-Chairperson and the people of the United States, the State of Minnesota and the volunteers from Minneapolis for their hospitality. In conclusion, she hoped that the women who had taken part in the conference would perpetuate the spirit that had presided over its work.

3.8 The **delegate of Ecuador** thanked the Chairperson for his work and the United States delegation for its collaboration, which he had particularly appreciated in his capacity as coordinator of the work of the Inter-American Telecommunication Commission (CITEL). He was very touched by the welcome given to participants at the conference by the town of Minneapolis and its volunteers in particular. He would have excellent memories of the conference which he deemed significant for the development of telecommunications in the new millennium, and expressed the wish that the resolutions adopted during the conference would received firm and lasting implementation. Finally, he thanked the outgoing officials for the heritage they had bequeathed to ITU and congratulated the incoming officials, hoping that they would perpetuate that legacy.

3.9 The **delegate of the United States** said that his country was happy to have hosted the Plenipotentiary Conference and hoped that participants had had an enjoyable stay. He offered his best wishes to the outgoing officials and wished the new team every success in crossing the threshold into the twenty-first century. He then congratulated the Chairperson on the successful outcome of the conference and thanked him for his work. He concluded by wishing everyone a pleasant journey home and said he looked forward to seeing them in Marrakesh.

3.10 The **Chairperson** said he was touched by the comments of the various speakers, particularly since the Plenipotentiary Conference was the first one he had chaired. He thanked the organizers of the event for their welcome and expressed his gratitude to his new friends at ITU, as well as to representatives of the State Department and the United States delegation. Finally, he paid tribute to the extent of the influence and competence of ITU which was governed by special rules designed for the wellbeing of humankind. In his view, the Union was important in that it participated in the extraordinary impact exerted by telecommunications on the world, on peace

among peoples and the development of the least-developed countries. In conclusion, he paid his respects to the delegates whose positive attitudes and competence had greatly assisted him in his work.

3.11 The **Chairperson** declared the Plenipotentiary Conference of the International Telecommunication Union closed.

**The meeting rose at 2120 hours.**

The Secretary-General:
Pekka TARJANNE

The Chairperson:
Thomas SIEBERT

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 356(Rev.1)-E**
**19 March 1999**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

FINAL LIST OF DOCUMENTS
(1-356(Rev.1))

## A. Basic documents of the Conference

| | Document |
|---|---|
| Presiding Officers | 90(Rev.1) |
| List of participants | 354 |

| | Document |
|---|---|
| Structure of the Conference | 89 |

| Minutes - PLENARY MEETINGS | | | |
|---|---|---|---|
| Opening Ceremony | 98 | 14th meeting | 340 |
| 1st meeting | 99 | 15th meeting | 341 + Cor.1 |
| 2nd meeting | 112 | 16th meeting | 342 + Cor.1 |
| 3rd meeting | 120 + Cor.1 | 17th meeting | 343 + Cor.1 |
| 4th meeting | 131 + Cor.1 | 18th meeting | 344 + Cor.1 |
| 5th meeting | 159 + Cor.1 | 19th meeting | 345 + Cor.1 |
| 6th meeting | 192 | 20th meeting | 346 |
| 7th meeting | 206 + Cor.1 | 21st meeting | 348 |
| 8th meeting | 207 + Cor.1 | 22nd meeting | 349 + Cor.1 |
| 9th meeting | 219 + Cor.1 | 23rd meeting | 350 |
| 10th meeting | 220 + Cor.1 | 24th meeting | 351 + Cor.1 |
| 11th meeting | 283(Rev.1) | 25th meeting | 352 |
| 12th meeting | 310 + Cor.1 | 26th meeting | 353 |
| 13th meeting | 339 | 27th and last meeting | 355 + Cor.1 |

## Summary Records

| COMMITTEE 2 - Credentials | | | |
|---|---|---|---|
| 1st meeting | 133 | 2nd and last meeting | 319 |
| Report | 243 + Cor.1,2 | | |

| COMMITTEE 3 - Budget Control | | | |
|---|---|---|---|
| 1st meeting | 132 | 2nd and last meeting | 318 |
| Report | 264 + Cor.1 | | |

| COMMITTEE 5 - Strategic Policy and Plans | | | |
|---|---|---|---|
| 1st meeting | 136 | 9th meeting | 277 |
| 2nd meeting | 141 | 10th meeting | 330 |
| 3rd meeting | 152 + Cor.1 | 11th meeting | 331 |
| 4th meeting | 153 | 12th meeting | 332 |
| 5th meeting | 166 | 13th meeting | 333 |
| 6th meeting | 191 | 14th meeting | 334 |
| 7th meeting | 205 | 15th and last meeting | 335 |
| 8th meeting | 237 | Report | 262 |

| COMMITTEE 6 - Constitution and Convention | | | |
|---|---|---|---|
| 1st meeting | 143 + Cor.1,2 | 9th meeting | 317 |
| 2nd meeting | 148 | 10th meeting | 320 |
| 3rd meeting | 186 | 11th meeting | 321 |
| 4th meeting | 187 | 12th meeting | 322 |
| 5th meeting | 241 | 13th meeting | 323 |
| 6th meeting | 272 | 14th meeting | 329 |
| 7th meeting | 300 | 15th and last meeting | 347 |
| 8th meeting | 316 | Report | 263 |

| COMMITTEE 7 - Management of the Union | | | |
|---|---|---|---|
| 1st meeting | 139 + Cor.1 | 10th meeting | 324 |
| 2nd meeting | 140 | 11th meeting | 325 |
| 3rd meeting | 174(Rev.1) | 12th meeting | 326 |
| 4th meeting | 194 | 13th meeting | 327 |
| 5th meeting | 195 | 14th meeting | 328 |
| 6th meeting | 290 | 15th meeting | 336 |
| 7th meeting | 297 | 16th meeting | 337 |
| 8th meeting | 309 | 17th and last meeting | 338 |
| 9th meeting | 315 | Reports | 265, 278, 289 |

## B. List of documents

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 1 | SG | Agenda of the Conference | PL |
| 2 | SG | Credentials of delegations to Conferences | PL |
| 3 | SG | Elections | PL |
| 4 + Add.1 | SG | Candidacies for the post of Secretary-General | PL |
| 5 + Add.1 | SG | Candidacies for the post of Deputy Secretary-General | PL |
| 6 + Add.1-14+ Add.11(Rev.1) | SG | Candidacies for the post of Member of the Radio Regulations Board | PL |
| 7 | E | Proposals for the work of the Conference | C6 |
| 8 | SG | Candidacy for the post of Director of the Radiocommunication Bureau | PL |
| 9 + Add.1,2 | CAN | Proposals for the work of the Conference | C5,C6, C7 |
| 10 | S | Proposals for the work of the Conference - Revision of Article 32 of the Convention | C6 |
| 11+Cor.1-4 | [1] | Proposals for the work of the Conference - The use of languages other than those which are the official languages of the Union | C6,C7 |
| 12 | POR | Proposals for the work of the Conference - General provisions regarding Conferences and Assemblies of the ITU | C6 |
| 13 + Cor.1 | SG | Report on the implementation of Resolutions 15 and 39 (Kyoto, 1994) | C5,C6, C7 |
| 14 | F | Proposals for the work of the Conference - Proposals for amendment of the ITU Constitution and Convention further to the ITU-2000 Recommendations as approved by the Council | C6 |
| 15 | USA | Proposals for the work of the Conference | C6 |
| 16 + Add.1-3 | SG | Candidacies for the post of Director of the Telecommunication Development Bureau | PL |
| 17+Add.1,2 | SG | Candidacies for the post of Director of the Telecommunication Standardization Bureau | PL |

[1] AGL/B/CPV/MOZ/POR

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 18 + Add.1(Rev.1) +Add.2+Cor.1 | J | Proposals for the work of the Conference - 1) Revision of Kyoto Resolution 2; 2) Improving the efficiency of the ITU's management and reviewing the ITU's mission for the 21st Century; 3) Perpetuation of Decisions, Resolutions and Recommendations of Plenipotentiary Conferences | PL, C5,C6 |
| 19 | KWT | Proposals for the work of the Conference - Constitution of the ITU | C6 |
| 20 | MLI | Proposals for the work of the Conference - Comments on the draft Strategic Plan for the Union (1999-2003), on the draft amendments to the Constitution and Convention of ITU and on the ITU-2000 Recommendations | C5,C6, C7 |
| 21 + Add.1 | AUS | Proposals for the work of the Conference - 1) Implementation of Changes to the ITU's Frequency Coordination and Planning Framework for Satellite Networks; 2) WRCs process; 3) International Telecommunication Regulations; 4) Interval of Radiocommunication Assembly (RA) Meetings | C5 |
| 22 | IMO | IMO information paper | PL |
| 23 | SG | Examination of the financial management of the Union by the Plenipotentiary Conference (Years 1994 to 1997) | C7 |
| 24 | SG | Use of languages in ITU | C7 |
| 25 + Add.1 + Cor.1 | [2] | Proposals for the work of the Conference - 1) Amendments to the Constitution and the Convention relating to preparation of the Strategic Plan; 2) Quorums and Majorities; 3) Amendments to the Constitution/Convention resulting from the ITU-2000 Recommendations; 4) Memoranda of Understanding deposited with ITU; 5) Ratification, acceptance or approval of amendments to the Constitution, the Convention and the Administrative Regulations; 6) Radio Regulations Board; 7) Resolutions and Recommendations (Kyoto, 1994); 8) Resolution 16; 9) Strengthening the regional presence of the Union | PL,C5, C6,C7 |
| 26 | SG | Draft strategic plan for the Union 1999-2003 | C5 |
| 27 | SG | Limits for establishing the biennial budgets of the Union announcement of class of contribution | PL, C7 |
| 28 | SG | Future conferences and meetings of the Union: 1998-2001 | C7 |
| 29 | SG | Cost analysis of the use of official and working languages of the Union | C7 |
| 30 | SG | Decisions of the World Telecommunication Development Conference (WTDC-98, Valletta, Malta, 1998) | C5 |
| 31 | SG | Reduction of the volume and cost of documentation for ITU Conferences | C7 |

[2] ALG/ARS/KWT/MRC/OMA/SYR

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 32+Cor.1-5 | ECP | European common proposals for the work of the Conference - 1) Interval between WRCs; 2) Amendments to the Constitution and Convention resulting from the ITU-2000 recommendations; 3) General provisions regarding conferences and assemblies; 4) Rules of procedure of conferences and other meetings of the ITU; 5) Review of the implementation of changes to the Constitution and Convention resulting from Resolutions 15 and 39 (Kyoto, 1994); 6) Observers to Council; 7) Resolution 18 (Kyoto, 1994); 8) Working methods of the Radio Regulations Board; 9) Use of the radio-frequency spectrum and satellite orbits; 10) Role of the notifying administration when acting on behalf of a group of administrations; 11) Permanent procedures for the election of members to the Council, elected officials, and members of the Radio Regulations Board; 12) Studies to be conducted by ITU-R study groups; 13)Continuation of a forum to discuss strategies and policies in the changing telecommunication environment | C5,C6 |
| 33 | SG | Arrears and special arrears accounts | C7 |
| 34 + Add.1 | RUS | Proposals for the work of the Conference - Proposals for amendments to the ITU Constitution and Convention (Geneva, 1992, as amended at Kyoto, 1994) | C5 |
| 35 | SG | Implementation of Resolution 8 (Kyoto, 1994) | C6 |
| 36 | SG | Report on ITU Publications (1994-97) | C7 |
| 37 | CHN | Proposals for the work of the Conference - Modifications to the Constitution and the Convention of ITU | C5,C6, C7 |
| 38 | SG | Implementation of Resolutions 32, 33, 34, 36 and 37 (Kyoto, 1994) | C5 |
| 39 | SG | Operational Planning in ITU | C7 |
| 40 | KOR | Proposals for the work of the Conference - 1) Coping with the decreased use of the International Telex Service; 2) Regarding the Internet; 3) Amendments to the ITU Convention | C5 |
| 41+Add.1,2 | ARG | Proposals for the work of the Conference - 1) Contribution of Recognized Operating Agencies, Scientific or Industrial Organizations and Regional and International Organizations; 2) Rules of Procedure of Conferences and Meetings of the ITU; 3) Regional Presence of ITU; 4) Revision and publication of the ITU Constitution and Convention, the Optional Protocol and Decisions, Resolutions, Recommendations and Opinions of the Plenipotentiary Conference; 5) Examination of the mission, structure and functioning of the ITU; 6) WTPF; 7) Rules of procedure of Conferences and Meetings of the ITU | C5,C6, C7 |
| 42 + Add.1 | SG | Final draft of the Financial Plan: 1999-2003 | C7 |
| 43 | SG | Report by the Council Chairman on the status of observers at Council Sessions | C6 |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 44 | SG | Financial situation of the ITU Staff Superannuation and Benevolent Funds | C7 |
| 45 | SG | Report from the Council Chairman on the World Telecommunication Policy Forum | C5 |
| 46 | SG | Report by the Council Chairman on the activities of the Union, 1995-1998 | PL |
| 47 | SG | Report by the Council Chairman on Special Actions for LDCs | PL,C5 |
| 48 | SG | Refinement of ITU-R and ITU-T | C5 |
| 49 | SG | Report by the Council Chairman on the implementation of Resolution 31 (Kyoto, 1994) | C5 |
| 50 | SG | List of documents (1 - 50) | - |
| 51 | SG | Incorporation of cost recovery in the financial regulations of the Union | C7 |
| 52 | SG | Requests for the Secretary-General of ITU to act as depositary of Memoranda of Understanding | C5 |
| 53 | SG | Report by the Chairman of the Council on Resolution 21 (Kyoto, 1994) | C5 |
| 54 | SG | Report by the Chairman of the Council on Resolution 22 (Kyoto, 1994) | C5 |
| 55 | SG | Human resources management and development | C7 |
| 56 | SG | Report on ITU regional presence | C7 |
| 57 | SG | The DRM Consortium Agreement | C5 |
| 58 + Add.1 | INS | Proposals for the work of the Conference - 1) ITU's Regional Presence; 2) Community Teleservice Centre (CTC) for Integrated Rural Development | C5,C7 |
| 59(Rev.1) + Add.1 + Cor.1 | CITEL | Proposals of the administrations of the CITEL Member States for the work of the Conference - 1) Amendments to the Constitution and Convention of ITU; 2) Regional Presence of ITU; 3) Financial Affairs; 4) Strategic Plan of ITU for the period 1999-2003; 5) The Radio Regulations Board | PL,C5, C6,C7 |
| 60 | - | *Not allocated* | - |
| 61 | SG | Cooperation between ITU and other international organizations | C5 |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 62 + Cor.1 | SG | Election procedures for PP-98 | PL |
| 63(Rev.1) | [3] | Proposals for the work of the Conference - Creation of an ITU-T Study Group to deal with telecommunication policies and regulatory issues | C5 |
| 64 | SG | Arrangements between the government of the Unites States of America and the Secretary-General of the ITU | PL |
| 65 | CBS | CBS information paper | PL |
| 66 | IRN | Proposals for the work of the Conference - 1) Comments on the ITU-2000 Recommendations; 2) Amendments to the Constitution and Convention resulting from the ITU-2000 Recommendations; 3) Resolution 18 (Kyoto, 1994) | C5,C6,C7 |
| 67 | SG | Implementation of processing charges for satellite network filings | PL |
| 68+Cor.1 | ARS,SYR | Proposals for the work of the Conference - Amendments to the Constitution and Convention resulting from the ITU-2000 Recommendations | C5,C6 |
| 69 | SEN | Proposals for the work of the Conference - 1) ITU-2000 Recommendations; 2) Comments on the Strategic Plan | C5,C6,C7 |
| 70+Cor.1, 2 | Asia Pacific | Asia Pacific common proposals for the work of the Conference - 1) International Telecommunication Regulations; 2) Radiocommunication Assembly Meetings; 3) Coping with the decreased use of International Telex Service; 4) Internet; 5) World Radiocommunication Conference Process; 6) Implementation of changes to the ITU's frequency coordination and planning framework for satellite networks; 7) WTPF; 8) ITU Regional Presence; 9) Composition and Role of Advisory Bodies; 10) Improving the efficiency of the ITU's management and reviewing the ITU's mission for the 21st Century; 11) Improving the efficiency of ITU Conferences; 12) Amendments to the Constitution and Convention resulting for the ITU-2000 Recommendations | C5,C6,C7 |
| 71 | SG | WRC-95 and WRC-97 Resolutions which call for action from, or invite the attention of, the Plenipotentiary Conference | C6 |
| 72 | CVA | Proposals for the work of the Conference - 1) Activity studies for broadcasting in the ITU; 2) Periodicity of ITU Radiocommunication Conferences | C5 |
| 73 | D | Proposals for the work of the Conference - World and Regional Telecommunication Exhibitions and Forums - Amendment of Resolution 11 (Kyoto, 1994) | PL |
| 74 | SG | Contributions by Members of the Union - Mauritania | C7 |

[3] ARS/BHR/UAE/KWT/LBN/QAT

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 75(Rev.1) | [4] | Proposals for the work of the Conference - Settlement of disputes procedures in the establishment of settlement rates between Administrations | C5 |
| 76 | MLA | Proposals for the work of the Conference - The impact of financial due diligence on developing countries | C5 |
| 77 | IND | Proposals for the work of the Conference - Amendments to the ITU Constitution and Convention | C6 |
| 78 | SG | Contributions by Members of the Union - Grenada | C7 |
| 79(Rev.1) | SG | Contributions by Members of the Union - Nicaragua | C7 |
| 80 | SG | Contributions by Members of the Union - Azerbaijan | C7 |
| 81 | CTR Group Ltd | CTR Group Ltd. - Information document | PL |
| 82 | SG | Ceiling for the amount of contribution unit - Flexibility to be given to the Council | C7 |
| 83 | SG | Budget of the Plenipotentiary Conference (Minneapolis, 1998) | C3 |
| 84 | SG | Contributions of organizations to the expenses of the Conference | C3 |
| 85 | KEN | Proposals for the work of the Conference - Position on the issues of ITU Plenipotentiary Conference (Minneapolis, 1998) | C5,C7 |
| 86 | Chairperson | Conduct of proceedings at the Minneapolis Plenipotentiary Conference | PL |
| 87(Rev.1) | SG | Candidatures for the elections to the ITU Council | PL |
| 88+Add.1-3 | SG | Candidacies for the post of Secretary-General, Deputy Secretary-General, Directors of the Bureaux of the Sectors and Members of the Radio Regulations Board | PL |
| 89 | SG | Structure of the Plenipotentiary Conference (Minneapolis, 1998) | - |
| 90(Rev.1) | SG | Presiding officers of the Conference | - |
| 91 | SG | Secretariat of the Conference | - |
| 92 | CLN | Pilot study on the use of telecommunications in disaster and emergency situations in Sri Lanka | C5 |
| 93 | TON | Proposals for the work of the Conference - Matters related to the implementation of Resolution 18 (Kyoto, 1994) | C7 |
| 94(Rev.1) + Cor.1-4 | [5] | Proposals for the work of the Conference - Accounting rate reform, termination fee | C5 |

[4] ALG/BAH/BHR/BRB/CUB/DMA/GUY/MRC/LCA/VCT/SEN/SUR/TRD

[5] ALG/ARS/BHR/GMB/GHA/IND/JOR/KWT/LBN/MLA/MLI/OMA/UGA/QAT/SYR/VCT/SEN/SUR/TRD/YEM

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 95(Rev.6) | SG | Loss of the right to vote | PL |
| 96(Rev.1) | SG | Allocation of documents | - |
| 97 | LUX\HOL\S | Proposals for the work of the Conference - Follow-up of Resolution 18 (Kyoto, 1994) | PL |
| 98 | SG | Minutes of the opening ceremony | PL |
| 99 | SG | Minutes of the first Plenary Meeting | PL |
| 100 | SG | List of documents (51-100) | - |
| 101 | TUN | Proposals for the work of the Conference - 1) Development of the telecommunication sector in Tunisia; 2) Second Strategic Plan (1999-2003) and draft amendments to the ITU Convention/ Constitution; 3) Telecommunications and protection of the environment; 4) Experience of partnership in the telecommunication sector, and contribution of the private sector to telecommunication development in Tunisia; 5) Modarabtel project: launch of phase II of the project; 6) Gender and telecommunication policy: the case of Tunisia | C5 |
| 102 | MRC | Considerations relating to quorum and votes at the Conference | PL |
| 103 | CTR | Proposals for the work of the Conference | C5 |
| 104 | UGA | Telecommunication reforms in Uganda | C5 |
| 105 | UGA | Preparations for year 2000 in Uganda Telecom Limited (UTL) | C5 |
| 106 + Cor.1-4 | [6] | Admission of Palestine as a Member State of the Union | C5 |
| 107(Rev.1) | S | Proposals for the work of the Conference - Implementation of Resolutions 15 and 39 (Kyoto, 1994) | C5 |
| 108 | SG | Situation of the accounts of the Plenipotentiary Conference (PP-98) as at 9 October 1998 | C3 |
| 109(Rev.2) | C5 | First series of texts from Committee 5 to the Editorial Committee | C4 |
| 110 | C5 | Report by the Chairperson of Committee 5 to the Committee 6 | C6 |
| 111+Cor.1 | LBN | Proposals for the work of the Conference | PL, C5, C6, C7 |
| 112 | SG | Minutes of the second Plenary Meeting | PL |
| 113 | SG | Information Paper from the Palestinian Authority | PL |

[6] ALG/ARS/BHR/BGD/COM/DJI/EGY/UAE/GAB/GMB/IRN/JOR/LBN/MLI/MRC/MTN/NGR/OMA/PAK/QAT/SYR/SDN/TUN/YEM

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 114 | C5 | Report by the Chairperson of Committee 5 to the Plenary | PL |
| 115 | ISR | Proposals for the work of the Conference - The status of the PLO/Palestine Observer in ITU | PL |
| 116 | ISR | Proposals for the work of the Conference - Telecommunications in the West Bank and Gaza Strip under the Israeli-Palestinian Interim Agreement | PL |
| 117(Rev.1) | SG | General schedule of the work of the Conference | - |
| 118 | C7 | Note by the Chairperson of Committee 7 (Finance) | C7 |
| 119 | C5 | Report by the Chairperson of Committee 5 to the Committee 7 | C7 |
| 120+Cor.1 | SG | Minutes of the third Plenary Meeting | PL |
| 121 | C7 | Report by the Chairperson of Committee 7 (Finance) to the Plenary Meeting | PL |
| 122 + Cor.1,2 | [7] | Proposals for the work of the Conference - Draft Resolution: Occupational illness | C7 |
| 123+Cor.1 | [8] | Proposals for the work of the Conference - Draft Resolution: Unemployment insurance | C7 |
| 124(Rev.1) | [9] | Proposals for the work of the Conference - Draft Resolution: Introduction of a long-term care insurance scheme in the Union | C7 |
| 125 | SG | Transfer of powers - Croatia/Germany | PL |
| 126 + Cor.1-6 | [10] | Proposals for the work of the Conference - Draft Resolution: Telecommunications in the service of humanitarian assistance | C5 |
| 127 | - | *Not allocated* | - |
| 128 | C5 | Second series of texts from Committee 5 to the Editorial Committee | C4 |
| 129 | C7 | First series of texts from Committee 7 (Staff Matters) to the Editorial Committee | C4 |
| 130 + Cor.1,2 | [11] | Proposals for the work of the Conference - Draft Resolution on Internet governance | C5 |
| 131+Cor.1 | SG | Minutes of the fourth Plenary Meeting | PL |

[7] ALG/BUL/CPV/CTR/CYP/GAB/GRC/HNG/IND/KWT/MLI/SYR/RUS/SUI/TZA/VEN.

[8] ALG/CPV/CTR/GAB/GRC/HNG/KWT/MLI/SYR/TZA/VEN.

[9] ALG/CPV/CTR/GAB/GRC/HNG/IND/KWT/MLI/SYR/SUI/TZA/VEN.

[10] BRB/BIH/BDI/CAN/CYP/DNK/USA/FIN/GAB/GHA/GUY/INS/I/JOR/KWT/LBN/ MLI/MLT/NPL/PHL/POL/ G/LCA/SEN/SVN/TUR/SUI/ZMB

[11] AUT/BUL/CYP/DNK/E/F/NOR/POR/G/SUI

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 132 | SG | Summary record of the first meeting of Committee 3 | C3 |
| 133 | SG | Summary record of the first meeting of Committee 2 | C2 |
| 134 | Chairperson | Deadline for the deposit of candidatures | - |
| 135 | C7 | Committee 7 meetings on 20 October 1998 | C7 |
| 136 | SG | Summary record of the first meeting of Committee 5 | C5 |
| 137(Rev.2) | SG | Information note on the voting process | PL |
| 138 | G | Proposals for the work of the Conference - Participation of RRB Members in World Radiocommunication Conferences | C5 |
| 139+Cor.1 | SG | Summary record of the first meeting of Committee 7 | C7 |
| 140 | SG | Summary record of the second meeting of Committee 7 | C7 |
| 141 | SG | Summary record of the second meeting of Committee 5 | C5 |
| 142 | SG | Guidelines for follow-up on the Intergovernmental Conference on Emergency Telecommunications (ICET-98) | C5 |
| 143 + Cor.1,2 | SG | Summary record of the first meeting of Committee 6 | C6 |
| 144 | SG | Contributions by Members of the Union - Azerbaijani Republic | C7 |
| 145 | SG | Contributions by Members of the Union - Sierra Leone | C7 |
| 146 | CAN | Representation of women in the ITU staffing process | C7 |
| 147 + Cor.1-8 | [12] | Draft Resolution: Inclusion of gender perspective in the work of ITU | PL |
| 148 | SG | Summary record of the second meeting of Committee 6 | C6 |
| 149 | SG | Transfer of Powers - Comoros/Madagascar | PL |
| 150 | SG | List of documents (101-150) | - |
| 151 | COD | Information document - International call for tenders for the sale of a 900 MHz GSM mobile telephone licence | PL |
| 152+Cor.1 | SG | Summary record of the third meeting of Committee 5 | C5 |
| 153 | SG | Summary record of the fourth meeting of Committee 5 | C5 |
| 154 | SG | Transfer of powers - Monaco/France | PL |
| 155(Rev.1) | SG | Transfer of powers - Sao Tome and Principe/Portugal | PL |

[12] ALG/ARS/ARG/AUS/BHR/BEN/BFA/BRB/B/BUL/CME/CAN/CPV/CYP/CTR/CUB/ DNK/USA/FIN/F/GAB/GHA/IND/INS/JMC/J/JOR/KEN/KWT/LBN/MLA/MLI/MLT/ MRC/MEX/MOZ/NMB/NGR/NOR/OMA/UGA/HOL/PHL/POL/POR/SYR/COD/G/RUS/ SEN/SNG/SVN/AFS/S/SUR/TZA/THA/TRD/TUN/TUR/VEN/VTN/ZMB

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 156 | E | Proposals for the work of the Conference - Approval of Questions and Recommendations | C5 |
| 157(Rev.1) + Cor. 1 | [13] | Draft revision of Resolution 62 (Kyoto, 1994) | C7 |
| 158 | PL | First series of texts submitted by the Plenary Meeting to the Editorial Committee | C4 |
| 159+Cor.1 | SG | Minutes of the Fifth Plenary Meeting | PL |
| 160(Rev.1) | SG | Transfer of powers - Nicaragua/Costa Rica | PL |
| 161 | SG | Contributions by Members of the Union - Democratic Republic of the Congo | C7 |
| 162 | SG | Contributions by Members of the Union - Costa Rica | C7 |
| 163 | C5 | Third series of texts from Committee 5 to the Editorial Committee | C4 |
| 164 + Cor.1-5 | [14] | Proposals for the work of the Conference - Assistance and support to Bosnia and Herzegovina for rebuilding its telecommunication network | C5 |
| 165 | [15] | Draft Resolution - Internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU Sector | C7 |
| 166 | SG | Summary record of the fifth meeting of Committee 5 | C5 |
| 167 | C5 | Reallocation of documents | PL, C7 |
| 168 | C5 | Fourth series of texts from Committee 5 to the Editorial Committee | C4 |
| 169 | C5 | Fifth series of texts from Committee 5 to the Editorial Committee | C4 |
| 170 | C7 | Report by the Co-Chairperson of Committee 7 (Staff matters) to the Chairperson of Committee 6 | C6 |
| 171+Cor.1 | USA | Proposals for the work of the Conference - Draft Resolution: An urgent request for prompt action to address the year 2000 problem | C5 |
| 172+Cor.1 | C5 | Sixth series of texts from Committee 5 to the Editorial Committee | C4 |
| 173 | C5 | Participation of radiocommunication Sector Members in World Radiocommunication Conferences | C6 |

[13] ARM/AZE/BLR/CHN/GEO/KAZ/MDA/MNG/UZB/KGZ/RUS

[14] ALG/ARS/AUS/BGD/BHR/BIH/BOT/B/BUL/CAN/CPV/CHN/EGY/USA/GRC/INS/IRN/JOR/KWT/LBN/MLA/MLI/MRC/PAK/SYR/SEN/SVN/SUI/TUR/YEM

[15] BEN/DJI/KEN/NGR/NIG/UGA/SYR/COD/SEN/SRL/SDN/AFS/TGO/TRD/TUN/ZWE

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 174(Rev.1) | SG | Summary record of the third meeting of Committee 7 | C7 |
| 175 | ISR | Response to proposal by the Arab group concerning the PLO/Palestine observer | PL |
| 176 | C7 | Liaison statement from the Co-Chairperson of Committee 7 (General management) to the Chairperson of Committee 5 | C5 |
| 177 | C6 | First series of texts from Committee 6 to the Editorial Committee | C4 |
| 178(Rev.1) | SG | Transfer of powers - Jamaica/Belize | PL |
| 179 | SG | Transfer of powers - Vanuata/Fiji | PL |
| 180 | SG | Transfer of powers - Saint Lucia/Bahamas | PL |
| 181 | SG | Transfer of powers - Saint Vincent and the Grenadines/ Trinidad and Tobago | PL |
| 182 | SG | Transfer of powers - Central African Republic/Gabon | PL |
| 183 | [16] | Proposals for the work of the Conference - Draft Resolution: The use of telecommunication for the safety and security of humanitarian personnel in the field | C5 |
| 184 + Cor.1-4 | [17] | Proposals for the work of the Conference - Draft Resolution: Assistant and support to Burundi, Liberia, Rwanda and Somalia for rebuilding their telecommunication networks | C5 |
| 185 | SG | Transfer of powers - Cape Verde/Mozambique | PL |
| 186 | SG | Summary record of the third meeting of Committee 6 | C6 |
| 187 | SG | Summary record of the fourth meeting of Committee 6 | C6 |
| 188 | C6 | Second series of texts submitted by Committee 6 to the Editorial Committee | C4 |
| 189 | C4 | **B.1** - First series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 190 | C7 | Second series of texts submitted by Committee 7 to the Editorial Committee | C4 |
| 191 | SG | Summary record of the sixth meeting of Committee 5 | C5 |
| 192 | SG | Minutes of the sixth Plenary Meeting | PL |
| 193 | SG | Transfer of powers - Uzbekistan/Armenia | PL |
| 194 | SG | Summary record of the fourth meeting of Committee 7 | C7 |

[16] BAH/BRB/BLZ/CAN/DOM/FIN/GUY/IRN/JMC/LCA/CLN/SUI

[17] ALG/B/BFA/CME/CPV/CTI/UAE/GAB/HTI/LBN/MLI/OMA/PAK/QAT/SYR/ SEN/AFS/SUI/TUR

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 195 | SG | Summary record of the fifth meeting of Committee 7 | C7 |
| 196 | TUN | Proposals for the work of the Conference - Draft Resolution: Holding of a World Summit on the Information Society | PL |
| 197 | C5 | Seventh series of texts submitted by Committee 5 to the Editorial Committee | C4 |
| 198 | C7 | Report from the Chairperson of Committee 7 (Finance) to Committee 6 | C6 |
| 199 | C7 | Note by the Chairperson of Committee 7 to Committee 6 | C6 |
| 200 | SG | List of documents (151-200) | - |
| 201 | C5 | Members of the Radio Regulations Board | PL |
| 202 | C5 | Timing and convening of future Radiocommunication Assemblies | C6, C7 |
| 203 | C6 | Third series of texts submitted by Committee 6 to the Editorial Committee | C4 |
| 204 | SG | Transfer of powers - Marshall Islands/United States | PL |
| 205 | SG | Summary record of the seventh meeting of Committee 5 | C5 |
| 206+Cor.1 | SG | Minutes of the seventh Plenary Meeting | PL |
| 207+Cor.1 | SG | Minutes of the eighth Plenary Meeting | PL |
| 208+Cor.1 | [18] | Proposals for the work of the Conference - Planning of the broadcasting-satellite service (Television) Appendices 30 and 30A of the Radio Regulations | PL |
| 209+Cor.1 +Cor.2(Rev.1) | [19] | Proposals for the work of the Conference - Work of ITU-T Study Group 3 on international accounting rates | C5 |
| 210+Cor.1 | C4 | **B.2** - Second series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 211+Cor.1 | [20] | Proposals for the work of the Conference - Radio Regulations Board | PL |
| 212 | C5 | Reallocation of documents | C6 |

[18] ALG/ARS/UAE/MRC/OMA/QAT/SYR

[19] USA/HOL/G/NZL

[20] D/AGL/ARG/ARM/AUS/AUT/BLR/BEL/B/BUL/CAN/CHL/CHN/CTI/DNK/E/ USA/FIN/F/GAB/GHA/GRC/HND/HNG/IND/INS/IRL/ISL/I/KAZ/KEN/LSO/LVA/LBN/ LIE/LUX/MLT/MAU/MEX/MDA/MNG/MOZ/NMB/NGR/NIG/NOR/NZL/UGA/PNG/PRG/ HOL/POL/POR/KGZ/SVK/CZE/ROU/G/RUS/SNG/CLN/AFS/S/SUI/SWZ/TZA/TUR/URG/ VEN/VTN/ZWE

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 213 | C5 | Eighth series of texts from Committee 5 to the Editorial Committee | C4 |
| 214 | C5 | Ninth series of texts from Committee 5 to the Editorial Committee | C4 |
| 215 | C5 | Tenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 216 | C5 | Eleventh series of texts from Committee 5 to the Editorial Committee | C4 |
| 217 | SG | Transfer of powers - Kyrgyzstan/Russia | PL |
| 218 | SG | Transfer of powers - Guinea/Mali | PL |
| 219+Cor.1 | SG | Minutes of the ninth Plenary Meeting | PL |
| 220+Cor.1 | SG | Minutes of the tenth Plenary Meeting | PL |
| 221 | C6 | Fourth series of texts submitted by Committee 6 to the Editorial Committee | C4 |
| 222+Cor.1 | C4 | **B.3** - Third series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 223 | PL | Report by the Chairperson of the ad hoc group of the Plenary on the treatment of Decisions, Resolutions and Recommendations of Plenipotentiary Conferences | PL |
| 224 | C3 | First series of texts from Committee 3 to the Editorial Committee | C4 |
| 225+Cor.1 | C5 | Twelfth series of texts from Committee 5 to the Editorial Committee | C4 |
| 226 | C7 | Report by the Co-Chairperson of Committee 7 (General Management) to the Chairperson of Committee 6 | C6 |
| 227 | C5 | Thirteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 228 | C5 | Approval of Questions and Recommendations | C6 |
| 229 | [21] | Draft Resolution - Internal invoicing of the costs of activities undertaken by BDT at the request of the general secretariat or an ITU sector | PL |
| 230 | C5 | Implementation of processing charges for satellite network filings and administrative procedures | PL |
| 231 | C5 | Fourteenth series of texts from Committee 5 to the Editorial Committee | C4 |

[21] BEN/BFA/CME/CTI/GMB/KEN/MLI/NGR/NIG/UGA/SYR/COD/SEN/TCD/TGO/TRD/TUN ZWE

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 232 | C5 | Role of the Secretary-General of the ITU as depositary for memoranda of understanding | C6 |
| 233 | C7 | Financial limits | C6 |
| 234 (Rev.1)[22] | SG | Transfer of powers - Andorra/Spain | PL |
| 235 | SG | Consultation on the exact dates and place of the Radiocommunication Assembly (RA-2000) and on the agenda, exact dates and place of the World Radiocommunication Conference (WRC-2000) | PL |
| 236 | PL | Report of the Chairperson of the ad hoc group to the Plenary on Resolution 11 | PL |
| 237 | SG | Summary record of the eighth meeting of Committee 5 | C5 |
| 238 | C5 | Fifteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 239 | C5 | Sixteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 240 | IRN/MLA/ TON | The implementation of cost recovery for satellite network filings | C5 |
| 241 | SG | Summary record of the fifth meeting of Committee 6 | C6 |
| 242 | [23] | Amendment to the draft Resolution in Document 209 of the Plenipotentiary Conference (Minneapolis, 1998) | C5 |
| 243 + Cor.1,2 | C2 | Report by Committee 2 to the Plenary Meeting | PL |
| 244 | SG | Transfer of powers - Dominica/Barbados | PL |
| 245 | Chairperson | Treatment of Decisions, Resolutions and Recommendations of Plenipotentiary Conferences | C6 |
| 246 | NZL | Participation of regional and international organizations as observers at Plenipotentiary Conferences | PL |
| 247 | G | Proposals for the work of the Conference - Radio Regulations Board (RRB) | PL |
| 248 | C6 | Fifth series of texts from Committee 6 to the Editorial Committee | C4 |
| 249(Rev.1) | Chairperson | Guidelines for Plenary Meetings during the final week of the Conference | - |
| 250 | SG | List of documents (201-250) | - |

[22] The revised version does not concern the English text.

[23] CLM/CUB/EQA/GTM/HND/MEX/PRG/URG/VEN

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 251 | C7 | Third series of texts from Committee 7 to the Editorial Committee | C4 |
| 252 | C7 | Cost recovery | C6 |
| 253 | C5 | Amendments to the CS and CV | C6 |
| 254 | C5 | Note by the Chairperson of Committee 5 to the Chairperson of Committee 6 | C6 |
| 255 | C5 | Seventeenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 256 | C5 | Eighteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 257 | C5 | Nineteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 258 | C5 | Twentieth series of texts from Committee 5 to the Editorial Committee | C4 |
| 259 | C5 | Twenty-first series of texts from Committee 5 to the Editorial Committee | C4 |
| 260 | C5 | Satellite filing charges | PL |
| 261 | - | *Not allocated* | - |
| 262 | C5 | Work and results of Committee 5 | PL |
| 263 | C6 | Report by the Chairperson of Committee 6 to the Plenary Meeting | PL |
| 264+Cor.1 | C3 | Report of the Budget Control Committee to the Plenary Meeting | PL |
| 265 | C7 | Report by the Chairperson of Committee 7 to the Plenary Meeting (Finance) | PL |
| 266 | C4 | **B.4** - Fourth series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 267 | SG | Venue of the next Plenipotentiary Conference | PL |
| 268 | C7 | Fourth series of texts from Committee 7 to the Editorial Committee | C4 |
| 269 | PL | Draft Resolution PLEN/3 - Future conferences and assemblies of the Union | PL |
| 270 | C5 | Reform of the International Accounting Rate System | PL |
| 271 | Chairperson | Note by the Chairperson | PL |
| 272 | SG | Summary record of the sixth meeting of Committee 6 | C6 |
| 273 | C4 | **R.1** - First series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 274 | PL | Second series of texts submitted by the Plenary Meeting to the Editorial Committee | C4 |
| 275 | C6 | Sixth series of texts from Committee 6 to the Editorial Committee | C4 |
| 276(Rev.1) | C7 | Draft Resolution - Gradual lifting of interim limitations on the use of official and working languages of the Union | PL |
| 277 | SG | Summary record of the ninth meeting of Committee 5 | C5 |
| 278 | C7 | Report of the Co-Chairperson of Committee 7 (Staff Matters) to the Plenary Meeting | PL |
| 279+Cor.1 | C4 | **B.5** - Fifth series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 280 | SG | Draft Resolution - World Telecommunication Day | PL |
| 281 | Chairperson | Draft Resolution - Provisional application of the changes to the composition of the Radio Regulations Board | PL |
| 282 | SG | Transfer of Powers - Micronesia/Israel | PL |
| 283(Rev.1) | SG | Minutes of the eleventh Plenary Meeting | PL |
| 284+Cor.1 | [24] | Proposals for the work of the Conference - Draft Resolution: Status of Palestine in ITU | PL |
| 285 | ISR | Response of the State of Israel to attempts contemplating a proposed upgrade of or enhancement in the status of the PLO Observer at ITU Conferences and meetings | PL |
| 286 | ISR | Response of the State of Israel to positions contemplating a proposed change in status of the PLO Observer by according it the status or attributes of an Administration | PL |
| 287 | SG | Transfer of Powers - Tuvalu/New Zealand | PL |
| 288 | C6 | Note by the Chairperson of Committee 6 | PL |
| 289 | C7 | Report by Committee 7 (General Management) to the Plenary Meeting | PL |
| 290 | SG | Summary record of the sixth meeting of Committee 7 | C7 |
| 291 | C7 | Fifth series of texts from Committee 7 to the Editorial Committee | C4 |
| 292 | C7 | Draft Resolution - Cost recovery for some ITU products and services | PL |

[24] ALG/ARS/BGD/BHR/COM/EGY/UAE/GAB/GMB/IRN/JOR/KWT/LBN/MLI/MRC/MAU/MTN/NGR/NIG/OMA/PAK/QAT/SYR/TUN/YEM

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 293 | C5 | Draft Resolution - Review and improvement of the management, functioning and structure of the International Telecommunication Union | PL |
| 294 | C5 | Draft Resolution - International Telecommunication Regulations | PL |
| 295 | C5 | Draft Resolution - Urgent need for prompt action to address the year 2000 problem | PL |
| 296+Add.1 | C4 | **R.2** - Second series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 297 | C7 | Summary record of the seventh meeting of Committee 7 | C7 |
| 298 | C6 | Draft Resolution - Rules of procedure of Conferences and other meetings of the International Telecommunication Union | PL |
| 299 | SG | Transfer of Powers - Bahrain/Saudi Arabia | PL |
| 300 | SG | Summary record of the seventh meeting of Committee 6 | C6 |
| 301 | C6 | Draft Resolution - Publication of the ITU Constitution and Convention, Decisions, Resolutions and Recommendations and the Optional Protocol on the compulsory settlement of disputes | PL |
| 302 | C7 | Draft Decision - Expenditure of the Union for the period 2000 to 2003 | PL |
| 303 | C4 | **R.3** - Third series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 304 | C4 | **B.6** - Sixth series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 305 | ARS/IRN/ MRC/SYR | Proposals for the work of the Conference - Draft Resolution: Review and improvement of the management, functioning and structure of the ITU | PL |
| 306 | SG | Final days of the Conference | - |
| 307 | SG | Signing Ceremony | - |
| 308 | C5,C6 | Note by the Chairpersons of Committee 5 and Committee 6 | PL |
| 309 | SG | Summary record of the eighth meeting of Committee 7 | C7 |
| 310+Cor.1 | SG | Minutes of the twelfth Plenary Meeting | PL |
| 311 | - | Declarations and Reservations | PL |
| 312 | - | Additional Declarations and Reservations | PL |
| 313 | - | *Not allocated* | - |
| 314 | C4 | Note by the Chairperson of Committee 4 | PL |
| 315 | SG | Summary record of the ninth meeting of Committee 7 | C7 |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 316 | SG | Summary record of the eighth meeting of Committee 6 | C6 |
| 317 | SG | Summary record of the ninth meeting of Committee 6 | C6 |
| 318 | SG | Summary record of the second and last meeting of Committee 3 | C3 |
| 319 | SG | Summary record of the second and last meeting of Committee 2 | C2 |
| 320 | SG | Summary record of the tenth meeting of Committee 6 | C6 |
| 321 | SG | Summary record of the eleventh meeting of Committee 6 | C6 |
| 322 | SG | Summary record of the twelfth meeting of Committee 6 | C6 |
| 323 | SG | Summary record of the thirteenth meeting of Committee 6 | C6 |
| 324 | SG | Summary record of the tenth meeting of Committee 7 | C7 |
| 325 | SG | Summary record of the eleventh meeting of Committee 7 | C7 |
| 326 | SG | Summary record of the twelfth meeting of Committee 7 | C7 |
| 327 | SG | Summary record of the thirteenth meeting of Committee 7 | C7 |
| 328 | SG | Summary record of the fourteenth meeting of Committee 7 | C7 |
| 329 | SG | Summary record of the fourteenth meeting of Committee 6 | C6 |
| 330 | SG | Summary record of the tenth meeting of Committee 5 | C5 |
| 331 | SG | Summary record of the eleventh meeting of Committee 5 | C5 |
| 332 | SG | Summary record of the twelfth meeting of Committee 5 | C5 |
| 333 | SG | Summary record of the thirteenth meeting of Committee 5 | C5 |
| 334 | SG | Summary record of the fourteenth meeting of Committee 5 | C5 |
| 335 | SG | Summary record of the fifteenth and final meeting of Committee 5 | C5 |
| 336 | SG | Summary record of the fifteenth meeting of Committee 7 | C7 |
| 337 | SG | Summary record of the sixteenth meeting of Committee 7 | C7 |
| 338 | SG | Summary record of the seventeenth and last meeting of Committee 7 | C7 |
| 339 | SG | Minutes of the thirteenth Plenary Meeting | PL |
| 340 | SG | Minutes of the fourteenth Plenary Meeting | PL |
| 341+Cor.1 | SG | Minutes of the fifteenth Plenary Meeting | PL |
| 342+Cor.1 | SG | Minutes of the sixteenth Plenary Meeting | PL |
| 343+Cor.1 | SG | Minutes of the seventeenth Plenary Meeting | PL |
| 344+Cor.1 | SG | Minutes of the eighteenth Plenary Meeting | PL |
| 345+Cor.1 | SG | Minutes of the nineteenth Plenary Meeting | PL |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 346 | SG | Minutes of the twentieth Plenary Meeting | PL |
| 347 | SG | Summary record of the fifteenth and last meeting of Committee 6 | C6 |
| 348 | SG | Minutes of the twenty-first Plenary Meeting | PL |
| 349+Cor.1 | SG | Minutes of the twenty-second Plenary Meeting | PL |
| 350 | SG | Minutes of the twenty-third Plenary Meeting | PL |
| 351+Cor.1 | SG | Minutes of the twenty-fourth Plenary Meeting | PL |
| 352 | SG | Minutes of the twenty-fifth Plenary Meeting | PL |
| 353 | SG | Minutes of the twenty-sixth Plenary Meeting | PL |
| 354 | SG | Final list of participants | - |
| 355+Cor.1 | SG | Minutes of the twenty-seventh and last Plenary Meeting | PL |
| 356(Rev.1) | SG | Final list of documents | - |

INTERNATIONAL TELECOMMUNICATION UNION

# PLENIPOTENTIARY CONFERENCE (PP-98)

**Document 356-E**
**30 November 1998**

MINNEAPOLIS, 12 OCTOBER - 6 NOVEMBER 1998

FINAL LIST OF DOCUMENTS
(1-356)

## A. Basic documents of the Conference

| | Document | | Document |
|---|---|---|---|
| Presiding Officers | 90(Rev.1) | Structure of the Conference | 89 |
| List of participants | 354 | | |

| **Minutes - PLENARY MEETINGS** | | | |
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| Opening Ceremony | 98 | 14th meeting | 340 |
| 1st meeting | 99 | 15th meeting | 341 |
| 2nd meeting | 112 | 16th meeting | 342 |
| 3rd meeting | 120 + Cor.1 | 17th meeting | 343 |
| 4th meeting | 131 + Cor.1 | 18th meeting | 344 |
| 5th meeting | 159 + Cor.1 | 19th meeting | 345 |
| 6th meeting | 192 | 20th meeting | 346 |
| 7th meeting | 206 + Cor.1 | 21st meeting | 348 |
| 8th meeting | 207 + Cor.1 | 22nd meeting | 349 |
| 9th meeting | 219 + Cor.1 | 23rd meeting | 350 |
| 10th meeting | 220 + Cor.1 | 24th meeting | 351 |
| 11th meeting | 283(Rev.1) | 25th meeting | 352 |
| 12th meeting | 310 | 26th meeting | 353 |
| 13th meeting | 339 | 27th and last meeting | 355 |

## Summary Records

| COMMITTEE 2 - Credentials | | | |
|---|---|---|---|
| 1st meeting | 133 | 2nd and last meeting | 319 |

| COMMITTEE 3 - Budget Control | | | |
|---|---|---|---|
| 1st meeting | 132 | 2nd and last meeting | 318 |

| COMMITTEE 5 - Strategic Policy and Plans | | | |
|---|---|---|---|
| 1st meeting | 136 | 8th meeting | 237 |
| 2nd meeting | 141 | 9th meeting | 277 |
| 3rd meeting | 152 + Cor.1 | 10th meeting | 330 |
| 4th meeting | 153 | 11th meeting | 331 |
| 5th meeting | 166 | 12th meeting | 332 |
| 6th meeting | 191 | 13th meeting | 333 |
| 7th meeting | 205 | 14th meeting | 334 |
| | | 15th and last meeting | 335 |

| COMMITTEE 6 - Constitution and Convention | | | |
|---|---|---|---|
| 1st meeting | 143 + Cor.1,2 | 8th meeting | 316 |
| 2nd meeting | 148 | 9th meeting | 317 |
| 3rd meeting | 186 | 10th meeting | 320 |
| 4th meeting | 187 | 11th meeting | 321 |
| 5th meeting | 241 | 12th meeting | 322 |
| 6th meeting | 272 | 13th meeting | 323 |
| 7th meeting | 300 | 14th meeting | 329 |
| | | 15th and last meeting | 347 |

| COMMITTEE 7 - Management of the Union | | | |
|---|---|---|---|
| 1st meeting | 139 + Cor.1 | 9th meeting | 315 |
| 2nd meeting | 140 | 10th meeting | 324 |
| 3rd meeting | 174(Rev.1) | 11th meeting | 325 |
| 4th meeting | 194 | 12th meeting | 326 |
| 5th meeting | 195 | 13th meeting | 327 |
| 6th meeting | 290 | 14th meeting | 328 |
| 7th meeting | 297 | 15th meeting | 336 |
| 8th meeting | 309 | 16th meeting | 337 |
| | | 17th and last meeting | 338 |

## B. List of documents

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 1 | SG | Agenda of the Conference | PL |
| 2 | SG | Credentials of delegations to Conferences | PL |
| 3 | SG | Elections | PL |
| 4 + Add.1 | SG | Candidacies for the post of Secretary-General | PL |
| 5 + Add.1 | SG | Candidacies for the post of Deputy Secretary-General | PL |
| 6 + Add.1-14+ Add.11(Rev.1) | SG | Candidacies for the post of Member of the Radio Regulations Board | PL |
| 7 | E | Proposals for the work of the Conference | C6 |
| 8 | SG | Candidacy for the post of Director of the Radiocommunication Bureau | PL |
| 9 + Add.1,2 | CAN | Proposals for the work of the Conference | C5,C6, C7 |
| 10 | S | Proposals for the work of the Conference | C6 |
| 11+Cor.1-4 | [1] | Proposals for the work of the Conference | C6,C7 |
| 12 | POR | Proposals for the work of the Conference | C6 |
| 13 + Cor.1 | SG | Report on the implementation of Resolutions 15 and 39 (Kyoto, 1994) | C5,C6, C7 |
| 14 | F | Proposals for the work of the Conference | C6 |
| 15 | USA | Proposals for the work of the Conference | C6 |
| 16 + Add.1-3 | SG | Candidacies for the post of Director of the Telecommunication Development Bureau | PL |
| 17+Add.1,2 | SG | Candidacies for the post of Director of the Telecommunication Standardization Bureau | PL |

[1] AGL/B/CPV/MOZ/POR

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 18 + Add.1(Rev.1) +Add.2+Cor.1 | J | Proposals for the work of the Conference | PL, C5,C6 |
| 19 | KWT | Proposals for the work of the Conference | C6 |
| 20 | MLI | Proposals for the work of the Conference | C5,C6, C7 |
| 21 + Add.1 | AUS | Proposals for the work of the Conference | C5 |
| 22 | IMO | IMO information paper | PL |
| 23 | SG | Examination of the financial management of the Union by the Plenipotentiary Conference (Years 1994 to 1997) | C7 |
| 24 | SG | Use of languages in ITU | C7 |
| 25 + Add.1 + Cor.1 | [2] | Proposals for the work of the Conference | PL,C5, C6,C7 |
| 26 | SG | Draft strategic plan for the Union 1999-2003 | C5 |
| 27 | SG | Limits for establishing the biennial budgets of the Union announcement of class of contribution | PL, C7 |
| 28 | SG | Future conferences and meetings of the Union: 1998-2001 | C7 |
| 29 | SG | Cost analysis of the use of official and working languages of the Union | C7 |
| 30 | SG | Decisions of the World Telecommunication Development Conference (WTDC-98, Valletta, Malta, 1998) | C5 |
| 31 | SG | Reduction of the volume and cost of documentation for ITU Conferences | C7 |
| 32+Cor.1-5 | ECP | European common proposals for the work of the Conference | C5,C6 |
| 33 | SG | Arrears and special arrears accounts | C7 |
| 34 + Add.1 | RUS | Proposals for the work of the Conference | C5 |
| 35 | SG | Implementation of Resolution 8 (Kyoto, 1994) | C6 |
| 36 | SG | Report on ITU Publications (1994-97) | C7 |

[2] ALG/ARS/KWT/MRC/OMA/SYR

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 37 | CHN | Proposals for the work of the Conference | C5,C6, C7 |
| 38 | SG | Implementation of Resolutions 32, 33, 34, 36 and 37 (Kyoto, 1994) | C5 |
| 39 | SG | Operational Planning in ITU | C7 |
| 40 | KOR | Proposals for the work of the Conference | C5 |
| 41+Add.1,2 | ARG | Proposals for the work of the Conference | C5,C6, C7 |
| 42 + Add.1 | SG | Final draft of the Financial Plan: 1999-2003 | C7 |
| 43 | SG | Report by the Council Chairman on the status of observers at Council Sessions | C6 |
| 44 | SG | Financial situation of the ITU Staff Superannuation and Benevolent Funds | C7 |
| 45 | SG | Report from the Council Chairman on the World Telecommunication Policy Forum | C5 |
| 46 | SG | Report by the Council Chairman on the activities of the Union, 1995-1998 | PL |
| 47 | SG | Report by the Council Chairman on Special Actions for LDCs | PL,C5 |
| 48 | SG | Refinement of ITU-R and ITU-T | C5 |
| 49 | SG | Report by the Council Chairman on the implementation of Resolution 31 (Kyoto, 1994) | C5 |
| 50 | SG | List of documents (1 - 50) | - |
| 51 | SG | Incorporation of cost recovery in the financial regulations of the Union | C7 |
| 52 | SG | Requests for the Secretary-General of ITU to act as depositary of Memoranda of Understanding | C5 |
| 53 | SG | Report by the Chairman of the Council on Resolution 21 (Kyoto, 1994) | C5 |
| 54 | SG | Report by the Chairman of the Council on Resolution 22 (Kyoto, 1994) | C5 |
| 55 | SG | Human resources management and development | C7 |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 56 | SG | Report on ITU regional presence | C7 |
| 57 | SG | The DRM Consortium Agreement | C5 |
| 58 + Add.1 | INS | Proposals for the work of the Conference | C5,C7 |
| 59(Rev.1) + Add.1 + Cor.1 | CITEL | Proposals of the administrations of the CITEL Member States for the work of the Conference | PL,C5, C6,C7 |
| 60 | - | *Not allocated* | - |
| 61 | SG | Cooperation between ITU and other international organizations | C5 |
| 62 + Cor.1 | SG | Election procedures for PP-98 | PL |
| 63(Rev.1) | [3] | Proposals for the work of the Conference | C5 |
| 64 | SG | Arrangements between the government of the Unites States of America and the Secretary-General of the International Telecommunication Union | PL |
| 65 | CBS | CBS information paper | PL |
| 66 | IRN | Proposals for the work of the Conference | C5,C6,C7 |
| 67 | SG | Implementation of processing charges for satellite network filings | PL |
| 68+Cor.1 | ARS,SYR | Proposals for the work of the Conference | C5,C6 |
| 69 | SEN | Proposals for the work of the Conference | C5,C6,C7 |
| 70+Cor.1, 2 | Asia Pacific | Asia Pacific common proposals for the work of the Conference | C5,C6,C7 |
| 71 | SG | WRC-95 and WRC-97 Resolutions which call for action from, or invite the attention of, the Plenipotentiary Conference | C6 |
| 72 | CVA | Proposals for the work of the Conference | C5 |
| 73 | D | Proposals for the work of the Conference | PL |
| 74 | SG | Contributions by Members of the Union - Mauritania | C7 |

[3] ARS/BHR/UAE/KWT/LBN/QAT

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 75(Rev.1) | [4] | Proposals for the work of the Conference | C5 |
| 76 | MLA | Proposals for the work of the Conference | C5 |
| 77 | IND | Proposals for the work of the Conference | C6 |
| 78 | SG | Contributions by Members of the Union - Grenada | C7 |
| 79(Rev.1) | SG | Contributions by Members of the Union - Nicaragua | C7 |
| 80 | SG | Contributions by Members of the Union - Azerbaijan | C7 |
| 81 | CTR Group Ltd | CTR Group Ltd. - Information document | PL |
| 82 | SG | Ceiling for the amount of contribution unit - Flexibility to be given to the Council | C7 |
| 83 | SG | Budget of the Plenipotentiary Conference (Minneapolis, 1998) | C3 |
| 84 | SG | Contributions of organizations to the expenses of the Conference | C3 |
| 85 | KEN | Proposals for the work of the Conference | C5,C7 |
| 86 | Chairperson | Conduct of proceedings at the Minneapolis Plenipotentiary Conference | PL |
| 87(Rev.1) | SG | Candidatures for the elections to the ITU Council | PL |
| 88+Add.1-3 | SG | Candidacies for the post of Secretary-General, Deputy Secretary-General, Directors of the Bureaux of the Sectors and Members of the Radio Regulations Board | PL |
| 89 | SG | Structure of the Plenipotentiary Conference (Minneapolis, 1998) | - |
| 90(Rev.1) | SG | Presiding officers of the Conference | - |
| 91 | SG | Secretariat of the Conference | - |
| 92 | CLN | Pilot study on the use of telecommunications in disaster and emergency situations in Sri Lanka | C5 |
| 93 | TON | Proposals for the work of the Conference | C7 |

[4] ALG/BAH/BHR/BRB/CUB/DMA/GUY/MRC/LCA/VCT/SEN/SUR/TRD

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 94(Rev.1) + Cor.1-4 | [5] | Proposals for the work of the Conference | C5 |
| 95(Rev.6) | SG | Loss of the right to vote | PL |
| 96(Rev.1) | SG | Allocation of documents | - |
| 97 | LUX\HOL\S | Proposals for the work of the Conference | PL |
| 98 | SG | Minutes of the opening ceremony | PL |
| 99 | SG | Minutes of the first Plenary Meeting | PL |
| 100 | SG | List of documents (51-100) | - |
| 101 | TUN | Proposals for the work of the Conference | C5 |
| 102 | MRC | Considerations relating to quorum and votes at the Conference | PL |
| 103 | CTR | Proposals for the work of the Conference | C5 |
| 104 | UGA | Telecommunication reforms in Uganda | C5 |
| 105 | UGA | Preparations for year 2000 in Uganda Telecom Limited (UTL) | C5 |
| 106 + Cor.1-4 | [6] | Admission of Palestine as a Member State of the Union | C5 |
| 107(Rev.1) | S | Proposals for the work of the Conference | C5 |
| 108 | SG | Situation of the accounts of the Plenipotentiary Conference (PP-98) as at 9 October 1998 | C3 |
| 109(Rev.2) | C5 | First series of texts from Committee 5 to the Editorial Committee | C4 |
| 110 | C5 | Report by the Chairperson of Committee 5 to the Committee 6 | C6 |
| 111+Cor.1 | LBN | Proposals for the work of the Conference | PL, C5, C6, C7 |
| 112 | SG | Minutes of the second Plenary Meeting | PL |

[5] ALG/ARS/BHR/GMB/GHA/IND/JOR/KWT/LBN/MLA/MLI/OMA/UGA/QAT/SYR/VCT/SEN/SUR/TRD/YEM

[6] ALG/ARS/BHR/BGD/COM/DJI/EGY/UAE/GAB/GMB/IRN/JOR/LBN/MLI/MRC/MTN/NGR/OMA/PAK/QAT/SYR/SDN/TUN/YEM

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 113 | SG | Information Paper from the Palestinian Authority | PL |
| 114 | C5 | Report by the Chairperson of Committee 5 to the Plenary | PL |
| 115 | ISR | Proposals for the work of the Conference | PL |
| 116 | ISR | Proposals for the work of the Conference | PL |
| 117(Rev.1) | SG | General schedule of the work of the Conference | - |
| 118 | C7 | Note by the Chairperson of Committee 7 (Finance) | C7 |
| 119 | C5 | Report by the Chairperson of Committee 5 to the Committee 7 | C7 |
| 120+Cor.1 | SG | Minutes of the third Plenary Meeting | PL |
| 121 | C7 | Report by the Chairperson of Committee 7 (Finance) to the Plenary Meeting | PL |
| 122 + Cor.1,2 | [7] | Proposals for the work of the Conference | C7 |
| 123+Cor.1 | [8] | Proposals for the work of the Conference | C7 |
| 124(Rev.1) | [9] | Proposals for the work of the Conference | C7 |
| 125 | SG | Transfer of powers - Croatia/Germany | PL |
| 126 + Cor.1-6 | [10] | Proposals for the work of the Conference | C5 |
| 127 | - | *Not allocated* | - |
| 128 | C5 | Second series of texts from Committee 5 to the Editorial Committee | C4 |
| 129 | C7 | First series of texts from Committee 7 (Staff Matters) to the Editorial Committee | C4 |

[7] ALG/BUL/CPV/CTR/CYP/GAB/GRC/HNG/IND/KWT/MLI/SYR/RUS/SUI/TZA/VEN.

[8] ALG/CPV/CTR/GAB/GRC/HNG/KWT/MLI/SYR/TZA/VEN.

[9] ALG/CPV/CTR/GAB/GRC/HNG/IND/KWT/MLI/SYR/SUI/TZA/VEN.

[10] BRB/BIH/BDI/CAN/CYP/DNK/USA/FIN/GAB/GHA/GUY/INS/I/JOR/KWT/LBN/ MLI/MLT/NPL/PHL/POL/ G/LCA/SEN/SVN/TUR/SUI/ZMB

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 130 + Cor.1,2 | [11] | Proposals for the work of the Conference | C5 |
| 131+Cor.1 | SG | Minutes of the fourth Plenary Meeting | PL |
| 132 | SG | Summary record of the first meeting of Committee 3 | C3 |
| 133 | SG | Summary record of the first meeting of Committee 2 | C2 |
| 134 | Chairperson | Deadline for the deposit of candidatures | - |
| 135 | C7 | Committee 7 meetings on 20 october 1998 | C7 |
| 136 | SG | Summary record of the first meeting of Committee 5 | C5 |
| 137(Rev.2) | SG | Information note on the voting process | PL |
| 138 | G | Proposals for the work of the Conference | C5 |
| 139+Cor.1 | SG | Summary record of the first meeting of Committee 7 | C7 |
| 140 | SG | Summary record of the second meeting of Committee 7 | C7 |
| 141 | SG | Summary record of the second meeting of Committee 5 | C5 |
| 142 | SG | Guidelines for follow-up on the Intergovernmental Conference on Emergency Telecommunications (ICET-98) | C5 |
| 143 + Cor.1,2 | SG | Summary record of the first meeting of Committee 6 | C6 |
| 144 | SG | Contributions by Members of the Union - Azerbaijani Republic | C7 |
| 145 | SG | Contributions by Members of the Union - Sierra Leone | C7 |
| 146 | CAN | Representation of women in the ITU staffing process | C7 |
| 147 + Cor.1-8 | [12] | Draft Resolution: Inclusion of gender perspective in the work of ITU | PL |

[11] AUT/BUL/CYP/DNK/E/F/NOR/POR/G/SUI

[12] ALG/ARS/ARG/AUS/BHR/BEN/BFA/BRB/B/BUL/CME/CAN/CPV/CYP/CTR/CUB/ DNK/USA/FIN/F/GAB/GHA/IND/INS/JMC/J/JOR/KEN/KWT/LBN/MLA/MLI/MLT/ MRC/MEX/MOZ/NMB/NGR/NOR/OMA/UGA/HOL/PHL/POL/POR/SYR/COD/G/RUS/ SEN/SNG/SVN/AFS/S/SUR/TZA/THA/TRD/TUN/TUR/VEN/VTN/ZMB

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 148 | SG | Summary record of the second meeting of Committee 6 | C6 |
| 149 | SG | Transfer of Powers - Comoros/Madagascar | PL |
| 150 | SG | List of documents (101-150) | - |
| 151 | COD | Information document - International call for tenders for the sale of a 900 MHz GSM mobile telephone licence | PL |
| 152+Cor.1 | SG | Summary record of the third meeting of Committee 5 | C5 |
| 153 | SG | Summary record of the fourth meeting of Committee 5 | C5 |
| 154 | SG | Transfer of powers - Monaco/France | PL |
| 155(Rev.1) | SG | Transfer of powers - Sao Tome and Principe/Portugal | PL |
| 156 | E | Proposals for the work of the Conference | C5 |
| 157(Rev.1) + Cor. 1 | [13] | Draft revision of Resolution 62 (Kyoto, 1994) | C7 |
| 158 | PL | First series of texts submitted by the Plenary Meeting to the Editorial Committee | C4 |
| 159+Cor.1 | SG | Minutes of the Fifth Plenary Meeting | PL |
| 160(Rev.1) | SG | Transfer of powers - Nicaragua/Costa Rica | PL |
| 161 | SG | Contributions by Members of the Union - Democratic Republic of the Congo | C7 |
| 162 | SG | Contributions by Members of the Union - Costa Rica | C7 |
| 163 | C5 | Third series of texts from Committee 5 to the Editorial Committee | C4 |
| 164 + Cor.1-5 | [14] | Proposals for the work of the Conference | C5 |

[13] ARM/AZE/BLR/CHN/GEO/KAZ/MDA/MNG/UZB/KGZ/RUS

[14] ALG/ARS/AUS/BGD/BHR/BIH/BOT/B/BUL/CAN/CPV/CHN/EGY/USA/GRC/INS/IRN/ JOR/KWT/LBN/MLA/MLI/MRC/PAK/SYR/SEN/SVN/SUI/TUR/YEM

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 165 | [15] | Draft Resolution - Internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU Sector | C7 |
| 166 | SG | Summary record of the fifth meeting of Committee 5 | C5 |
| 167 | C5 | Reallocation of documents | PL, C7 |
| 168 | C5 | Fourth series of texts from Committee 5 to the Editorial Committee | C4 |
| 169 | C5 | Fifth series of texts from Committee 5 to the Editorial Committee | C4 |
| 170 | C7 | Report by the Co-Chairperson of Committee 7 (Staff matters) to the Chairperson of Committee 6 | C6 |
| 171+Cor.1 | USA | Proposals for the work of the Conference | C5 |
| 172+Cor.1 | C5 | Sixth series of texts from Committee 5 to the Editorial Committee | C4 |
| 173 | C5 | Participation of radiocommunication Sector Members in World Radiocommunication Conferences | C6 |
| 174(Rev.1) | SG | Summary record of the third meeting of Committee 7 | C7 |
| 175 | ISR | Response to proposal by the Arab group concerning the PLO/Palestine observer | PL |
| 176 | C7 | Liaison statement from the Co-Chairperson of Committee 7 (General management) to the Chairperson of Committee 5 | C5 |
| 177 | C6 | First series of texts from Committee 6 to the Editorial Committee | C4 |
| 178(Rev.1) | SG | Transfer of powers - Jamaica/Belize | PL |
| 179 | SG | Transfer of powers - Vanuata/Fiji | PL |
| 180 | SG | Transfer of powers - Saint Lucia/Bahamas | PL |
| 181 | SG | Transfer of powers - Saint Vincent and the Grenadines/Trinidad and Tobago | PL |
| 182 | SG | Transfer of powers - Central African Republic/Gabon | PL |

[15] BEN/DJI/KEN/NGR/NIG/UGA/SYR/COD/SEN/SRL/SDN/AFS/TGO/TRD/TUN/ZWE

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 183 | [16] | Proposals for the work of the Conference | C5 |
| 184 + Cor.1-4 | [17] | Proposals for the work of the Conference | C5 |
| 185 | SG | Transfer of powers - Cape Verde/Mozambique | PL |
| 186 | SG | Summary record of the third meeting of Committee 6 | C6 |
| 187 | SG | Summary record of the fourth meeting of Committee 6 | C6 |
| 188 | C6 | Second series of texts submitted by Committee 6 to the Editorial Committee | C4 |
| 189 | C4 | **B.1** - First series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 190 | C7 | Second series of texts submitted by Committee 7 to the Editorial Committee | C4 |
| 191 | SG | Summary record of the sixth meeting of Committee 5 | C5 |
| 192 | SG | Minutes of the sixth Plenary Meeting | PL |
| 193 | SG | Transfer of powers - Uzbekistan/Armenia | PL |
| 194 | SG | Summary record of the fourth meeting of Committee 7 | C7 |
| 195 | SG | Summary record of the fifth meeting of Committee 7 | C7 |
| 196 | TUN | Proposals for the work of the Conference | PL |
| 197 | C5 | Seventh series of texts submitted by Committee 5 to the Editorial Committee | C4 |
| 198 | C7 | Report from the Chairperson of Committee 7 (Finance) to Committee 6 | C6 |
| 199 | C7 | Note by the Chairperson of Committee 7 to Committee 6 | C6 |
| 200 | SG | List of documents (151-200) | - |
| 201 | C5 | Members of the Radio Regulations Board | PL |

[16] BAH/BRB/BLZ/CAN/DOM/FIN/GUY/IRN/JMC/LCA/CLN/SUI

[17] ALG/B/BFA/CME/CPV/CTI/UAE/GAB/HTI/LBN/MLI/OMA/PAK/QAT/SYR/SEN/AFS/SUI/TUR

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 202 | C5 | Timing and convening of future Radiocommunication Assemblies | C6, C7 |
| 203 | C6 | Third series of texts submitted by Committee 6 to the Editorial Committee | C4 |
| 204 | SG | Transfer of powers - Marshall Islands/United States | PL |
| 205 | SG | Summary record of the seventh meeting of Committee 5 | C5 |
| 206+Cor.1 | SG | Minutes of the seventh Plenary Meeting | PL |
| 207+Cor.1 | SG | Minutes of the eighth Plenary Meeting | PL |
| 208+Cor.1 | [18] | Proposals for the work of the Conference | PL |
| 209+Cor.1 +Cor.2(Rev.1) | [19] | Proposals for the work of the Conference | C5 |
| 210+Cor.1 | C4 | **B.2** - Second series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 211+Cor.1 | [20] | Proposals for the work of the Conference | PL |
| 212 | C5 | Reallocation of documents | C6 |
| 213 | C5 | Eighth series of texts from Committee 5 to the Editorial Committee | C4 |
| 214 | C5 | Ninth series of texts from Committee 5 to the Editorial Committee | C4 |
| 215 | C5 | Tenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 216 | C5 | Eleventh series of texts from Committee 5 to the Editorial Committee | C4 |
| 217 | SG | Transfer of powers - Kyrgyzstan/Russia | PL |

[18] ALG/ARS/UAE/MRC/OMA/QAT/SYR

[19] USA/HOL/G/NZL

[20] D/AGL/ARG/ARM/AUS/AUT/BLR/BEL/B/BUL/CAN/CHL/CHN/CTI/DNK/E/ USA/FIN/F/GAB/GHA/GRC/HND/HNG/IND/INS/IRL/ISL/I/KAZ/KEN/LSO/LVA/LBN/ LIE/LUX/MLT/MAU/MEX/MDA/MNG/MOZ/NMB/NGR/NIG/NOR/NZL/UGA/PNG/PRG/ HOL/POL/POR/KGZ/SVK/CZE/ROU/G/RUS/SNG/CLN/AFS/S/SUI/SWZ/TZA/TUR/URG/ VEN/VTN/ZWE

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 218 | SG | Transfer of powers - Guinea/Mali | PL |
| 219+Cor.1 | SG | Minutes of the ninth Plenary Meeting | PL |
| 220+Cor.1 | SG | Minutes of the tenth Plenary Meeting | PL |
| 221 | C6 | Fourth series of texts submitted by Committee 6 to the Editorial Committee | C4 |
| 222+Cor.1 | C4 | **B.3** - Third series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 223 | PL | Report by the Chairperson of the ad hoc group of the Plenary on the treatment of Decisions, Resolutions and Recommendations of Plenipotentiary Conferences | PL |
| 224 | C3 | First series of texts from Committee 3 to the Editorial Committee | C4 |
| 225+Cor.1 | C5 | Twelfth series of texts from Committee 5 to the Editorial Committee | C4 |
| 226 | C7 | Report by the Co-Chairperson of Committee 7 (General Management) to the Chairperson of Committee 6 | C6 |
| 227 | C5 | Thirteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 228 | C5 | Approval of Questions and Recommendations | C6 |
| 229 | [21] | Draft Resolution - Internal invoicing of the costs of activities undertaken by BDT at the request of the general secretariat or an ITU sector | PL |
| 230 | C5 | Implementation of processing charges for satellite network filings and administrative procedures | PL |
| 231 | C5 | Fourteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 232 | C5 | Role of the Secretary-General of the ITU as depositary for memoranda of understanding | C6 |
| 233 | C7 | Financial limits | C6 |

[21] BEN/BFA/CME/CTI/GMB/KEN/MLI/NGR/NIG/UGA/SYR/COD/SEN/TCD/TGO/TRD/TUN ZWE

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 234 (Rev.1)[22] | SG | Transfer of powers - Andorra/Spain | PL |
| 235 | SG | Consultation on the exact dates and place of the Radiocommunication Assembly (RA-2000) and on the agenda, exact dates and place of the World Radiocommunication Conference (WRC-2000) | PL |
| 236 | PL | Report of the Chairperson of the ad hoc group to the Plenary on Resolution 11 | PL |
| 237 | SG | Summary record of the eighth meeting of Committee 5 | C5 |
| 238 | C5 | Fifteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 239 | C5 | Sixteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 240 | IRN/MLA/ TON | The implementation of cost recovery for satellite network filings | C5 |
| 241 | SG | Summary record of the fifth meeting of Committee 6 | C6 |
| 242 | [23] | Amendment to the draft Resolution in Document 209 of the Plenipotentiary Conference (Minneapolis, 1998) | C5 |
| 243 + Cor.1,2 | C2 | Report by Committee 2 to the Plenary Meeting | PL |
| 244 | SG | Transfer of powers - Dominica/Barbados | PL |
| 245 | Chairperson | Treatment of Decisions, Resolutions and Recommendations of Plenipotentiary Conferences | C6 |
| 246 | NZL | Participation of regional and international organizations as observers at Plenipotentiary Conferences | PL |
| 247 | G | Proposals for the work of the Conference - Radio Regulations Board (RRB) | PL |
| 248 | C6 | Fifth series of texts from Committee 6 to the Editorial Committee | C4 |

[22] The revised version does not concern the English text.

[23] CLM/CUB/EQA/GTM/HND/MEX/PRG/URG/VEN

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 249(Rev.1) | Chairperson | Guidelines for Plenary Meetings during the final week of the Conference | - |
| 250 | SG | List of documents (201-250) | - |
| 251 | C7 | Third series of texts from Committee 7 to the Editorial Committee | C4 |
| 252 | C7 | Cost recovery | C6 |
| 253 | C5 | Amendments to the CS and CV | C6 |
| 254 | C5 | Note by the Chairperson of Committee 5 to the Chairperson of Committee 6 | C6 |
| 255 | C5 | Seventeenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 256 | C5 | Eighteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 257 | C5 | Nineteenth series of texts from Committee 5 to the Editorial Committee | C4 |
| 258 | C5 | Twentieth series of texts from Committee 5 to the Editorial Committee | C4 |
| 259 | C5 | Twenty-first series of texts from Committee 5 to the Editorial Committee | C4 |
| 260 | C5 | Satellite filing charges | PL |
| 261 | - | *Not allocated* | - |
| 262 | C5 | Work and results of Committee 5 | PL |
| 263 | C6 | Report by the Chairperson of Committee 6 to the Plenary Meeting | PL |
| 264+Cor.1 | C3 | Report of the Budget Control Committee to the Plenary Meeting | PL |
| 265 | C7 | Report by the Chairperson of Committee 7 to the Plenary Meeting (Finance) | PL |
| 266 | C4 | **B.4** - Fourth series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 267 | SG | Venue of the next Plenipotentiary Conference | PL |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 268 | C7 | Fourth series of texts from Committee 7 to the Editorial Committee | C4 |
| 269 | PL | Draft Resolution PLEN/3 - Future conferences and assemblies of the Union | PL |
| 270 | C5 | Reform of the International Accounting Rate System | PL |
| 271 | Chairperson | Note by the Chairperson | PL |
| 272 | SG | Summary record of the sixth meeting of Committee 6 | C6 |
| 273 | C4 | **R.1** - First series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 274 | PL | Second series of texts submitted by the Plenary Meeting to the Editorial Committee | C4 |
| 275 | C6 | Sixth series of texts from Committee 6 to the Editorial Committee | C4 |
| 276(Rev.1) | C7 | Draft Resolution - Gradual lifting of interim limitations on the use of official and working languages of the Union | PL |
| 277 | SG | Summary record of the ninth meeting of Committee 5 | C5 |
| 278 | C7 | Report of the Co-Chairperson of Committee 7 (Staff Matters) to the Plenary Meeting | PL |
| 279+Cor.1 | C4 | **B.5** - Fifth series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 280 | SG | Draft Resolution - World Telecommunication Day | PL |
| 281 | Chairperson | Draft Resolution - Provisional application of the changes to the composition of the Radio Regulations Board | PL |
| 282 | SG | Transfer of Powers - Micronesia/Israel | PL |
| 283(Rev.1) | SG | Minutes of the eleventh Plenary Meeting | PL |
| 284+Cor.1 | [24] | Proposals for the work of the Conference | PL |

[24] ALG/ARS/BGD/BHR/COM/EGY/UAE/GAB/GMB/IRN/JOR/KWT/LBN/MLI/MRC/MAU/MTN/NGR/NIG/OMA/PAK/QAT/SYR/TUN/YEM

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 285 | ISR | Response of the State of Israel to attempts contemplating a proposed upgrade of or enhancement in the status of the PLO Observer at ITU Conferences and meetings | PL |
| 286 | ISR | Response of the State of Israel to positions contemplating a proposed change in status of the PLO Observer by according it the status or attributes of an Administration | PL |
| 287 | SG | Transfer of Powers - Tuvalu/New Zealand | PL |
| 288 | C6 | Note by the Chairperson of Committee 6 | PL |
| 289 | C7 | Report by Committee 7 (General Management) to the Plenary Meeting | PL |
| 290 | SG | Summary record of the sixth meeting of Committee 7 | C7 |
| 291 | C7 | Fifth series of texts from Committee 7 to the Editorial Committee | C4 |
| 292 | C7 | Draft Resolution - Cost recovery for some ITU products and services | PL |
| 293 | C5 | Draft Resolution - Review and improvement of the management, functioning and structure of the International Telecommunication Union | PL |
| 294 | C5 | Draft Resolution - International Telecommunication Regulations | PL |
| 295 | C5 | Draft Resolution - Urgent need for prompt action to address the year 2000 problem | PL |
| 296+Add.1 | C4 | **R.2** - Second series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 297 | C7 | Summary record of the seventh meeting of Committee 7 | C7 |
| 298 | C6 | Draft Resolution - Rules of procedure of Conferences and other meetings of the International Telecommunication Union | PL |
| 299 | SG | Transfer of Powers - Bahrain/Saudi Arabia | PL |
| 300 | SG | Summary record of the seventh meeting of Committee 6 | C6 |
| 301 | C6 | Draft Resolution - Publication of the ITU Constitution and Convention, Decisions, Resolutions and Recommendations and the Optional Protocol on the compulsory settlement of disputes | PL |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 302 | C7 | Draft Decision - Expenditure of the Union for the period 2000 to 2003 | PL |
| 303 | C4 | **R.3** - Third series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 304 | C4 | **B.6** - Sixth series of texts submitted by the Editorial Committee to the Plenary Meeting | PL |
| 305 | ARS/IRN/ MRC/SYR | Proposals for the work of the Conference | PL |
| 306 | SG | Final days of the Conference | - |
| 307 | SG | Signing Ceremony | - |
| 308 | C5,C6 | Note by the Chairpersons of Committee 5 and Committee 6 | PL |
| 309 | SG | Summary record of the eighth meeting of Committee 7 | C7 |
| 310 | SG | Minutes of the twelfth Plenary Meeting | PL |
| 311 | - | Declarations and Reservations | PL |
| 312 | - | Additional Declarations and Reservations | PL |
| 313 | - | *Not allocated* | - |
| 314 | C4 | Note by the Chairperson of Committee 4 | PL |
| 315 | SG | Summary record of the ninth meeting of Committee 7 | C7 |
| 316 | SG | Summary record of the eighth meeting of Committee 6 | C6 |
| 317 | SG | Summary record of the ninth meeting of Committee 6 | C6 |
| 318 | SG | Summary record of the second and last meeting of Committee 3 | C3 |
| 319 | SG | Summary record of the second and last meeting of Committee 2 | C2 |
| 320 | SG | Summary record of the tenth meeting of Committee 6 | C6 |
| 321 | SG | Summary record of the eleventh meeting of Committee 6 | C6 |
| 322 | SG | Summary record of the twelfth meeting of Committee 6 | C6 |
| 323 | SG | Summary record of the thirteenth meeting of Committee 6 | C6 |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 324 | SG | Summary record of the tenth meeting of Committee 7 | C7 |
| 325 | SG | Summary record of the eleventh meeting of Committee 7 | C7 |
| 326 | SG | Summary record of the twelfth meeting of Committee 7 | C7 |
| 327 | SG | Summary record of the thirteenth meeting of Committee 7 | C7 |
| 328 | SG | Summary record of the fourteenth meeting of Committee 7 | C7 |
| 329 | SG | Summary record of the fourteenth meeting of Committee 6 | C6 |
| 330 | SG | Summary record of the tenth meeting of Committee 5 | C5 |
| 331 | SG | Summary record of the eleventh meeting of Committee 5 | C5 |
| 332 | SG | Summary record of the twelfth meeting of Committee 5 | C5 |
| 333 | SG | Summary record of the thirteenth meeting of Committee 5 | C5 |
| 334 | SG | Summary record of the fourteenth meeting of Committee 5 | C5 |
| 335 | SG | Summary record of the fifteenth and final meeting of Committee 5 | C5 |
| 336 | SG | Summary record of the fifteenth meeting of Committee 7 | C7 |
| 337 | SG | Summary record of the sixteenth meeting of Committee 7 | C7 |
| 338 | SG | Summary record of the seventeenth and last meeting of Committee 7 | C7 |
| 339 | SG | Minutes of the thirteenth Plenary Meeting | PL |
| 340 | SG | Minutes of the fourteenth Plenary Meeting | PL |
| 341 | SG | Minutes of the fifteenth Plenary Meeting | PL |
| 342 | SG | Minutes of the sixteenth Plenary Meeting | PL |
| 343 | SG | Minutes of the seventeenth Plenary Meeting | PL |
| 344 | SG | Minutes of the eighteenth Plenary Meeting | PL |
| 345 | SG | Minutes of the nineteenth Plenary Meeting | PL |
| 346 | SG | Minutes of the twentieth Plenary Meeting | PL |
| 347 | SG | Summary record of the fifteenth and last meeting of Committee 6 | C6 |

| Doc. No. | Source | Title | Destination |
|---|---|---|---|
| 348 | SG | Minutes of the twenty-first Plenary Meeting | PL |
| 349 | SG | Minutes of the twenty-second Plenary Meeting | PL |
| 350 | SG | Minutes of the twenty-third Plenary Meeting | PL |
| 351 | SG | Minutes of the twenty-fourth Plenary Meeting | PL |
| 352 | SG | Minutes of the twenty-fifth Plenary Meeting | PL |
| 353 | SG | Minutes of the twenty-sixth Plenary Meeting | PL |
| 354 | SG | Final list of participants | - |
| 355 | SG | Minutes of the twenty-seventh and last Plenary Meeting | PL |
| 356 | SG | Final list of documents | - |