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AMENDMENTS TO CONSTITUTION AND CONVENTION OF INTERNATIONAL TELECOMMUNICATION UNION (ITU) (GENEVA 1992)

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

AMENDMENTS TO THE CONSTITUTION AND CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION (ITU) (GENEVA 1992), AS AMENDED BY THE PLENIPOTENTIARY CONFERENCE (KYOTO 1994), TOGETHER WITH DECLARATIONS AND RESERVATIONS BY THE UNITED STATES AS CONTAINED IN THE FINAL ACTS OF THE PLENIPOTENTIARY CONFERENCE (MINNEAPOLIS 1998)

APRIL 30, 2003.—The Treaty was read the first time, and together with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed for the use of the Senate

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LETTER OF TRANSMITTAL

THE WHITE HOUSE, *April 30, 2003.*

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification, the amendments to the Constitution and Convention of the International Telecommunication Union (ITU) (Geneva 1992), as amended by the Plenipotentiary Conference (Kyoto 1994), together with declarations and reservations by the United States as contained in the Final Acts of the Plenipotentiary Conference (Minneapolis 1998). I transmit also, for the information of the Senate, the report of the Department of State concerning these amendments.

Prior to 1992, and as a matter of general practice, previous Conventions of the ITU were routinely replaced at successive Plenipotentiary Conferences held every 5 to 10 years. In 1992, the ITU adopted a permanent Constitution and Convention. The Constitution contains fundamental provisions on the organization and structure of the ITU, as well as substantive rules applicable to international telecommunications matters. The ITU Convention contains provisions concerning the functioning of the ITU and its constituent organs.

Faced with a rapidly changing telecommunication environment, the ITU in 1994 adopted a few amendments to the 1992 Constitution and Convention. These amendments were designed to enable the ITU to respond effectively to new challenges posed.

The pace at which the telecommunication market continues to evolve has not eased. States participating in the 1998 ITU Plenipotentiary Conference held in Minneapolis submitted numerous proposals to amend the Constitution and Convention. As discussed in the attached report of the Department of State concerning the amendments, key proposals included the following: amendments to clarify the rights and obligations of Member States and Sector Members; amendments to increase private sector participation in the ITU with the understanding that the ITU is to remain an intergovernmental organization; amendments to strenghten the finances of the ITU; and amendments to provide for alternative procedures for the adoption and approval of questions and recommendations.

Consistent with longstanding practice in the ITU, the United States, in signing the 1998 amendments, made certain declarations and reservations. These declarations and reservations are discussed in the report of the Department of State, which is attached hereto.

The 1992 Constitution and Convention and the 1994 amendments thereto entered into force for the United States on October 26, 1997. The 1998 amendments to the 1992 Constitution and Con-

vention as amended in 1994 entered into force on January 1, 2000, for those states, which, by that date, had notified the Secretary General of the ITU of their approval thereof. As of the beginning of this year, 26 states had notified the Secretary General of the ITU of their approval of the 1998 amendments.

Subject to the U.S. declarations and reservations mentioned above, I believe the United States should ratify the 1998 amendments to the ITU Constitution and Convention. They will contribute to the ITU's ability to adapt to a rapidly changing telecommunication environment and, in doing so, will serve the needs of the United States Government and U.S. industry.

I recommend that the Senate give early and favorable consideration to these amendments and that the Senate give its advice and consent to ratification.

GEORGE W. BUSH.

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, DC, March 1, 2002.

The PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to submit to you, with a view to their transmission to the Senate for advice and consent to ratification, amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994), signed by the United States at a Plenipotentiary Conference at Minneapolis on November 6, 1998 (the "1998 Conference"). I also have the honor to submit to you certain U.S. declarations and reservations that also require Senate advice and consent.

The text of the amendments, with annexes and U.S. declarations and reservations, is contained in a bound volume, which also includes texts of the following documents that do not require ratification by the United States: (1) declarations and reservations of other governments; (2) Rules of Procedure of Conferences and Other Meetings of the International Telecommunication Union; (3) Decisions; (4) Resolutions; and (5) a List of Abrogated Decisions and Resolutions. The certified English-language text of the amendments is submitted herewith. Certified copies of the Arabic, Chinese, French, Russian, and Spanish versions of the text are also available.

The International Telecommunication Union (ITU), with over 180 Member States, is the United Nations specialized agency with responsibility for certain international telecommunication matters. It provides a forum for global telecommunication standardization activities; for the international allocation, management, and use of radio spectrum; and, in the case of developing countries, for the promotion and provision of technical assistance in the area of telecommunications. These activities take place under the auspices of three "Sectors"—the Telecommunication Standardization Bureau, the Radiocommunication Bureau, and the Development Bureau.

Over the past two decades, the telecommunication environment has experienced rapid change. Member States of the ITU and the organization itself have had to consider and adopt measures that will enable them to adapt effectively to these changes. This has led Member States to consider the extent to which changes in the structure and functioning of the ITU are necessary. In 1989, the ITU Member States created a High-Level Committee (HLC) to examine the structure and functioning of the ITU and to issue recommendations on the kind of changes required to ensure that the ITU could effectively adapt to the new telecommunication environ-

ment. The United States participated in the HLC and generally supported its recommendations.

At the 1992 Geneva Plenipotentiary Conference, Member States, based in part on the recommendations of the HLC, submitted proposals on the restructuring of the ITU. These proposals led to the adoption of what was intended to be a permanent Constitution and Convention that could be amended by subsequent plenipotentiary conferences. The Constitution and Convention were amended in part at the 1994 Plenipotentiary Conference held in Kyoto, Japan.

As part of the ITU's ongoing effort to ensure that it adapts to the rapidly changing telecommunication environment, the Kyoto Plenipotentiary Conference established a review committee to examine the rights and obligations of ITU Member States and private sector participants as well as the finances of the ITU. The 1996 ITU Council, having considered the work of the review committee, established the ITU–2000 Working Group (ITU–2000) to further examine these issues. Proposals from ITU Member States and the work of ITU–2000 formed the basis of the 1998 Conference's consideration of further amendments to the Geneva Constitution and Convention.

The major amendments to the Constitution and Convention adopted by the 1998 Conference (the "1998 Amendments") included the following:

• *Amendments to clarify the roles of state members of the ITU and private sector participants in the ITU.* There were concerns that the Geneva Constitution and Convention, as amended at Kyoto, did not clearly define the roles of state members and private sector participants in the work of the ITU. Some of the confusion appeared to derive from the failure to adequately define the various entities participating in the work of the ITU. For example, Article 3 of the ITU Constitution referred solely to the rights of "Members of the Union." The ITU–2000 recommended that state members of the ITU be defined throughout the Constitution and Convention as "Member States"; private sector entities participating in the work of a particular sector as "Sector Members"; and private sector entities participating in the work of a given study group or subgroup as "Associates." Several state members, including the United States, proposed that the 1998 Conference adopt those recommended changes and the 1998 Conference agreed. Thus, amendments to Article 3 of the Constitution differentiate between the rights and obligations of "Member States" and "Sector Members" and Article 19 of the Convention, as amended, addresses participation by "Associates."

• *Amendments to enhance private sector participation in the ITU.* The ITU is an intergovernmental organization that allows for limited private sector participation. Private sector participation in the field of telecommunications has increased tremendously over the past few decades. As a result, private sector participants in the ITU have, through Member States, sought a greater role in the work of the ITU. To that end, amendments were proposed and adopted that, among other things, establish an alternative application process for private sector entities to become Sector Members of the ITU (i.e., an alternative to the existing procedure of applying through Member States) (see Convention, Article 19, ADD 234A–

234C); explicitly recognize that private sector entities may provide chairs and vice-chairs of Sector assemblies and meetings and world telecommunication development conferences (see Constitution, Article 3, ADD 28B); explicitly recognize the right of Sector Members to take part, subject to specified conditions, in the adoption of Questions and Recommendations and in decisions relating to the working methods and procedures of the Sector concerned (see Constitution, Article 3, ADD 28C); establish a new category of private sector participant in the ITU, an Associate, that is authorized to participate in the work of a particular study group or subgroup (see Convention, Article 19, ADD 241A–241E); and establish the rights of a Sector, through its Bureau Director, to invite participation in a specified matter by organizations that do not generally participate in the Sector (see Convention, Article 20, ADD 248B). The United States supported these proposals bearing in mind the need to ensure that Member States continue to determine the policy direction of the organization. I note that the United States for domestic policy reasons, however, will require that U.S. private sector entities seeking to become Sector Members apply for such membership through current procedures, which require the direct involvement of the U.S. government.

• *Amendments to improve on the structure of the ITU.* Some Member States, including the United States, proposed amendments to the structure of the ITU that would enhance the organization's ability to respond more effectively to the needs of Member States and Sector Members. These included amendments that formally recognize and spell out the roles of Advisory Groups in the work of the three Sectors. (See, e.g., Convention, Articles 11A, 14A and 17A.) The 1998 Conference also adopted amendments to a provision relating to the Radio Regulations Board (an entity responsible for approving the Rules of Procedure that govern, among other things, the application of the Radio Regulations to the registration of frequency assignments of Member States). Specifically, these amendments increased the number of members of the Radio Regulations Board from 9 under the current Convention to not more than 12 or a number corresponding to 6 per cent of the total number of Member States, whichever is greater. (See Constitution, Article 14, ADD 93A.) The intent is to allow for more members on the Board without compromise to the underlying tenet that the Board be comprised of individuals who understand the geographic, economic and demographic conditions of all ITU members. Amendments were also adopted that rename the World Telecommunication Standardization Conference as a "World Telecommunication Standardization Assembly" (WTSA) to reflect the fact that the WTSA is a non-treaty-making conference whose decisions must be consistent with the Constitution, the Convention, and the Administrative Regulations. (See, e.g., Constitution, Article 18.)

• *Amendments related to World Radiocommunication Conferences and Assemblies.* The World Radiocommunication Conferences (WRCs) play a significant role in the international coordination of the use of limited natural resources, in particular the allocation of radio frequencies. Demand for these resources is every increasing and, as a result, each WRC has had to tackle an ambitious agenda. Some Member States took the position that the time

between WRCs was not sufficient for Member States to adequately prepare their positions on issues to be addressed at conferences. In order to address these concerns, the 1998 Conference adopted amendments that require that WRCs be held "normally . . . every two to three years" as opposed to "normally . . . every two years." This was viewed as introducing flexibility in the scheduling of WRCs that would allow for more discretion in balancing the desire for more conference preparation time and the need to hold conferences at short enough intervals so as to not impede progress in introducing new technologies. (See Constitution, Article 13, MOD 90.) Consistent with that change, the 1998 Conference adopted an amendment that requires that Radiocommunication Assemblies (RAs) also normally be convened every two to three years as opposed to every two years as provided for under the existing treaty text. (See Constitution, Article 13, MOD 91.) Whereas the existing treaty can be construed to require that RAs be associated in time and place with a WRC, the 1998 Conference also adopted an amendment that provides that RAs "may be" associated in time and place with a WRC. (See Constitution, Article 13, MOD 91.)

• *Amendments that authorize new working methods for the ITU.* The 1998 Conference adopted provisions authorizing the development of new working methods by the three Sectors, which would allow for the establishment of "alternative approval processes." These provisions explicitly recognize the right of Sector Members to participate in the adoption of questions to be studied in ITU study groups in accordance with procedures provided for by the relevant conference or assembly. (See Convention, Article 20, ADD 246A.) The 1998 Conference also adopted amendments that recognize that a conference or assembly may establish that certain recommendations, which are discussed in a study group, may be adopted without the formal consultation of Member States. (See Convention, Article 20, ADD 246A.) This alternative approval process (whereby Study Groups may adopt certain questions and recommendations without the formal consultation of Member States) may not be applied to questions and recommendations that have policy or regulatory implications. For example, such process will not be applied to questions and recommendations approved by the Radiocommunication Sector that are relevant to the work of WRC's and other categories of questions and recommendations as may be decided by Radiocommunication Assemblies; questions and recommendations approved by the Telecommunication Standardization Sector that relate to accounting and tariff issues; questions and recommendations approved by the Telecommunication Development Sector that relate to regulatory, policy, and financial issues; or questions and recommendations where there is any doubt about their scope. (See Convention, Article 20, ADD 246D–H.)

• *Amendments related to strengthening the finances of the ITU.* The expenses of the ITU are financed largely through the contributions of Member States and Sector Members. Each Member State and Sector Member is free to choose its class of contribution. The 1998 Conference adopted amendments that require that Member States announce their class of contribution at plenipotentiary conferences as opposed to within the six-month period following a plenipotentiary conference. (See Constitution, Article 28, MOD

161.) Proponents of this amendment believed that a plenipotentiary conference could more effectively plan a budget with such information in hand. Member States that fail to announce their contributory unit during the Conference will retain the class of contribution previously chosen. (See Constitution, Article 28, ADD 161F.) The 1998 Conference also acted to clarify and encourage Sector Member contributions by allowing Sector Members to identify the Sector to which their contributions are to be made. (See Convention, Article 33, ADD 480A.) The 1998 Conference also stipulated that Associates (a new class of participants) would help defray the expenses of the Sector, study group or subordinate group in which they participate. (See Convention, Article 33, ADD 483A.) The 1998 Conference also authorized the Council to determine criteria for the application of cost recovery in connection with some ITU products and services. (See Convention, Article 33, ADD 484.) Finally, the United States proposed an amendment to the Convention that, if adopted, would have eliminated the requirement that interest be paid on arrears. Although generally supported by developing countries, the proposal failed to win consensus support for its adoption.

• *Amendments of a technical nature.* The 1998 Conference adopted amendments to the Convention that removed the Rules of Procedure of Conferences and Meetings of the ITU, with the exception of provisions relating to reservations and the right to vote, from the Convention and transferred them to a separate legal instrument. (See Convention, Article 32B, SUP 341–467.) This separate legal instrument entered into force on January 1, 2000, for those Member States that, as of that date, had submitted their instrument of ratification, acceptance, approval or accession to the 1998 Amendments. It will enter into force for all other Member States, including the United States, on the date on which they deposit their instruments of ratification, acceptance, approval or accession to the 1998 Amendments. Unless otherwise agreed to by a plenipotentiary conference, amendments to this separate legal instrument shall enter into force on the date of signature of the Final Acts of the plenipotentiary conference at which they are adopted. (See Rules of Procedure of Conferences and Other Meetings of the International Telecommunication Union, 25.) Accordingly, they will not be sent to the Senate for advice and consent to ratification. The decision to transfer the rules to a separate instrument reflected a widely held view that Rules of Procedure should be subject to a more flexible amendment process than that currently applied to the Constitution and Convention. The Conference also adopted technical amendments to the provisions governing reservations. The proposed changes will have no effect on current U.S. practice with respect to taking of reservations.

ITU practice provides for declarations and reservations to be submitted by governments prior to signature of the instruments to be adopted at a particular conference. In 1998, the United States submitted six declarations and reservations that are included in the 1998 Final Acts. These declarations and reservations, with the exception of statements No. 91 and 92, which do not concern amendments to the Constitution and Convention, require Senate advice and consent to ratification. I will first address those declarations and reservations that will require Senate advice and consent.

Consistent with longstanding U.S. practice at ITU treaty-making conferences, the first (Number 90) incorporates by reference reservations and declarations from previous conferences and reserves the right to make additional specific reservations at the time of deposit of the U.S. instrument of ratification to the amendments to the ITU Constitution and Convention. It also reiterates the longstanding U.S. position that the United States can only be considered bound by instruments adopted at an ITU Conference once it officially notifies the ITU of its consent to be bound. The full text reads as follows:

> 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 amendments to the Constitution and 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.

The second (Number 101) preserves for the United States the freedom to respond to other Member State reservations. It reads as follows:

> 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.

The third (Number 102) was in response to a statement by Cuba reserving its right to take any steps that it may deem necessary against U.S. radio and television broadcasting to Cuba and denouncing U.S. use of radio frequencies at Guantanamo, Cuba. The U.S. response, which is similar to responses entered by the United States at previous ITU Conferences, reads as follows:

> 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 its 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.

The fourth (Number 111), in which the United States joined 24 other countries, in responding to a statement by Colombia concerning the use of the geostationary satellite orbit, reads as follows:

> 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.

As previously noted, the United States also submitted two declarations that do not affect the legal interpretation of provisions of the Constitution and Convention and therefore do not require Senate advice and consent to ratification. They are provided below for the Senate's information.

The first (Number 91) is a statement of U.S. intent to comply with the cost-recovery procedures outlined in Resolutions 88 and 91 as adopted at the 1998 Conference. While the United States does not consider resolutions to be legally binding, there is a general political expectation in the ITU that Member States will comply with them. The U.S. delegation therefore considered it prudent to enter a statement in the Final Acts that would signal to other members of the ITU that the United States would not necessarily apply the cost-recovery procedures set forth in the two resolutions to certain

government systems. The text of Declaration Number 91 reads as follows:

> The United States of America will make all reasonable efforts to comply with the cost-recovery procedures contained in Resolutions [88][1] (Minneapolis, 1998) and [91][2] (Minneapolis, 1998), 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).

The second (Number 92) reflects the U.S. reaction to Resolution 99, which enhanced the status of Palestine in the ITU to one that just falls short of the status enjoyed by Member States. Declaration Number 92 reflects U.S. concerns about the extent to which the resolution as adopted could be reconciled with provisions of the Constitution and Convention:

> The United States of America refers to Resolution [99][3] Minneapolis, 1998) and notes its concern about the action taken by this conference in that regard. The United States of America reiterates its view that Resolution [99][3] (Minneapolis, 1998) 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.

The Department of State and the other agencies involved recommend that these declarations and reservations (with the exception of statements No. 91 and No. 92) be confirmed in the U.S. instrument of ratification of the amendments. The Department of State and the other interested agencies are of the view that no additional reservations are required.

Ratifying the amendments will enable the United States to continue to play a significant leadership role in the affairs of the ITU.

These amendments will not require implementing legislation on the part of the United States.

The Federal Communications Commission; the National Telecommunications and Information Administration, Department of Commerce; and the Department of Defense concur in my recommendation that the amendments, with the U.S. declarations and reservations as discussed above, be submitted to the Senate for its consideration and advice and consent to ratification.

Respectfully submitted.

COLIN L. POWELL.

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[1] Error in the original. The ITU publication of the Final Acts mistakenly refers to Resolution 95. The correct citation is to Resolution 88.

[2] Error in the original. The ITU publication of the Final Acts mistakenly refers to Resolution 73. The correct citation is to Resolution 91.

[3] Error in the original. The ITU publication of the Final Acts mistakenly refers to Resolution 72. The correct citation is to Resolution 99.

International Telecommunication Union

Final Acts of the Plenipotentiary Conference

(Minneapolis, 1998)

Instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994)

Rules of Procedure - Decisions - Resolutions

COPIE
certifiée conforme à l'original

Genève, le 24 FEV. 2000

Le Secrétaire général
de l'Union Internationale des
télécommunications

[NOTE BY THE DEPARTMENT OF STATE: THE FINAL ACTS ARE COMPOSED OF THE INSTRUMENTS AMENDMENDING THE CONSTITUTION AND CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION (GENEVA, 1992) AS AMENDED BY THE PLENIPOTENTIARY CONFERENCE (KYOTO, 1994) , WITH ANNEXES; DECLARATIONS AND RESERVATIONS; RULES OF PROCEDURE OF CONFERENCES AND OTHER MEETINGS OF THE INTERNATIONAL TELECOMMUNICATION UNION; DECISIONS; RESOLUTIONS; AND A LIST OF ABROGATED DECISIONS AND RESOLUTIONS. ONLY THE AMENDMENTS, WITH ANNEXES, AND U.S. DECLARATIONS AND RESERVATIONS REQUIRE RATIFICATION BY THE UNITED STATES.]

EXPLANATORY NOTES

Symbols used in the Final Acts

The symbols given in the margin indicate changes adopted by the Plenipotentiary Conference (Minneapolis, 1998) in relation to the texts of the Constitution and Convention (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994), and have the following meaning:

ADD = addition of a new provision

MOD = modification of an existing provision

(MOD) = editorial modification of an existing provision

SUP = deletion of an existing provision

These symbols are followed by the number of the existing provision. For new provisions (symbol ADD), the point at which they are to be inserted is shown by the number of the preceding provision, followed by a letter.

Numbering of decisions and resolutions

Resolutions newly adopted by the Plenipotentiary Conference (Minneapolis, 1998) have been numbered to start from the next number following the last number used at the Plenipotentiary Conference (Kyoto, 1994). Resolutions revised by the Plenipotentiary Conference (Minneapolis, 1998) retain the same number as before, and are followed by "(Rev. Minneapolis, 1998)".

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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))*

PART I – Foreword

By virtue of and in implementation of the relevant 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:

* In accordance with Resolution 70 (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.

CHAPTER I

Basic Provisions

ARTICLE 1 (CS)

Purposes of the Union

MOD 3 *a)* to maintain and extend international cooperation among all its Member States for the improvement and rational use of telecommunications of all kinds;

ADD 3A *abis)* to promote and enhance participation of entities and organizations in the activities of the Union and foster fruitful cooperation and partnership between them and Member States for the fulfilment of the overall objectives as embodied in the purposes of the Union;

MOD 4 *b)* to promote and to offer technical assistance to developing countries in the field of telecommunications, and also to promote the mobilization of the material, human and financial resources needed for its implementation, as well as access to information;

MOD 8 *f)* to harmonize the actions of Member States and promote fruitful and constructive cooperation and partnership between Member States and Sector Members in the attainment of those ends;

MOD 11 *a)* effect allocation of bands of the radio-frequency spectrum, the allotment of radio frequencies and the 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 harmful interference between radio stations of different countries;

MOD 12 *b)* coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio-frequency spectrum for radiocommunication services and of the geostationary-satellite and other satellite orbits;

MOD 14 *d)* foster international cooperation and solidarity in the delivery of technical assistance to the developing countries and the creation, development and improvement of telecommunication equipment and networks in developing countries by every means at its disposal, including through its participation in the relevant programmes of the United Nations and the use of its own resources, as appropriate;

MOD 16 *f)* foster collaboration among Member States and Sector Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunications on a sound basis;

ADD 19A *j)* promote participation of concerned entities in the activities of the Union and cooperation with regional and other organizations for the fulfilment of the purposes of the Union.

ARTICLE 2 (CS)

Composition of the Union

MOD 20 The International Telecommunication Union is an intergovernmental organization in which Member States and Sector Members, having well-defined rights and obligations, cooperate for the fulfilment of the purposes of the Union. It shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:

MOD 21 *a)* any State which is a Member State of the International Telecommunication Union as a Party to any International Telecommunication Convention prior to the entry into force of this Constitution and the Convention;

MOD 23 *c)* any other State, not a Member of the United Nations, which applies for membership of the Union and which, after having secured approval of such application by two-thirds of the Member States of the Union, accedes to this Constitution and the Convention in accordance with Article 53 of this Constitution. If such application for membership is made during the interval between two plenipotentiary conferences, the Secretary-General shall consult the Member States of the Union; a Member State shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

ARTICLE 3 (CS)

MOD

Rights and Obligations of Member States and Sector Members

MOD 24 1 Member States and Sector Members shall have the rights and shall be subject to the obligations provided for in this Constitution and the Convention.

MOD **25** 2 Rights of Member States in respect of their participation in the conferences, meetings and consultations of the Union are:

MOD **26** *a)* all Member States shall be entitled to participate in conferences, shall be eligible for election to the Council and shall have the right to nominate candidates for election as officials of the Union or as members of the Radio Regulations Board;

MOD **27** *b)* subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall have one vote at all plenipotentiary conferences, all world conferences and all Sector assemblies and study group meetings and, if it is a Member State of the Council, all sessions of that Council. At regional conferences, only the Member States of the region concerned shall have the right to vote;

MOD **28** *c)* subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall also have one vote in all consultations carried out by correspondence. In the case of consultations regarding regional conferences, only the Member States of the region concerned shall have the right to vote.

ADD **28A** 3 In respect of their participation in activities of the Union, Sector Members shall be entitled to participate fully in the activities of the Sector of which they are members, subject to relevant provisions of this Constitution and the Convention:

ADD **28B** *a)* they may provide chairmen and vice-chairmen of Sector assemblies and meetings and world telecommunication development conferences;

ADD **28C** *b)* they shall be entitled, subject to the relevant provisions of the Convention and relevant decisions adopted in this regard by the Plenipotentiary Conference, to take part in the adoption of Questions and Recommendations and in decisions relating to the working methods and procedures of the Sector concerned.

ARTICLE 4 (CS)

Instruments of the Union

MOD **31** 3 The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Member States:

– International Telecommunication Regulations,

– Radio Regulations.

ARTICLE 6 (CS)

Execution of the Instruments of the Union

MOD 37 1 The Member States are bound to abide by the provisions of this Constitution, the Convention and the Administrative Regulations in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 48 of this Constitution.

MOD 38 2 The Member States are also bound to take the necessary steps to impose the observance of the provisions of this Constitution, the Convention and the Administrative Regulations upon operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

ARTICLE 7 (CS)

Structure of the Union

MOD 44 *e)* the Telecommunication Standardization Sector, including world telecommunication standardization assemblies;

ARTICLE 8 (CS)

Plenipotentiary Conference

MOD 47 1 The Plenipotentiary Conference shall be composed of delegations representing Member States. It shall be convened every four years.

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 161G 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;

MOD **54** *f)* elect the Member States which are to serve on the Council;

MOD **57** *i)* consider and adopt, if appropriate, proposals for amendments to this Constitution and the Convention, put forward by Member States, in accordance with the provisions of Article 55 of this Constitution and the relevant provisions of the Convention, respectively;

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

MOD **59C** *b)* should two-thirds of the Member States individually so request the Secretary-General;

MOD **59D** *c)* at the proposal of the Council with the approval of at least two-thirds of the Member States.

ARTICLE 9 (CS)

Principles Concerning Elections and Related Matters

MOD **62** *b)* the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux and the members of the Radio Regulations Board shall be elected among the candidates proposed by Member States as their nationals and shall all be nationals of different Member States, and at their election due consideration should be given to equitable geographical distribution amongst the regions of the world; as far as the elected officials are concerned, due consideration should also be given to the principles embodied in No. 154 of this Constitution;

MOD **63** *c)* the members of the Radio Regulations Board shall be elected in their individual capacity; each Member State may propose only one candidate.

ARTICLE 10 (CS)

The Council

MOD **65** 1 1) The Council shall be composed of Member States elected by the Plenipotentiary Conference in accordance with the provisions of No. 61 of this Constitution.

MOD 69 4 1) The Council shall take all steps to facilitate the implementation by the Member States of the provisions of this Constitution, of the Convention, of the Administrative Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union, and perform any duties assigned to it by the Plenipotentiary Conference.

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 73A 2) The functions of the Secretary-General are specified in the Convention. In addition, the Secretary-General shall:

MOD 74 *a)* coordinate the Union's activities, with the assistance of the Coordination Committee;

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;

MOD 75 *c)* take all the actions required to ensure economic use of the Union's resources and be responsible to the Council for all the administrative and financial aspects of the Union's activities;

MOD 76 *d)* act as the legal representative of the Union.

ADD 76A 3) The Secretary-General may act as depositary of special arrangements established in conformity with Article 42 of this Constitution.

CHAPTER II

Radiocommunication Sector

ARTICLE 12 (CS)

Functions and Structure

MOD 78 1 1) The functions of the Radiocommunication Sector shall be, bearing in mind the particular concerns of developing countries, to fulfil the purposes of the Union, as stated in Article 1 of this Constitution, relating to radiocommunication:

– by ensuring the rational, equitable, efficient and economical use of the radio-frequency spectrum by all radiocommunication services, including those using the geostationary-satellite or other satellite orbits, subject to the provisions of Article 44 of this Constitution, and

– by carrying out studies without limit of frequency range and adopting recommendations on radiocommunication matters.

MOD 83 *c)* radiocommunication assemblies;

ADD 84A *dbis*) the radiocommunication advisory group;

MOD 87 *a)* of right, the administrations of all Member States;

MOD 88 *b)* any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

ARTICLE 13 (CS)

Radiocommunication Conferences and Radiocommunication Assemblies

MOD 90 2 World radiocommunication conferences shall normally be convened every two to three years; however, following the application of the relevant provisions of the Convention, such a conference need not be convened or an additional one may be convened.

MOD 91 3 Radiocommunication assemblies shall also normally be convened every two to three years, and may be associated in place and time with world radiocommunication conferences so as to improve the efficiency and effectiveness of the Radiocommunication Sector. Radiocommunication assemblies shall provide the

necessary technical bases for the work of the world radiocommunication conferences and respond to all requests from world radiocommunication conferences. The duties of the radiocommunication assemblies are specified in the Convention.

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.

ARTICLE 14 (CS)

Radio Regulations Board

ADD 93A 2 The Radio Regulations Board is composed of not more than either 12 members, or of a number corresponding to 6% of the total number of Member States, whichever is the greater.

MOD 95 *a)* the approval of Rules of Procedure, which include technical criteria, in accordance with the Radio Regulations and with any decision which may be taken by competent radiocommunication conferences. These Rules of Procedure shall be used by the Director and the Bureau in the application of the Radio Regulations to register frequency assignments made by Member States. These Rules shall be open to comment by administrations and, in case of continuing disagreement, the matter shall be submitted to a forthcoming world radiocommunication conference;

MOD 97 *c)* the performance of any additional duties, concerned with the assignment and utilization of frequencies, as indicated in No. 78 of this Constitution, in accordance with the procedures provided for in the Radio Regulations, and as prescribed by a competent conference or by the Council with the consent of a majority of the Member States, in preparation for, or in pursuance of the decisions of, such a conference.

MOD 99 2) No member of the Board shall request or receive instructions relating to the exercise of his duties for the Union from any government or a member thereof, or from any public or private organization or person. Members of the Board shall refrain from taking any action or from participating in any decision which may be incompatible with their status defined in No. 98 above.

MOD 100 3) Member States and Sector Members shall respect the exclusively international character of the duties of the members of the Board and refrain from attempting to influence them in the performance of their Board duties.

ARTICLE 15 (CS)

MOD

Radiocommunication Study Groups and Advisory Group

MOD 102 The respective duties of the radiocommunication study groups and advisory group are specified in the Convention.

CHAPTER III

Telecommunication Standardization Sector

ARTICLE 17 (CS)

Functions and Structure

MOD **104** 1 1) The functions of the Telecommunication Standardization Sector shall be, bearing in mind the particular concerns of the developing countries, to fulfil the purposes of the Union relating to telecommunication standardization, as stated in Article 1 of this Constitution, by studying technical, operating and tariff questions and adopting recommendations on them with a view to standardizing telecommunications on a worldwide basis.

MOD **107** *a)* world telecommunication standardization assemblies;

ADD **108A** *bbis*) the telecommunication standardization advisory group;

MOD **111** *a)* of right, the administrations of all Member States;

MOD **112** *b)* any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

ARTICLE 18 (CS)

MOD **World Telecommunication Standardization Assemblies**

MOD **113** 1 The duties of world telecommunication standardization assemblies are specified in the Convention.

MOD **114** 2 World telecommunication standardization assemblies shall be convened every four years; however, an additional assembly may be held in accordance with the relevant provisions of the Convention.

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.

ARTICLE 19 (CS)

MOD

Telecommunication Standardization Study Groups and Advisory Group

MOD 116 The respective duties of the telecommunication standardization study groups and advisory group are specified in the Convention.

CHAPTER IV

Telecommunication Development Sector

ARTICLE 21 (CS)

Functions and Structure

MOD 122 *b)* promote, especially by means of partnership, the development, expansion and operation of telecommunication networks and services, particularly in developing countries, taking into account the activities of other relevant bodies, by reinforcing capabilities for human resources development, planning, management, resource mobilization, and research and development;

ADD 132A *bbis)* the telecommunication development advisory group;

MOD 135 *a)* of right, the administrations of all Member States;

MOD 136 *b)* any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

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.

ARTICLE 23 (CS)

MOD

Telecommunication Development Study Groups and Advisory Group

MOD 144 The respective duties of telecommunication development study groups and advisory group are specified in the Convention.

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 27 (CS)

Elected Officials and Staff of the Union

MOD 151 2) Member States and Sector Members shall respect the exclusively international character of the duties of these elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.

MOD 153 4) In order to ensure the efficient operation of the Union, any Member State a national of which has been elected Secretary-General, Deputy Secretary-General or Director of a Bureau shall refrain, as far as possible, from recalling that national between two plenipotentiary conferences.

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 2*bis* 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** 2*ter* 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** 3 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** 2*bis*) 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** 3*bis* 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** *3ter* 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** 3) 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** 4) 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** 5 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*** *5bis* 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** *5ter* Member States and Sector Members may at any time choose a class of contribution higher than the one already adopted by them.

SUP **166** and **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 for so long as the amount of its arrears equals or exceeds the amount of the contribution due for the two preceding years.

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

ARTICLE 31 (CS)

Legal Capacity of the Union

MOD 176 The Union shall enjoy in the territory of each of its Member States such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

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 33 (CS)

The Right of the Public to Use the International Telecommunication Service

MOD 179 Member States recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges and the safeguards shall be the same for all users in each category of correspondence without any priority or preference.

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.

ARTICLE 35 (CS)

Suspension of Services

MOD 182 Each Member State reserves the right to suspend the international telecommunication service, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Member States through the Secretary-General.

ARTICLE 36 (CS)

Responsibility

MOD 183 Member States accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

ARTICLE 37 (CS)

Secrecy of Telecommunications

MOD 184 1 Member States agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.

ARTICLE 38 (CS)

Establishment, Operation and Protection of Telecommunication Channels and Installations

MOD 186 1 Member States shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.

MOD 188 3 Member States shall safeguard these channels and installations within their jurisdiction.

MOD 189 4 Unless other conditions are laid down by special arrangements, each Member State shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

ADD 189A Member States recognize the necessity of taking practical measures to prevent the operation of electrical apparatus and installations of all kinds from disrupting the operation of telecommunication installations within the jurisdiction of other Member States.

ARTICLE 39 (CS)

Notification of Infringements

MOD 190 In order to facilitate the application of the provisions of Article 6 of this Constitution, Member States undertake to inform and, as appropriate, assist one another with regard to infringements of the provisions of this Constitution, of the Convention and of the Administrative Regulations.

ARTICLE 42 (CS)

Special Arrangements

MOD 193 Member States reserve for themselves, for the operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special arrangements on telecommunication matters which do not concern Member States in general. Such arrangements, however, shall not be in conflict with the terms of this Constitution, of the Convention or of the Administrative Regulations, so far as concerns the harmful interference which their operation might cause to the radio services of other Member States, and in general so far as concerns the technical harm which their operation might cause to the operation of other telecommunication services of other Member States.

ARTICLE 43 (CS)

Regional Conferences, Arrangements and Organizations

MOD 194 Member States reserve the right to convene regional conferences, to make regional arrangements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. Such arrangements shall not be in conflict with either this Constitution or the Convention.

CHAPTER VII

Special Provisions for Radio

ARTICLE 44 (CS)

MOD

Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite and Other Satellite Orbits

MOD **196** 2 In using frequency bands for radio services, Member States shall bear in mind that radio frequencies and any associated orbits, including the geostationary-satellite orbit, are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that countries or groups of countries may have equitable access to those orbits and frequencies, taking into account the special needs of the developing countries and the geographical situation of particular countries.

ARTICLE 45 (CS)

Harmful Interference

MOD **197** 1 All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Member States or of recognized operating agencies, or of other duly authorized operating agencies which carry on a radio service, and which operate in accordance with the provisions of the Radio Regulations.

MOD **198** 2 Each Member State undertakes to require the operating agencies which it recognizes and the other operating agencies duly authorized for this purpose to observe the provisions of No. 197 above.

MOD **199** 3 Further, the Member States recognize the necessity of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in No. 197 above.

ARTICLE 47 (CS)

False or Deceptive Distress, Urgency, Safety or Identification Signals

MOD **201** Member States agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, urgency, safety or identification signals, and to collaborate in locating and identifying stations under their jurisdiction transmitting such signals.

ARTICLE 48 (CS)

Installations for National Defence Services

MOD **202** 1 Member States retain their entire freedom with regard to military radio installations.

CHAPTER VIII

Relations With the United Nations, Other International Organizations and Non-Member States

ARTICLE 51 (CS)

Relations with Non-Member States

MOD **207** Each Member State reserves for itself and for the recognized operating agencies the right to fix the conditions on which it admits telecommunications exchanged with a State which is not a Member State of the Union. If a telecommunication originating in the territory of such a State is accepted by a Member State, it must be transmitted and, in so far as it follows the telecommunication channels of a Member State, the obligatory provisions of this Constitution, of the Convention and of the Administrative Regulations and the usual charges shall apply to it.

CHAPTER IX

Final Provisions

ARTICLE 52 (CS)

Ratification, Acceptance or Approval

MOD 208 1 This Constitution and the Convention shall be simultaneously ratified, accepted or approved by any signatory Member State, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Member States of each deposit of any such instrument.

MOD 209 2 1) During a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member State, even though it may not have deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall enjoy the rights conferred on Member States in Nos. 25 to 28 of this Constitution.

MOD 210 2) From the end of a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member State which has not deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall no longer be entitled to vote at any conference of the Union, at any session of the Council, at any meeting of any of the Sectors of the Union, or during any consultation by correspondence conducted in accordance with the provisions of this Constitution and of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.

ARTICLE 53 (CS)

Accession

MOD 212 1 A Member State which is not a signatory to this Constitution and the Convention, or, subject to the provisions of Article 2 of this Constitution, any other State referred to in that Article, may accede to this Constitution and the Convention at any time. Such accession shall be made simultaneously in the form of one single instrument covering both this Constitution and the Convention.

MOD 213 2 The instrument of accession shall be deposited with the Secretary-General, who shall notify the Member States of each deposit of any such instrument when it is received and shall forward to each of them a certified copy thereof.

ARTICLE 54 (CS)

Administrative Regulations

ADD **216A** The Administrative Regulations referred to in No. 216 above shall remain in force, subject to such revisions as may be adopted in application of Nos. 89 and 146 of this Constitution and brought into force. Any revision of the Administrative Regulations, either partial or complete, shall enter into force on the date or dates specified therein only for the Member States which, prior to such date or dates, have notified the Secretary-General of their consent to be bound by that revision.

SUP **217**

ADD **217A** A Member State shall notify its consent to be bound by a partial or complete revision of the Administrative Regulations by depositing with the Secretary-General an instrument of ratification, acceptance or approval of that revision or of accession thereto or by notifying the Secretary-General of its consent to be bound by that revision.

ADD **217B** Any Member State may also notify the Secretary-General that its ratification, acceptance or approval of, or accession to, amendments to this Constitution or the Convention in accordance with Article 55 of the Constitution or Article 42 of the Convention shall constitute consent to be bound by any revision of the Administrative Regulations, either partial or complete, adopted by a competent conference prior to the signature of the said amendments to this Constitution or to the Convention.

ADD **217C** The notification referred to in No. 217B above shall be given at the time of the deposit by the Member State of its instrument of ratification, acceptance or approval of, or accession to, the amendments to this Constitution or to the Convention.

ADD **217D** 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 and 217B above. Such provisional application only takes effect if the Member State in question did not oppose it at the time of signature of the revision.

MOD **218** 4 Such provisional application shall continue for a Member State until it notifies the Secretary-General of its decision concerning its consent to be bound by any such revision.

SUP **219** to **221**

ADD **221A** If a Member State fails to notify the Secretary-General of its decision concerning its consent to be bound under No. 218 above within thirty-six months following the date or dates of entry into force of the revision, that Member State shall be deemed to have consented to be bound by that revision.

ADD **221B** Any provisional application within the meaning of No. 217D or any consent to be bound within the meaning of No. 221A shall be subject to any reservation as may have been made by the Member State concerned at the time of signature of the revision. Any consent to be bound within the meaning of Nos. 216A, 217A, 217B and 218 above shall be subject to any reservation as may have been made by the Member State concerned at the time of signature of the Administrative Regulations or revision thereto, provided that it maintains the reservation when notifying the Secretary-General of its consent to be bound.

SUP **222**

MOD **223** 7 The Secretary-General shall inform Member States promptly of any notification received pursuant to this Article.

ARTICLE 55 (CS)

Provisions for Amending this Constitution

MOD **224** 1 Any Member State may propose any amendment to this Constitution. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but not later than six months prior to the latter date, forward any such proposal to all the Member States.

MOD **225** 2 Any proposed modification to any amendment submitted in accordance with No. 224 above may, however, be submitted at any time by a Member State or by its delegation at the plenipotentiary conference.

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 Procedure of conferences and other meetings shall apply.

MOD **229** 6 Any amendments to this Constitution adopted by a plenipotentiary conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the conference between Member States having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Constitution and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

MOD **230** 7 The Secretary-General shall notify all Member States of the deposit of each instrument of ratification, acceptance, approval or accession.

ARTICLE 56 (CS)

Settlement of Disputes

MOD 233 1 Member States may settle their disputes on questions relating to the interpretation or application of this Constitution, of the Convention or of the Administrative Regulations by negotiation, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

MOD 234 2 If none of these methods of settlement is adopted, any Member State party to a dispute may have recourse to arbitration in accordance with the procedure defined in the Convention.

MOD 235 3 The Optional Protocol on the Compulsory Settlement of Disputes Relating to this Constitution, to the Convention, and to the Administrative Regulations shall be applicable as between Member States parties to that Protocol.

ARTICLE 57 (CS)

Denunciation of this Constitution and the Convention

MOD 236 1 Each Member State which has ratified, accepted, approved or acceded to this Constitution and the Convention shall have the right to denounce them. In such a case, this Constitution and the Convention shall be denounced simultaneously in one single instrument, by a notification addressed to the Secretary-General. Upon receipt of such notification, the Secretary-General shall advise the other Member States thereof.

ARTICLE 58 (CS)

Entry into Force and Related Matters

MOD 241 4 The original of this Constitution and the Convention drawn up in the Arabic, Chinese, English, French, Russian and Spanish languages shall remain deposited in the archives of the Union. The Secretary-General shall forward, in the languages requested, a certified true copy to each of the signatory Member States.

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 1 January 2000 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.

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, 6 November 1998

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For the People's Democratic Republic of Algeria:

AHMED HAMOUI
AHMED BELGHIT

For the Federal Republic of Germany:

ULRICH MOHR
EBERHARD GEORGE

For the Principality of Andorra:

XAVIER PALACIOS

For the Kingdom of Saudi Arabia:

MOHAMED JAMIL AHMED MULLA
SAMI S. AL-BASHEER
HABEEB K. AL-SHANKITI

For the Argentine Republic:

MAURICIO BOSSA
ANTONIO ERMETE CRISTIANI

For the Republic of Armenia:

GEORGY ZAKOYAN

For Australia:

RICHARD THWAITES
MARY VENNER

For Austria:

ALFRED STRATIL
GERD LETTNER

For the Azerbaijani Republic:

IBRAHIMOV GISMAT

For the Commonwealth of the Bahamas:

ANTHONY C. ROLLE
LEANDER A. BETHEL
DEANZA A. CUNNINGHAM
LEONARD S. ADDERLEY
JOHN ANDREW M. HALKITIS

For the State of Bahrain:
RASHEED ASHOOR
ABDUL SHAHEED AL-SATEEH
FUAD ABDULLA
JAMAL FOLAD

For the People's Republic of Bangladesh:
S.A.T. M. BADRUL HOQUE

For Barbados:
CEPHAS GOODING

For the Republic of Belarus:
VLADIMIR GONCHARENKO

For Belgium:
GUIDO POUILLON
JAN VANNIEUWENHUYSE
PETER VERGOTE

For Belize:
RODERICK SANATAN

For the Republic of Benin:
AMADOU SEIDOU
ETIENNE KOSSI

For the Kingdom of Bhutan:
SANGEY TENZING

For the Republic of Bolivia:
RAUL GOROSTIAGA ALCOREZA

For Bosnia and Herzegovina:
LASTA JASENKO

For the Republic of Botswana:
JOSEPH MOENG MOATSHE
CUTHBERT MOSHE LEKAUKAU
MPHOENG OABITSA TAMASIGA
ERNEST GAORUTWE MOTSEMME

For the Federative Republic of Brazil:
CLOVIS JOSÉ BAPTISTA NETO

For Brunei Darussalam:

SONG KIN KOI
PG HAJI MOHAMMAD ZAIN
SINGPA HJ LAMAN

For the Republic of Bulgaria:

PETROV SIMEONOV B.
KRASTU MIRSKI

For Burkina Faso:

JUSTIN THIOMBIANO
BRUNO N. ZIDOUEMBA
CLÉMENT ATTIRON
ZOULI BONKOUNGOU
JEAN-HERVÉ LOUARI

For the Republic of Burundi:

NESTOR MISIGARO
FIACRE NIYOKINDI

For the Republic of Cameroon:

HENRI DJOUAKA
PAUL NJI TUMASANG
DIEUDONNÉ ANGOULA
RICHARD MAGA

For Canada:

HÉLÈNE CHOLETTE-LACASSE
BRUCE A. GRACIE

For the Republic of Cape Verde:

MARGARIDA VITORIA ÉVORA SAGNA

For the Central African Republic:

MICHEL BINDO
JOSEPH BOYKOTA-ZOUKETIA
PHILIPPE MANGA MABADA

For Chile:

XIMENA ARES

For the People's Republic of China:

WU JICHUAN
ZHAO XINTONG
QU WENCHU

For the Republic of Cyprus:
LAZAROS S. SAVVIDES
STELIOS D. HIMONAS
KYRIAKOS Z. CHRISTODOULIDES

For the Vatican City State:
PIER VINCENZO GIUDICI

For the Republic of Colombia:
FELIX CASTRO ROJAS

For the Islamic Federal Republic of the Comoros:
IBRAHIM ABDALLAH
MGOMRI OUMARA

For the Republic of Korea:
HWANG JOONG-YEOUN
LEEM JONG-TAE

For Costa Rica:
EVITA ARGUEDAS MAKLOUF

For the Republic of Côte d'Ivoire:
JEAN-MICHEL MOULOD
GOSSAN BIAKOU
ETIENNE KOUADIO KONAN
NAMAHOUA BAMBA
ESTELLE JUDITH BLAFOND
BASILE GNON LESAN

For the Republic of Croatia:
ALEKSANDAR HEINA

For Cuba:
RENÉ LÓPEZ ALVAREZ
FILIBERTO AU KIM
CARLOS MARTÍNEZ ALBUERNE

For Denmark:
JØRN JENSBY
METTE J. KONNER

For the Republic of Djibouti:
ABDALLAH ABDILLAHI MIGUIL

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For the Commonwealth of Dominica:
JENNIFER ASTAPHAN

For the Arab Republic of Egypt:
SOHA GENDI

For the Republic of El Salvador:
ERIC CASAMIQUELA

For the United Arab Emirates:
ABDULLA AHMED N. LOOTAH
SULTAN ALI HASSAN AL-MARZOOKI
NASER SULAIMAN KHANJI
HMAID ALI AL-SABOUSI

For Ecuador:
HUGO RUIZ CORAL
JOSÉ VIVANCO ARIAS

For Eritrea:
AFEWORKI ESTIFANOS

For Spain:
ROBERTO SANCHEZ SANCHEZ
VICENTE RUBIO CARRETÓN
LUIS SANZ GADEA

For the Republic of Estonia:
TONU NAESTEMA

For the United States of America:
RALPH B. EVERETT

For the Federal Democratic Republic of Ethiopia:
TILAHUN KEBEDE

For the Republic of Fiji:
RATU INOKE KUBUABOLA
EMORI RAMOKA

For Finland:
REIJO SVENSSON
KARI KOHO
PEKKA LÄNSMAN
RISTO VÄINÄMÖ

For France:

MICHEL AUCHÈRE
JEAN-CLAUDE GUIGUET
BERNARD ROUXEVILLE
EMMANUEL GABLA

For the Gabonese Republic:

SERGE ESSONGUE
LOUIS NKOGHE-NDONG
FLORENCE LENGOUMBI KOUYA
BRICE PONGA
MICHEL NGARI
ROGER YVES GRANDET

For the Republic of the Gambia:

OMAR P. NDOW
PHODAY S. SISAY

For Georgia:

ILIA ABULADZE

For Ghana:

BENJAMIN C. EGHAN
GILBERT K. ADANUSA

For Greece:

P. IOANNIDIG
V. CASSAPOGLOU
N. BENMAYOR
L. PROTOPSALTI
A. NODAROS

For the Republic of Guatemala:

MARIO ROBERTO PAZ
MARCO ESCALANTE HERRERA

For the Republic of Guinea:

DIAKITE THOMAS

For Guyana:

SEONARINE PERSAUD

For the Republic of Haiti:

DANIEL BRISARD
NEY J. BELANCOURT
MONTAIGNE MARCELIN
JEAN-MARIE MAIGNAN

For the Republic of Hungary:

KÀLMÀN KATONA

For the Republic of India:

P.S. SARAN
R.N. AGARWAL
S. VENKATASUBRAMANIAN
PRAKASH GOKARN
A.C. PADHI
S. RANGARAJAN

For the Republic of Indonesia:

JONATHAN PARAPAKSOERADI

For the Islamic Republic of Iran:

MEHDI TABESHIAN

For Ireland:

AIDAN HODSON
J.A.C. BREEN

For Iceland:

HÖRDUR HALLDÓRSSON

For the State of Israel:

MENACHEM OHOLY
DEBORAH A. HOUSEN-COURIEL
GARY KOREN
RAPHAEL HOYDA
MOSHE GALILI
RONEN KESHET

For Italy:

BERNARDO UGUCCIONI

For Japan:

AKAO NOBUTOSHI

For the Hashemite Kingdom of Jordan:

YOUSEF ABU JAMOUSE
MAHMOUD WREIKAT
AHMAD RAWASHDEH

For the Republic of Kazakstan:

AZAMAT SYRGABAYEV

For the Republic of Kenya:

GENESIUS KITHINJI
ROGERS K. NG'OTWA
JOSEPH W. OGUTU
JAMES M. NG'ANG'A

For the State of Kuwait:

ABDULKAREEM H. SALEEM
SAMI KHALED ALAMER
HAMEED H. ALQATTAN
ABDULRAHMAN AHMAD ALSHATTI
YACOUB S. SABTI

For the Lao People's Democratic Republic:

VANG RATTANAVONG

For the Kingdom of Lesotho:

THAMAHANE C.F.D. RASEKILA
TAELO KHABELE
TSELISO SEMOLI

For the Republic of Latvia:

KARLIS BOGENS JR
ADOLFS JAKOBSONS
KARLIS BOGENS

For The Former Yugoslav Republic of Macedonia:

IGOR POPOV

For Lebanon:

ABDUL MUNHEM YOUSSEF
YOUSSEF NAKIB

For the Socialist People's Libyan Arab Jamahiriya:

FARAJ M. AL AMARI
MEHEMED SALEH ESEBEI
SADALLA BINSAOUD

For the Principality of Liechtenstein:
FRÉDÉRIC ROTH
FRÉDÉRIC RIEHL

For Luxembourg:
ANNE BLAU

For the Republic of Madagascar:
ANDRIAMANJATO NY HASINA

For Malaysia:
LEE LANG THAM

For Malawi:
SAM MPASU
MIKE MANSON MAKAWA
PETER DANIEL BODOLE

For the Republic of Maldives:
HUSSAIN SHAREEF

For the Republic of Mali:
DIADIÉ TOURE
ADAMA KONATE
IDRISSA SAMAKE

For Malta:
J. BARTOLO
R. AZZOPARDI CAFFARI
H. MIFSUD
M. SPITERI

For the Kingdom of Morocco:
HASSAN LEBBADI
MOHAMMED HAMMOUD
ABDELMALEK BENMOUSSA
ABDELGHANI LOUTFI

For the Republic of the Marshall Islands:
KUNIO D. LEMARI

For the Islamic Republic of Mauritania:
CHEIKH BAYE OULD MOHAMED ABDALLAHI

For Mexico:

LEONEL LOPEZ CELAYA
SALMA JALIFE VILLALÓN
ALEJANDRO GUTIERREZ QUIROZ
ARTURO ROMO RICO
CARLOS ARTURO BELLO HERNANDEZ

For the Federated States of Micronesia:

JOLDEN J. JOHNNYBOY

For the Republic of Moldova:

STELA SHKOLA

For the Principality of Monaco:

CHRISTIAN PALMARO

For Mongolia:

TSERENDASH DAMIRAN

For the Republic of Mozambique:

ANTÓNIO FERNANDO
JOÃO JORGE
EMA CHICOCO

For the Republic of Namibia:

VEICCOH K. NGHIWETE

For Nepal:

SUSHIL KANT IHA
BHOOP RAJ PANDEY

For the Republic of the Niger:

AMADOU MALIKI
HAMANI HASSANE KINDO

For the Federal Republic of Nigeria:

GUDA ABDULLAHI
RUFUS ODUSANYA
SIKIRU A. IBITOYE
EZEKIEL F. AJAYI

For Norway:

JENS C. KOCH

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For New Zealand:
MARK HOLMAN
SCOTT WILSON
HUGH RAILTON
KATHARINE MOODY

For the Sultanate of Oman:
MAZIN ABDULLAH ALTAIE
SAUD BIN SULIMAN AL-NABHANI

For the Republic of Uganda:
JOHN NASASIRA
ETHEL KAMBA
PATRICK MASAMBU
SIMON BUGABA
PATRICK MWESIGWA

For the Republic of Uzbekistan:
VLADIMIR SHTEYNBERG

For the Islamic Republic of Pakistan:
MUHAMMAD JAVED

For the Republic of Panama:
ROSANA SERRANO DE SANJUR

For Papua New Guinea:
KILA GULO-VUI

For the Republic of Paraguay:
RAÚL A. FERNANDEZ GAGLIARDONE
LUIS A. REINOSO
JULIO F. SAMANIEGO

For the Kingdom of the Netherlands:
IRENE ALBERS

For Peru:
DANTE RODRIGUEZ DUEÑAS

For the Republic of the Philippines:
JOSEFINA T. LICHAUCO
KATHLEEN G. HECETA
AURORA A. RUBIO

For the Republic of Poland:
MAREK RUSIN

For Portugal:
JOSÉ MANUEL TOSCANO
MARIA LUÍSA MENDES
CARLOS ALBERTO ROLDÃO LOPES

For the State of Qatar:
ABDULWAHED FAKHROO

For the Syrian Arab Republic:
MOHAMAD AL MOALEM
TALAL AL MOUSLI
SULIMAN MANDO

For the Democratic Republic of the Congo:
FREDERIC BOLA KI-KHUABI

For the Kyrgyz Republic:
VALENTINA DAVYDOVA

For the Slovak Republic:
PETER DRUGA

For the Czech Republic:
ZDENÉK VOPÁRIL

For Romania:
ADRIAN CONSTANTINESCU

For the United Kingdom of Great Britain and Northern Ireland:
MICHAEL GODDARD

For the Russian Federation:
A. KRUPNOV

For Saint Lucia:
CALIXTE GEORGE

For the Republic of San Marino:
IVO GRANDONI
MICHELE GIRI

For the Independent State of Western Samoa:
SAPÁU RUPERAKE PETAIA

For the Republic of Senegal:
CHEIKH TIDIANE NDIONGUE
PAPE GORGUI TOURE

For Sierra Leone:
SAHR RAIKES TUMOE

For the Republic of Singapore:
VALERIE D'COSTA

For the Republic of Slovenia:
MIRO ROZMAN

For the Democratic Socialist Republic of Sri Lanka:
S.S. EDIRIWEERA

For the Republic of South Africa:
LYNDALL SHOPE-MAFOLE

For Sweden:
NILS GUNNAR BILLINGER
GUNNAR WILSON

For the Confederation of Switzerland:
FRÉDÉRIC RIEHL

For the Republic of Suriname:
LEONARD CARLHO JOHANNS
IRIS MARIE STRUIKEN-WYDENBOSCH
WIM ALFONS ARTHUR RAJCOMAR
MARJORIE S. RIESKIN
REGENIE F. CH. FRÄSER

For the Kingdom of Swaziland:
SAMUEL H.B. RICHARDS

For the United Republic of Tanzania:
ADOLAR BARNABAS MAPUNDA
ABIHUDI NEWTON NALINGIGWA
ELIZABETH MARTIN NZAGI

For the Republic of Chad:
KARAMBAL AHMAT MAHAMAT

For Thailand:

SETHAPORN CUSRIPITUCK
THONGCHAI YONGCHAREON

For the Togolese Republic:

KOTE MIKEM

For the Kingdom of Tonga:

PAULA POUVALU MA'U

For Trinidad and Tobago:

RUPERT T. GRIFFITH

For Tunisia:

ALI GHODBANI

For Turkey:

HAYRETTIN SOYTAS
FATIH MEHMET YURDAL
IRFAN ERTÜRK

For Tuvalu:

TAUKELINA FINIKASO

For Ukraine:

MYKOLA ORLENKO

For the Eastern Republic of Uruguay:

ERNESTO DEHL SOSA
MATÍAS RODRÍGUEZ PERDOMO

For the Republic of Venezuela:

JULIO CÉSAR MARTÍ
JOSÉ MIGUEL PADRÓN
ROBERTO CELLA
JOSÉ GREGORIO GONZÁLEZ
LAYLA MACC ADAN

For the Socialist Republic of Viet Nam:

TRAN DUC LAI

For the Republic of Yemen:

MOHAMED AL-KASSOUS

For the Republic of Zambia:

DAVID C. SAVIYE
KAFULA NG'ANDU
AVDHESH KUMAR
ELIAS CHILESHE
PETER NYIMBIRI

For the Republic of Zimbabwe:

BENNY MARK GARWE
TORORIRO ISAAC CHAZA
FRANK KANEUNYENYE

ANNEX (CS)

Definition of Certain Terms Used in this Constitution, the Convention and the Administrative Regulations of the International Telecommunication Union

ADD **1001A** *Member State:* A State which is considered to be a Member of the International Telecommunication Union in application of Article 2 of this Constitution.

ADD **1001B** *Sector Member:* An entity or organization authorized in accordance with Article 19 of the Convention to participate in the activities of a Sector.

MOD **1005** *Delegation:* The totality of the delegates and, should the case arise, any representatives, advisers, attachés, or interpreters sent by the same Member State.

Each Member State shall be free to make up its delegation as it wishes. In particular, it may include in its delegation, *inter alia*, in the capacity of delegates, advisers or attachés, persons belonging to any entity or organization authorized in accordance with the relevant provisions of the Convention.

MOD **1006** *Delegate:* A person sent by the government of a Member State to a plenipotentiary conference, or a person representing a government or an administration of a Member State at another conference or at a meeting of the Union.

MOD **1008** *Recognized Operating Agency:* Any operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 6 of this Constitution are imposed by the Member State in whose territory the head office of the agency is situated, or by the Member State which has authorized this operating agency to establish and operate a telecommunication service on its territory.

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))*

PART I – Foreword

By virtue of and in implementation of the relevant 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 70 (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.

CHAPTER I

Functioning of the Union

SECTION 1

ARTICLE 1 (CV)

Plenipotentiary Conference

MOD 2 2) If practicable, the precise place and the exact dates of a plenipotentiary conference shall be set by the preceding plenipotentiary conference; failing this, they shall be fixed by the Council with the concurrence of the majority of the Member States.

MOD 4 *a)* when at least one-quarter of the Member States have individually proposed a change to the Secretary-General; or

MOD 6 2) Any such change shall require the concurrence of a majority of the Member States.

ARTICLE 2 (CV)

Elections and Related Matters

The Council

MOD 7 1 Except in the case of vacancies arising in the circumstances described in Nos. 10 to 12 below, the Member States elected to the Council shall hold office until the date on which a new Council is elected. They shall be eligible for reelection.

MOD 8 2 1) If, between two plenipotentiary conferences, a seat becomes vacant on the Council, it shall pass by right to the Member State from the same region as the Member State whose seat is vacated which had obtained at the previous election the largest number of votes among those not elected.

MOD 9 2) When for any reason a vacant seat cannot be filled according to the procedure of No. 8 above, the Chairman of the Council shall invite the other Member States of the region to seek election within one month of such an

invitation being issued. At the end of this period, the Chairman of the Council shall invite Member States to elect a new Member State of the Council. The election shall be carried out by secret ballot by correspondence. The same majority as indicated above will be required. The new Member State of the Council shall hold office until the election of the new Council by the next competent plenipotentiary conference.

MOD 12 *b)* when a Member State resigns its membership of the Council.

ARTICLE 3 (CV)

MOD

Other Conferences and Assemblies

MOD 23 1 In conformity with the relevant provisions of the Constitution, the following world conferences and assemblies of the Union shall normally be convened within the period between two plenipotentiary conferences:

MOD 24 *a)* one or two world radiocommunication conferences;

MOD 25 *b)* one world telecommunication standardization assembly;

MOD 27 *d)* one or two radiocommunication assemblies.

SUP 29

MOD 30 – an additional world telecommunication standardization assembly may be convened.

MOD 33 *b)* on the recommendation of the previous world conference or assembly of the Sector concerned, if approved by the Council; in the case of a radiocommunication assembly, the recommendation of the assembly shall be transmitted to the following world radiocommunication conference for comments for the attention of the Council;

MOD 34 *c)* at the request of at least one-quarter of the Member States, which shall individually address their requests to the Secretary-General; or

MOD 39 *c)* at the request of at least one-quarter of the Member States belonging to the region concerned, which shall individually address their requests to the Secretary-General; or

MOD 41 5 1) The precise place and the exact dates of a world or regional conference or an assembly of a Sector may be fixed by a plenipotentiary conference.

MOD 42 2) In the absence of such a decision, the Council shall determine the precise place and the exact dates of a world conference or an assembly of a Sector with the concurrence of a majority of the Member States, and of a regional conference with the concurrence of a majority of the Member States belonging to the region concerned; in both cases the provisions of No. 47 below shall apply.

MOD 44 *a)* at the request of at least one-quarter of the Member States in the case of a world conference or an assembly of a Sector, or of at least one-quarter of the Member States belonging to the region concerned in the case of a regional conference. Their requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or

MOD 46 2) In the cases specified in Nos. 44 and 45 above, the changes proposed shall not be finally adopted until accepted by a majority of the Member States, in the case of a world conference or an assembly of a Sector, or by a majority of the Member States belonging to the region concerned, in the case of a regional conference, subject to the provisions of No. 47 below.

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.

SECTION 2

ARTICLE 4 (CV)

The Council

MOD 50 1 The number of Member States of the Council shall be determined by the Plenipotentiary Conference which is held every four years.

MOD 50A 2 This number shall not exceed 25% of the total number of Member States.

MOD 53 3) Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by the Chairman at the request of a majority of its Member States, or on the initiative of the Chairman under the conditions provided for in No. 18 of this Convention.

MOD 55 4 At the beginning of each ordinary session, the Council shall elect its own Chairman and Vice-Chairman from among the representatives of its Member States, taking into account the principle of rotation between the regions. They shall serve until the opening of the next ordinary session and shall not be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.

MOD 56 5 The person appointed to serve on the Council by a Member State of the Council shall, so far as possible, be an official serving in, or directly responsible to, or for, their telecommunication administration and qualified in the field of telecommunication services.

MOD 57 6 Only the travelling, subsistence and insurance expenses incurred by the representative of each Member State of the Council in that capacity at Council sessions shall be borne by the Union.

MOD 58 7 The representative of each Member State of the Council shall have the right to attend, as an observer, all meetings of the Sectors of the Union.

MOD 60 9 The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux may participate as of right in the deliberations of the Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to the representatives of its Member States.

ADD 60A A Member State which is not a Member State of the Council may, with prior notice to the Secretary-General, send one observer at its own expense to meetings of the Council, its committees and its working groups. An observer shall not have the right to vote or address the meeting.

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 the Plenipotentiary 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;

MOD 75 9) arrange for the convening of the conferences and assemblies of the Union and provide, with the consent of a majority of the Member States in the case of a world conference or assembly, or of a majority of the Member States belonging to the region concerned in the case of a regional conference, appropriate directives to the General Secretariat and the Sectors of the Union with regard to their technical and other assistance in the preparation for and organization of conferences and assemblies;

MOD **79** 13) take any necessary steps, with the agreement of a majority of the Member States, provisionally to resolve questions not covered by the Constitution, this Convention, the Administrative Regulations and their annexes and which cannot await the next competent conference for settlement;

MOD **81** 15) send to Member States, as soon as possible after each of its sessions, summary records on the activities of the Council and other documents deemed useful;

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;

ADD **87A** *dbis)* prepare an annual operational plan and financial plan of activities to be undertaken by the staff of the General Secretariat in support of the strategic plan, to be reviewed by 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;

MOD **102** *s)* with the assistance of the Coordination Committee, prepare an annual report on the activities of the Union which, after approval by the Council, shall be sent 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.

SECTION 4

ARTICLE 6 (CV)

Coordination Committee

MOD **109** 2 The Committee shall endeavour to reach conclusions unanimously. In the absence of the support of the majority in the Committee, its Chairman may in exceptional circumstances take decisions, on the Chairman's own responsibility, when judging that the decision of the matters in question is urgent and cannot await the next session of the Council. In such circumstances the Chairman shall report promptly in writing on such matters to the Member States of the Council, setting forth the reasons for such action together with any other written views submitted by other members of the Committee. If in such circumstances the matters are not urgent, but nevertheless important, they shall be submitted for consideration by the next session of the Council.

SECTION 5

Radiocommunication Sector

ARTICLE 7 (CV)

World Radiocommunication Conference

MOD **117** *d)* the identification of topics to be studied by the radiocommunication assembly and the radiocommunication study groups, as well as matters that the assembly shall consider in relation to future radiocommunication conferences.

MOD 118 2) The general scope of this agenda should be established four to six years in advance, and the final agenda shall be established by the Council preferably two years before the conference, with the concurrence of a majority of the Member States, subject to the provisions of No. 47 of this Convention. These two versions of the agenda shall be established on the basis of the recommendations of the world radiocommunication conference, in accordance with No. 126 of this Convention.

MOD 121 *a)* at the request of at least one-quarter of the Member States. Such requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or

MOD 123 2) The proposed changes to the agenda of a world radiocommunication conference shall not be finally adopted until accepted by a majority of the Member States, subject to the provisions of No. 47 of this Convention.

ARTICLE 8 (CV)

Radiocommunication Assembly

MOD 131 1) consider the reports of study groups prepared in accordance with No. 157 of this Convention and approve, modify or reject the draft recommendations contained in those reports, and consider the reports of the radiocommunication advisory group prepared in accordance with No. 160H of this Convention;

MOD 136 6) report to the following world radiocommunication conference on the progress in matters that may be included in the agenda of future radiocommunication conferences.

ADD 137A A radiocommunication assembly may refer specific matters within its competence to the radiocommunication advisory group for advice.

ARTICLE 9 (CV)

Regional Radiocommunication Conferences

MOD 138 The agenda of a regional radiocommunication conference may provide only for specific radiocommunication questions of a regional nature, including instructions to the Radio Regulations Board and the Radiocommunication Bureau regarding their activities in respect of the region concerned, provided such instructions do not conflict with the interests of other regions. Only items included

in its agenda may be discussed by such a conference. The provisions contained in Nos. 118 to 123 of this Convention shall apply to a regional radiocommunication conference, but only with regard to the Member States of the region concerned.

SUP **139**

ARTICLE 11 (CV)

Radiocommunication Study Groups

MOD **149** 2 1) The radiocommunication study groups shall study questions adopted in accordance with a procedure established by the radiocommunication assembly and prepare draft recommendations to be adopted in accordance with the procedure set forth in Nos. 246A to 247 of this Convention.

ADD **149B** 2) The radiocommunication study groups shall also study topics identified in resolutions and recommendations of world radiocommunication conferences. The results of such studies shall be included in recommendations or in the reports prepared in accordance with No. 156 below.

MOD **150** 3) The study of the above questions and topics shall, subject to No. 158 below, focus on the following:

MOD **151** *a)* use of the radio-frequency spectrum in terrestrial and space radiocommunication and of the geostationary-satellite and other satellite orbits;

MOD **155** 3) These studies shall not generally address economic questions, but when they involve comparing technical or operational alternatives, economic factors may be taken into consideration.

ADD

ARTICLE 11A (CV)

Radiocommunication Advisory Group

ADD **160A** 1 The radiocommunication advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups, and will act through the Director.

ADD **160B** 2 The radiocommunication advisory group shall:

ADD **160C** 1) review priorities, programmes, operations, financial matters and strategies related to radiocommunication assemblies, study groups and the preparation of radiocommunication conferences, and any specific matters as directed by a conference of the Union, a radiocommunication assembly or the Council;

ADD **160D** 2) review progress in the implementation of the programme of work established under No. 132 of this Convention;

ADD **160E** 3) provide guidelines for the work of study groups;

ADD **160F** 4) recommend measures, *inter alia*, to foster cooperation and coordination with other standards bodies, with the Telecommunication Standardization Sector, the Telecommunication Development Sector and the General Secretariat;

ADD **160G** 5) adopt its own working procedures compatible with those adopted by the radiocommunication assembly;

ADD **160H** 6) prepare a report for the Director of the Radiocommunication Bureau indicating action in respect of the above items;

ARTICLE 12 (CV)

Radiocommunication Bureau

MOD **164** *a)* coordinate the preparatory work of the study groups and the Bureau, communicate to the Member States and Sector Members the results of this preparatory work, collect their comments and submit a consolidated report to the conference which may include proposals of a regulatory nature;

MOD **169** *b)* distribute to all Member States the Rules of Procedure of the Board and collect comments thereon received from administrations;

ADD **175A** 3*bis)* provide the necessary support for the radiocommunication advisory group, and report each year to Member States and Sector Members and to the Council on the results of the work of the advisory group.

ADD **175B** 3*ter)* take practical measures to facilitate the participation of developing countries in the radiocommunication study groups.

MOD **177** *a)* carry out studies to furnish advice with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur, and with a view to the

equitable, effective and economical use of the geostationary-satellite and other satellite orbits, taking into account the needs of Member States requiring assistance, the specific needs of developing countries, as well as the special geographical situation of particular countries;

MOD **178** *b)* exchange with Member States and Sector Members data in machine-readable and other forms, prepare and keep up to date any documents and databases of the Radiocommunication Sector, and arrange, with the Secretary-General, as appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;

MOD **180** *d)* submit to the world radiocommunication conference a report on the activities of the Radiocommunication Sector since the last conference; if a world radiocommunication conference is not planned, a report on the activities of the Sector covering the two-year period since the last conference shall be submitted to the Council and, for information, to Member States and Sector Members;

ADD **181A** *ebis)* prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the radiocommunication advisory group in accordance with Article 11A of this Convention and provided to the Council.

SECTION 6

Telecommunication Standardization Sector

ARTICLE 13 (CV)

MOD **World Telecommunication Standardization Assembly**

MOD **184** 1 In accordance with No. 104 of the Constitution, a world telecommunication standardization assembly shall be convened to consider specific matters related to telecommunication standardization.

MOD **185** 2 The questions to be studied by a world telecommunication standardization assembly, on which recommendations shall be issued, shall be those adopted pursuant to its own procedures or referred to it by the Plenipotentiary Conference, any other conference, or the Council.

MOD **186** 3 In accordance with No. 104 of the Constitution, the assembly shall:

MOD **187** *a)* consider the reports of study groups prepared in accordance with No. 194 of this Convention and approve, modify or reject draft recommendations contained in those reports, and consider the reports of the telecommunication standardization advisory group in accordance with Nos. 197J and 197K of this Convention;

(MOD) **190** *d)* group, as far as practicable, questions of interest to the developing countries to facilitate their participation in these studies;

ADD **191A** 4 A world telecommunication standardization assembly may assign specific matters within its competence to the telecommunication standardization advisory group indicating the action required on those matters.

ADD **191B** 5 A world telecommunication standardization assembly shall be presided over by a person designated by the government of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the assembly itself. The Chairman shall be assisted by Vice-Chairmen elected by the assembly.

ARTICLE 14 (CV)

Telecommunication Standardization Study Groups

MOD **192** 1 1) Telecommunication standardization study groups shall study questions adopted in accordance with a procedure established by the world telecommunication standardization assembly and prepare draft recommendations to be adopted in accordance with the procedure set forth in Nos. 246A to 247 of this Convention.

MOD **194** 3) Each study group shall prepare for the world telecommunication standardization assembly a report indicating the progress of work, the recommendations adopted in accordance with the consultation procedure contained in No. 192 above, and any draft new or revised recommendations for consideration by the assembly.

MOD **197** 4 For the purpose of facilitating the review of activities in the Telecommunication Standardization Sector, measures should be taken to foster cooperation and coordination with other organizations concerned with telecommunication standardization and with the Radiocommunication Sector and the Telecommunication Development Sector. A world telecommunication standardization assembly shall determine the specific duties, conditions of participation and rules of procedure for these measures.

ADD

ARTICLE 14A (CV)

Telecommunication Standardization Advisory Group

ADD **197C** 1 The telecommunication standardization advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups.

ADD **197D** 2 The telecommunication standardization advisory group shall:

ADD **197E** 1) review priorities, programmes, operations, financial matters and strategies for activities in the Telecommunication Standardization Sector;

ADD **197F** 2) review progress in the implementation of the programme of work established under No. 188 of this Convention;

ADD **197G** 3) provide guidelines for the work of study groups;

ADD **197H** 4) recommend measures, *inter alia*, to foster cooperation and coordination with other relevant bodies, with the Radiocommunication Sector, the Telecommunication Development Sector and the General Secretariat;

ADD **197I** 5) adopt its own working procedures compatible with those adopted by the world telecommunication standardization assembly;

ADD **197J** 6) prepare a report for the Director of the Telecommunication Standardization Bureau indicating action in respect of the above items.

ADD **197K** 7) prepare a report for the world telecommunication standardization assembly on the matters assigned to it in accordance with No. 191A and transmit it to the Director for submission to the assembly.

ARTICLE 15 (CV)

Telecommunication Standardization Bureau

MOD **200** *a)* update annually the work programme approved by the world telecommunication standardization assembly, in consultation with the chairmen of the telecommunication standardization study groups;

MOD **201** *b)* participate, as of right, but in an advisory capacity, in the deliberations of the world telecommunication standardization assemblies and of the telecommunication standardization study groups. The Director shall make all necessary preparations for assemblies and meetings of the Telecommunication Standardization Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council concerning these preparations;

MOD **202** *c)* process information received from administrations in application of the relevant provisions of the International Telecommunication Regulations or decisions of the world telecommunication standardization assembly and prepare it, where appropriate, in a suitable form for publication;

MOD **203** *d)* exchange with Member States and Sector Members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Standardization Sector, and arrange with the Secretary-General, where appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;

MOD **204** *e)* submit to the world telecommunication standardization assembly a report on the activities of the Sector since the last assembly; the Director shall also submit to the Council and to the Member States and Sector Members such a report covering the two-year period since the last assembly, unless a second assembly is convened;

ADD **205A** *fbis)* prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the telecommunication standardization advisory group and provided to the Council;

ADD **205B** *g)* provide the necessary support for the telecommunication standardization advisory group, and report each year to Member States and Sector Members and to the Council on the results of its work;

ADD **205C** *h)* provide assistance to developing countries in the preparatory work for world standardization assemblies, particularly with regard to matters of a priority nature for those countries.

SECTION 7

Telecommunication Development Sector

ARTICLE 16 (CV)

Telecommunication Development Conferences

MOD **213** 2 The draft agenda of telecommunication development conferences shall be prepared by the Director of the Telecommunication Development Bureau and be submitted by the Secretary-General to the Council for approval with the concurrence of a majority of the Member States in the case of a world conference, or of a majority of the Member States belonging to the region concerned in the case of a regional conference, subject to the provisions of No. 47 of this Convention.

ADD **213A** 3 A world telecommunication development conference may refer specific matters within its competence to the telecommunication development advisory group for advice.

ARTICLE 17 (CV)

Telecommunication Development Study Groups

ADD **215A** 3 Each telecommunication development study group shall prepare for the world telecommunication development conference a report indicating the progress of work and any draft new or revised recommendations for consideration by the conference.

ADD **215B** 4 Telecommunication development study groups shall study questions and prepare draft recommendations to be adopted in accordance with the procedures set out in Nos. 246A to 247 of this Convention.

ADD

ARTICLE 17A (CV)

Telecommunication Development Advisory Group

ADD **215C** 7 The telecommunication development advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen and vice-chairmen of study groups.

ADD **215D** 8 The telecommunication development advisory group shall:

ADD **215E** 1) review priorities, programmes, operations, financial matters and strategies for activities in the Telecommunication Development Sector;

ADD **215F** 2) review progress in the implementation of the programme of work established under No. 209 of this Convention;

ADD **215G** 3) provide guidelines for the work of study groups;

ADD **215H** 4) recommend measures, *inter alia*, to foster cooperation and coordination with the Radiocommunication Sector, the Telecommunication Standardization Sector and the General Secretariat, as well as with other relevant development and financial institutions.

ADD **215I** 5) adopt its own working procedures compatible with those adopted by the world telecommunication development conference.

ADD **215J** 6) prepare a report for the Director of the Telecommunication Development Bureau indicating action in respect of the above items.

ADD **215K** 9 Representatives of bilateral cooperation and development aid agencies and multilateral development institutions may be invited by the Director to participate in the meetings of the advisory group.

ARTICLE 18 (CV)

Telecommunication Development Bureau

MOD **222** *e)* submit to the world telecommunication development conference a report on the activities of the Sector since the last conference; the Director shall also submit to the Council and to the Member States and Sector Members such a report covering the two-year period since the last conference;

(MOD) **223** *f)* prepare a cost-based budget estimate for the requirements of the Telecommunication Development Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget;

ADD **223A** *fbis)* prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the telecommunication development advisory group and provided to the Council;

ADD **223B** *g)* provide the necessary support for the telecommunication development advisory group, and report each year to the Member States and Sector Members and to the Council on the results of its work.

MOD **224** 3 The Director shall work collegially with the other elected officials in order to ensure that the Union's catalytic role in stimulating telecommunication development is strengthened and shall make the necessary arrangements with the Director of the Bureau concerned for initiating suitable action, including the convening of information meetings on the activities of the Sector concerned.

MOD **225** 4 At the request of the Member States concerned, the Director, with the assistance of the Directors of the other Bureaux and, where appropriate, the Secretary-General, shall study and offer advice concerning their national telecommunication problems; where a comparison of technical alternatives is involved, economic factors may be taken into consideration.

SUP **227**

SECTION 8

Provisions Common to the Three Sectors

ARTICLE 19 (CV)

Participation of Entities and Organizations Other than Administrations in the Union's Activities

MOD **229** *a)* recognized operating agencies, scientific or industrial organizations and financial or development institutions which are approved by the Member State concerned;

MOD **230** *b)* other entities dealing with telecommunication matters which are approved by the Member State concerned;

MOD **233** 3 Any request from an entity listed in No. 229 above to participate in the work of a Sector, in accordance with the relevant provisions of the Constitution and this Convention, approved by the Member State concerned shall be forwarded by the latter to the Secretary-General.

MOD **234** 4 Any request from an entity referred to in No. 230 above submitted by the Member State concerned shall be handled in conformity with a procedure established by the Council. Such a request shall be reviewed by the Council with respect to its conformity with the above procedure.

ADD **234A** 4*bis* Alternatively, a request from an entity listed in No. 229 or 230 above to become a Sector Member may be sent direct to the Secretary-General. Those Member States authorizing such entities to send a request directly to the Secretary-General shall inform the latter accordingly. Entities whose Member State has not provided such notice to the Secretary-General shall not have the option of direct application. The Secretary-General shall regularly update and publish a list of those Member States that have authorized entities under their jurisdiction or sovereignty to apply directly.

ADD **234B** 4*ter* Upon receipt, directly from an entity, of a request under No. 234A above, the Secretary-General shall, on the basis of criteria defined by the Council, ensure that the function and purposes of the candidate are in conformity with the purposes of the Union. The Secretary-General shall then, without delay, inform the applicant's Member State inviting approval of the application. If the Secretary-General receives no objection from the Member State within four months, a reminder telegram shall be sent. If the Secretary-General receives no objection within four months after the date of dispatch of the reminder telegram, the application shall be regarded as approved. If an objection is received from the Member State by the Secretary-General, the applicant shall be invited by the Secretary-General to contact the Member State concerned.

ADD **234C** 4*quater* 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.

MOD **237** 7 The Secretary-General shall compile and maintain lists of all entities and organizations referred to in Nos. 229 to 231 and Nos. 260 to 262 of this Convention that are authorized to participate in the work of each Sector and shall, at appropriate intervals, publish and distribute these lists to all Member States and Sector Members concerned and to the Director of the Bureau concerned. That Director shall advise such entities and organizations of the action taken on their requests, and shall inform the relevant Member States.

MOD **238** 8 The conditions of participation in the Sectors by entities and organizations contained in the lists referred to in No. 237 above are specified in this Article, in Article 33 and in other relevant provisions of this Convention. The provisions of Nos. 25 to 28 of the Constitution do not apply to them.

MOD **239** 9 A Sector Member may act on behalf of the Member State which has approved it, provided that the Member State informs the Director of the Bureau concerned that it is authorized to do so.

MOD **240** 10 Any Sector Member has the right to denounce such participation by notifying the Secretary-General. Such participation may also be denounced, where appropriate, by the Member State concerned or, in case of the Sector Member approved pursuant to No. 234C above, in accordance with criteria and procedures determined by the Council. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.

ADD **241A** The assembly or conference of a Sector may decide to admit entities or organizations to participate as Associates in the work of a given study group or subgroups thereof following the principles set out below:

ADD **241B** 1) An entity or organization referred to in Nos. 229 to 231 above may apply to participate in the work of a given study group as an Associate.

ADD **241C** 2) In cases where a Sector has decided to admit Associates, the Secretary-General shall apply to the applicants the relevant provisions of this Article, taking account of the size of the entity or organization and any other relevant criteria.

ADD **241D** 3) Associates admitted to participate in a given study group are not entered in the list referred to in No. 237 above.

ADD **241E** 4) The conditions governing participation in the work of a study group are specified in Nos. 248B and 483A of this Convention.

ARTICLE 20 (CV)

Conduct of Business of Study Groups

MOD **242** 1 The radiocommunication assembly, the world telecommunication standardization assembly and the world telecommunication development conference shall appoint the chairman and one vice-chairman or more for each study group. In appointing chairmen and vice-chairmen, particular consideration shall be given to the requirements of competence and equitable geographical distribution, and to the need to promote more efficient participation by the developing countries.

MOD **243** 2 If the workload of any study group requires, the assembly or conference shall appoint such additional vice-chairmen as it deems necessary.

ADD **246A** *5bis*

a) Member States and Sector Members shall adopt questions to be studied in accordance with procedures established by the relevant conference or assembly, as appropriate, including the indication whether or not a resulting recommendation shall be the subject of a formal consultation of Member States.

ADD **246B** *b)* Recommendations resulting from the study of the above questions are adopted by a study group in accordance with procedures established by the relevant conference or assembly, as appropriate. Those recommendations which do not require formal consultation of Member States for their approval shall be considered as approved.

ADD **246C** *c)* A recommendation requiring formal consultation of Member States shall be either treated in accordance with No. 247 below or transmitted to the relevant conference or assembly, as appropriate.

ADD **246D** *cbis)* Nos. 246A and 246B above shall not be used for questions and recommendations having policy or regulatory implications such as:

ADD **246E** – questions and recommendations approved by the Radiocommunication Sector relevant to the work of radiocommunication conferences, and other categories of questions and recommendations that may be decided by the radiocommunication assembly;

ADD **246F** – questions and recommendations approved by the Telecommunication Standardization Sector which relate to tariff and accounting issues, and relevant numbering and addressing plans;

ADD **246G** – questions and recommendations approved by the Telecommunication Development Sector which relate to regulatory, policy and financial issues;

ADD **246H** – questions and recommendations where there is any doubt about their scope.

MOD **247** 6 Study groups may initiate action for obtaining approval from Member States for recommendations completed between two assemblies or conferences. The procedures to be applied for obtaining such approval shall be those approved by the competent assembly or conference, as appropriate.

ADD **247A** *6bis* Recommendations approved in application of Nos. 246B or 247 above shall have the same status as ones approved by the conference or assembly itself.

ADD **248A** *7bis* Following a procedure developed by the Sector concerned, the Director of a Bureau may, in consultation with the chairman of the study group concerned, invite an organization which does not participate in the Sector to send representatives to take part in the study of a specific matter in the study group concerned or its subordinate groups.

ADD **248B** *7ter* An Associate, as referred to in No. 241A of this Convention, will be permitted to participate in the work of the selected study group without taking part in any decision-making or liaison activity of that study group.

CHAPTER II

MOD

General Provisions Regarding Conferences and Assemblies

ARTICLE 23 (CV)

Invitation and Admission to Plenipotentiary Conferences when There is an Inviting Government

MOD **256** 2 1) One year before the date of opening of the conference, the inviting government shall send an invitation to the government of each Member State.

MOD **262A** *e)* Sector Members referred to in Nos. 229 and 231 of this Convention and organizations of an international character representing them.

MOD **263** 4 1) The replies of the Member States must reach the inviting government at least one month before the date of opening of the conference and should include whenever possible full information on the composition of the delegation.

MOD **265** 3) The replies of the organizations and agencies referred to in Nos. 259 to 262A above must reach the Secretary-General one month before the opening date of the conference.

ARTICLE 24 (CV)

Invitation and Admission to Radiocommunication Conferences when There is an Inviting Government

MOD **271** 2 1) The provisions of Nos. 256 to 265 of this Convention shall apply to radiocommunication conferences.

MOD **272** 2) Member States should inform the Sector Members of the invitation they have received to participate in a radiocommunication conference.

MOD **280** *d)* observers representing Sector Members of the Radiocommunication Sector duly authorized by the Member State concerned;

MOD **282** *f)* observers of Member States participating in a non-voting capacity in a regional radiocommunication conference of a region other than that to which the said Member States belong.

ARTICLE 25 (CV)

MOD **Invitation and Admission to Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and Telecommunication Development Conferences when There is an Inviting Government**

MOD **285** *a)* the administration of each Member State;

MOD **286** *b)* the Sector Members concerned;

MOD **298** *c)* representatives of Sector Members concerned.

ARTICLE 26 (CV)

MOD **Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council**

MOD **299** 1 The procedures to be applied for convening a second world telecommunication standardization assembly in the interval between successive plenipotentiary conferences and fixing its precise place and exact dates or for cancelling the second world radiocommunication conference or the second radiocommunication assembly are set forth in the following provisions.

MOD **300** 2 1) Any Member State wishing to have a second world telecommunication standardization assembly convened shall so inform the Secretary-General, indicating the proposed place and dates of the assembly.

MOD **301** 2) On receipt of similar requests from at least one-quarter of the Member States, the Secretary-General shall inform immediately all Member States thereof by the most appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.

MOD **302** 3) If a majority of the Member States, determined in accordance with No. 47 of this Convention, agree to the proposal as a whole, that is to say, if they accept the proposed place and dates, the Secretary-General shall so inform immediately all Member States by the most appropriate means of telecommunication.

MOD **303** 4) If the proposal accepted is for an assembly elsewhere than at the seat of the Union, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the assembly.

MOD 304 5) If the proposal as a whole (place and dates) is not accepted by the majority of the Member States determined in accordance with No. 47 of this Convention, the Secretary-General shall inform the Member States of the replies received, requesting them to give a final reply on the point or points under dispute within six weeks of receipt.

MOD 305 6) Such points shall be regarded as adopted when they have been approved by a majority of the Member States, determined in accordance with No. 47 of this Convention.

MOD 306 3 1) Any Member State wishing to have a second world radiocommunication conference or a second radiocommunication assembly cancelled shall so inform the Secretary-General. On receipt of similar requests from at least one-quarter of the Member States, the Secretary-General shall inform immediately all Member States thereof by the most appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.

MOD 307 2) If a majority of the Member States, determined in accordance with No. 47 of this Convention, agrees to the proposal, the Secretary-General shall so inform immediately all Member States by the most appropriate means of telecommunication and the conference or assembly shall be cancelled.

MOD 309 5 Any Member State wishing to have a world conference on international telecommunications convened shall propose it to the Plenipotentiary Conference; the agenda, precise place and exact dates of such a conference shall be determined in accordance with the provisions of Article 3 of this Convention.

ARTICLE 27 (CV)

MOD

Procedure for Convening Regional Conferences at the Request of Member States or on a Proposal of the Council

MOD 310 In the case of a regional conference, the procedure described in Nos. 300 to 305 of this Convention shall be applicable only to the Member States of the region concerned. If the conference is to be convened on the initiative of the Member States of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Member States in that region. The procedure described in Nos. 301 to 305 of this Convention shall also be applicable when the proposal to convene such a conference is initiated by the Council.

ARTICLE 28 (CV)

MOD

Provisions for Conferences and Assemblies Meeting when There is no Inviting Government

MOD 311 When a conference or an assembly is to be held without an inviting government, the provisions of Articles 23, 24 and 25 of this Convention shall apply. The Secretary-General shall take the necessary steps to convene and organize the conference or assembly at the seat of the Union, after agreement with the Government of the Swiss Confederation.

ARTICLE 29 (CV)

MOD

Change in the Place or Dates of a Conference or an Assembly

MOD 312 1 The provisions of Articles 26 and 27 of this Convention for convening a conference or assembly shall apply, by analogy, when a change in the precise place and/or exact dates of a conference or assembly is requested by Member States or is proposed by the Council. However, such changes shall only be made if a majority of the Member States concerned, determined in accordance with No. 47 of this Convention, have pronounced in favour.

MOD 313 2 It shall be the responsibility of any Member State proposing a change in the precise place or exact dates of a conference or assembly to obtain for its proposal the support of the requisite number of other Member States.

ARTICLE 30 (CV)

Time-Limits and Conditions for Submission of Proposals and Reports to Conferences

MOD 316 2 Immediately after the invitations have been despatched, the Secretary-General shall ask Member States to submit, at least four months before the start of the conference, their proposals for the work of the conference.

MOD 318 4 Each proposal received from a Member State shall be annotated by the Secretary-General to indicate its origin by means of the symbol established by the Union for that Member State. Where a proposal is made jointly by more than one Member State the proposal shall, to the extent practicable, be annotated with the symbol of each Member State.

MOD 319 5 The Secretary-General shall communicate the proposals to all Member States as they are received.

MOD 320 6 The Secretary-General shall assemble and coordinate the proposals received from Member States and shall communicate them to Member States as they are received, but in any case at least two months before the opening of the conference. Elected officials and staff members of the Union, as well as those observers and representatives that may attend conferences in accordance with the relevant provisions of this Convention, shall not be entitled to submit proposals.

MOD 321 7 The Secretary-General shall also assemble reports received from Member States, the Council and the Sectors of the Union and recommendations by conferences and shall communicate them to Member States, along with any reports by the Secretary-General, at least four months before the opening of the conference.

MOD 322 8 Proposals received after the time-limit specified in No. 316 above shall be communicated to all Member States by the Secretary-General as soon as practicable.

ARTICLE 31 (CV)

Credentials for Conferences

MOD 324 1 The delegation sent by a Member State to a plenipotentiary conference, a radiocommunication conference or a world conference on international telecommunications shall be duly accredited in accordance with Nos. 325 to 331 below.

MOD 327 3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in Nos. 325 or 326 above, a delegation may be provisionally accredited by the head of the diplomatic mission of the Member State concerned to the host government. In the case of a conference held in the Swiss Confederation, a delegation may also be provisionally accredited by the head of the permanent delegation of the Member State concerned to the United Nations Office at Geneva.

MOD 332 4 1) A delegation whose credentials are found to be in order by the Plenary Meeting shall be entitled to exercise the right to vote of the Member State concerned, subject to the provisions of Nos. 169 and 210 of the Constitution, and to sign the final acts.

MOD 334 5 Credentials shall be deposited with the secretariat of the conference as early as possible. The committee referred to in No. 23 of Rules of Procedure of conferences and other meetings be entrusted with the verification thereof and shall report on its conclusions to the Plenary Meeting within the time specified by the latter. Pending the decision of the Plenary Meeting thereon, any delegation shall be entitled to participate in the conference and to exercise the right to vote of the Member State concerned.

MOD **335** 6 As a general rule, Member States should endeavour to send their own delegations to conferences of the Union. However, if a Member State is unable, for exceptional reasons, to send its own delegation, it may give the delegation of another Member State powers to vote and sign on its behalf. Such powers must be conveyed by means of an instrument signed by one of the authorities mentioned in Nos. 325 or 326 above.

MOD **339** 10 A Member State or an authorized entity or organization intending to send a delegation or representatives to a telecommunication standardization assembly, a telecommunication development conference or a radiocommunication assembly shall so inform the Director of the Bureau of the Sector concerned, indicating the names and functions of the members of the delegation or of the representatives.

SUP

CHAPTER III

Rules of Procedure

ARTICLE 32 (CV)

Rules of Procedure of Conferences and Other Meetings

ADD **339A** The Rules of Procedure of conferences and other meetings are adopted by the Plenipotentiary Conference. The provisions governing the procedure for amending those Rules of Procedure and the entry into force of amendments are contained in the Rules themselves.

(MOD) **340** The Rules of Procedure shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of this Convention.

ADD

ARTICLE 32A (CV)

Right to Vote

ADD **340A** 1 At all meetings of a conference, assembly or other meeting, the delegation of a Member State duly accredited by that Member State to take part in the work of the conference, assembly or other meeting shall be entitled to one vote in accordance with Article 3 of the Constitution.

ADD **340B** 2 The delegation of a Member State shall exercise the right to vote under the conditions described in Article 31 of this Convention.

ADD **340C** 3 When a Member State is not represented by an administration at a radiocommunication assembly, a world telecommunication standardization assembly or a telecommunication development conference, the representatives of the recognized operating agencies of the Member State concerned shall, as a whole, and regardless of their number, be entitled to a single vote, subject to the provisions of No. 239 of this Convention. The provisions of Nos. 335 to 338 of this Convention concerning the transfer of powers shall apply to the above conferences and assemblies.

ADD

ARTICLE 32B (CV)

Reservations

ADD **340D** 1 As a general rule, any delegation whose views are not shared by the remaining delegations shall endeavour, as far as possible, to conform to the opinion of the majority.

ADD **340E** 2 Any Member State that, during a plenipotentiary conference, reserves its right to make reservations as specified in its declaration when signing the final acts, may make reservations regarding an amendment to the Constitution or to this Convention until such time as its instrument of ratification, acceptance or approval of or accession to the amendment has been deposited with the Secretary-General.

ADD **340F** 3 If any decision appears to a delegation to be such as to prevent its government from consenting to be bound by the revision of the Administrative Regulations, this delegation may make reservations, final or provisional, regarding that decision, at the end of the conference adopting that revision; any such reservations may be made by a delegation on behalf of a Member State which is not participating in the competent conference and which has given that delegation proxy powers to sign the final acts in accordance with the provisions of Article 31 of this Convention.

ADD **340G** 4 A reservation made following a conference shall only be valid if the Member State which made it formally confirms it when notifying its consent to be bound by the amended or revised instrument adopted by the conference at the close of which it made the reservation in question.

SUP **341** to **467**

CHAPTER IV

Other Provisions

ARTICLE 33 (CV)

Finances

MOD **468** 1 1) 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, in conformity with the relevant provisions of Article 28 of the Constitution, shall be as follows:

40 unit class	8 unit class
35 unit class	5 unit class
30 unit class	4 unit class
28 unit class	3 unit class
25 unit class	2 unit class
23 unit class	1 1/2 unit class
20 unit class	1 unit class
18 unit class	1/2 unit class
15 unit class	1/4 unit class
13 unit class	1/8 unit class
10 unit class	1/16 unit class

ADD **468A** 1*bis*) 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** 1*ter*) 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. 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.

MOD **469** 2) In addition to the classes of contribution listed in No. 468 above, any Member State or Sector Member may choose a number of contributory units over 40.

MOD **470** 3) The Secretary-General shall communicate promptly to each Member State not represented at the Plenipotentiary Conference the decision of each Member State as to the class of contribution to be paid by it.

SUP **471**

MOD **472** 2 1) Every new Member State and Sector Member shall, in respect of the year of its accession or admission, pay a contribution calculated as from the first day of the month of accession or admission, as the case may be.

MOD **473** 2) Should a Member State denounce the Constitution and this Convention or a Sector Member denounce its participation in a Sector, its contribution shall be paid up to the last day of the month in which such denunciation takes effect in accordance with No. 237 of the Constitution or No. 240 of this Convention, respectively.

MOD **474** 3 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, and at 6% (six per cent) per annum from the beginning of the seventh month.

SUP **475**

MOD **476** 4 1) The organizations referred to in Nos. 259 to 262A of this Convention and other organizations of an international character (unless they have been exempted by the Council, subject to reciprocity) and Sector Members (except when attending a conference or assembly of their respective Sector) which participate in a plenipotentiary conference, in a meeting of a Sector of the Union or in a world conference on international telecommunications shall share in defraying the expenses of the conferences and meetings in which they participate on the basis of the cost of these conferences and meetings and in accordance with the Financial Regulations.

MOD **477** 2) Any Sector Member appearing in the lists mentioned in No. 237 of this Convention shall share in defraying the expenses of the Sector in accordance with Nos. 480 and 480A below.

SUP **478** and **479**

MOD **480** 5) The amount of the contribution per unit payable towards the expenses of each Sector concerned shall be set at 1/5 of the contributory unit of the Member States. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 474 above.

ADD **480A** 5*bis*) When a Sector Member contributes to defraying the expenses of the Union under No. 159 of the Constitution, the Sector for which the contribution is made should be identified.

SUP **481** to **483**

ADD **483A** Associates as described in No. 241A of this Convention shall share in defraying the expenses of the Sector and the study group and subordinate groups in which they participate, as determined by the Council.

MOD **484** 5 The Council shall determine criteria for the application of cost recovery for some products and services of the Union.

ARTICLE 35 (CV)

Languages

MOD 490 1 1) Languages other than those mentioned in the relevant provisions of Article 29 of the Constitution may be used:

MOD 491 *a)* if an application is made to the Secretary-General to provide for the use of an additional language or languages, oral or written, on a permanent or an ad hoc basis, provided that the additional cost so incurred shall be borne by those Member States which have made or supported the application;

MOD 492 *b)* if, at conferences and meetings of the Union, after informing the Secretary-General or the Director of the Bureau concerned, any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in the relevant provision of Article 29 of the Constitution.

MOD 493 2) In the case provided for in No. 491 above, the Secretary-General shall comply to the extent practicable with the application, having first obtained from the Member States concerned an undertaking that the cost incurred will be duly repaid by them to the Union.

MOD 495 2 Any of the documents referred to in the relevant provisions of Article 29 of the Constitution may be published in languages other than those specified therein, provided that the Member States requesting such publication undertake to defray the whole of the cost of translation and publication involved.

CHAPTER V

Various Provisions Related to the Operation of Telecommunication Services

ARTICLE 37 (CV)

Rendering and Settlement of Accounts

MOD 497 1 The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations.

MOD 498 2 Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.

ARTICLE 38 (CV)

Monetary Unit

MOD 500 In the absence of special arrangements concluded between Member States, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:

– either the monetary unit of the International Monetary Fund

– or the gold franc,

both as defined in the Administrative Regulations. The provisions for application are contained in Appendix 1 to the International Telecommunication Regulations.

ARTICLE 40 (CV)

Secret Language

MOD 505 2 Private telegrams in secret language may be admitted between all Member States with the exception of those which have previously notified, through the Secretary-General, that they do not admit this language for that category of correspondence.

MOD 506 3 Member States which do not admit private telegrams in secret language originating in or destined for their own territory must let them pass in transit, except in the case of suspension of service provided for in Article 35 of the Constitution.

CHAPTER VI

Arbitration and Amendment

ARTICLE 41 (CV)

Arbitration: Procedure
(see Article 56 of the Constitution)

MOD **510** 4 If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Member States which are not involved in the dispute, but which are parties to the agreement, the application of which caused the dispute.

ARTICLE 42 (CV)

Provisions for Amending this Convention

MOD **519** 1 Any Member State may propose any amendment to this Convention. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but not later than six months prior to the latter date, forward any such proposal to all the Member States.

MOD **520** 2 Any proposed modification to any amendment submitted in accordance with No. 519 above may, however, be submitted at any time by a Member State or by its delegation at the Plenipotentiary Conference.

MOD **523** 5 Unless specified otherwise in the preceding paragraphs of the present Article, which shall prevail, the general provisions regarding conferences and assemblies contained in this Convention and the Rules of Procedure of conferences and other meetings shall apply.

MOD **524** 6 Any amendments to this Convention adopted by a plenipotentiary conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the conference between Member States having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Convention and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

MOD **526** 8 The Secretary-General shall notify all Member States of the deposit of each instrument of ratification, acceptance, approval or accession.

ANNEX (CV)

Definition of Certain Terms Used in this Convention and the Administrative Regulations of the International Telecommunication Union

MOD **1002** *Observer:* A person sent by:

- the United Nations, a specialized agency of the United Nations, the International Atomic Energy Agency, a regional telecommunication organization, or an intergovernmental organization operating satellite systems, to participate, in an advisory capacity, in a plenipotentiary conference, a conference or a meeting of a Sector,
- an international organization to participate, in an advisory capacity, in a conference or a meeting of a Sector,
- the government of a Member State to participate, in a non-voting capacity, in a regional conference, or
- a Sector Member referred to in Nos. 229 or 231 of the Convention or an organization of an international character representing such Sector Members,

in accordance with the relevant provisions of this Convention.

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 1 January 2000 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.

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, 6 November 1998

(The signatures following the Instrument amending the Convention (Geneva, 1992) as amended by the Plenipotentiary Conference Kyoto, 1994) are the same as those shown on pages 30 to 44.)

DECLARATIONS AND RESERVATIONS

DECLARATIONS AND RESERVATIONS

made at 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 at Minneapolis 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 the Plenipotentiary Conference (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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Conference (Kyoto, 1994) and the Plenipotentiary Conference (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 International Telecommunication Union (Geneva, 1992) adopted by the Plenipotentiary Conference (Minneapolis, 1998).

28

Original: English

For the People's Republic of China:

The delegation of the People's Republic of China, in signing these Final Acts, reserves for its Government the right to take such actions as it may consider necessary to safeguard it interests, should any Member States 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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes thereto, or should reservations by other countries jeopardize its interests.

29

Original: English

For the Republic of San Marino:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of San Marino reserves for its Government the right to take all measures it deems necessary so as to protect its interests in the event that any Member of the Union fails to adhere to the provisions of the Constitution and the Convention or 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 telecommunication 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 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 requirements 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 the 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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 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 (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998) or should reservations by other countries jeopardize its interests.

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 to the Constitution and the Convention of the International Telecommunication Union adopted by the Plenipotentiary Conference (Minneapolis, 1998), or should reservations by other countries jeopardize its interests in any way.

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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Conference (Kyoto, 1994) and the Plenipotentiary Conference (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 Final Acts of 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 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes or 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 delegations to the Plenipotentiary Conference (Minneapolis, 1998) declare that their Governments reserve the right to take any measures they consider necessary to safeguard their interests should non-compliance with, or reservations to the provisions of the Constitution, the Convention or their annexes or the protocol attached thereto by other Members in any way jeopardize their telecommunication services.

Furthermore, the above-mentioned delegations declare that their Governments reserve the right to take any action they deem necessary to safeguard their 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 provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or its annexes or the protocol attached thereto, or should reservations by other countries be liable to cause an increase in their contributory shares in defraying Union expenses or jeopardize their telecommunication services, or should any other action taken or intend to be taken by any person, natural or juridical, directly or indirectly affect their sovereignty.

The above-mentioned delegations further reserve for their Governments the right to make any other declaration or reservation until and up to the time that the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), are ratified by their Governments.

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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by such Members directly or indirectly affect the operation 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

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) 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 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 Plenipotentiary Conference (Minneapolis, 1998) declares:

1 that it maintains the reservations made at the Plenipotentiary Conference (Nairobi, 1982) and reaffirmed at the Plenipotentiary Conference (Nice, 1989), the Plenipotentiary Conference (Geneva, 1992) and the Plenipotentiary Conference (Kyoto, 1994);

2 that it reserves the right of its Government to take any action which it may deem necessary to safeguard its interests, should any other Member States fail in any way to comply with the provisions of the Constitution, Convention or Administrative Regulations of the International Telecommunication Union as well as the appendices and annexes thereto, or should reservations by other Member States jeopardize the telecommunication services or the sovereignty of the Socialist Republic of Viet Nam;

3 that it also reserves 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, if 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 only 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 the International Telecommunication Union, 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 (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) remains 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), 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 disproportionate.

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 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 Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

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 amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), or the annexes or protocols 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 amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), or the annexes or protocols 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 amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), 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 amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 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 (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 (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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

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 (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (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.

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 Plenipotentiary Conference of the International Telecommunication Union (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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

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 instruments (Minneapolis, 1998) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and 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 the Plenipotentiary Conference (Minneapolis, 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 (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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.

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* *Note by the General Secretariat* – The Republic of Mauritius did not sign the Final Acts of the conference.

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 95 (Minneapolis, 1998) and 73 (Minneapolis, 1998), 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 72 (Minneapolis, 1998) and notes its concern about the action taken by this conference in that regard. The United States of America reiterates its view that Resolution 72 (Minneapolis, 1998) 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 amending instruments (Kyoto, 1994) and by the amending instruments (Minneapolis, 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 (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 78 (Minneapolis, 1998) 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.

98

Original: English

For the State of Israel:

1 Declaration No. 40 made by certain delegations in respect 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 this declaration which politicizes and undermines the work of ITU. The delegation of the State of Israel will proceed on the assumption that this declaration has no bearing whatsoever with respect to the rights and duties of any Member State of 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 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 instruments (Minneapolis, 1998) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the amending instruments (Kyoto, 1994), 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 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 Conference (Kyoto, 1994) and the Plenipotentiary Conference (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 Conference (Kyoto, 1994) and the Plenipotentiary Conference (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 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), 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 Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

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 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), 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 Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

104

Original: English

For the Republic of Cyprus:

The delegation of the Republic of Cyprus, after having considered 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 thereto, as amended by the amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and the amending instruments (Kyoto, 1994) are 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes thereto, 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 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 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), 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 International Telecommunication Union (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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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 Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the 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 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 95 (Minneapolis, 1998) and 73 (Minneapolis, 1998) 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 systems and networks of that type 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 instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), 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.

RULES OF PROCEDURE OF CONFERENCES AND OTHER MEETINGS OF THE INTERNATIONAL TELECOMMUNICATION UNION

RULES OF PROCEDURE OF CONFERENCES AND OTHER MEETINGS OF THE INTERNATIONAL TELECOMMUNICATION UNION

1 1 These Rules of Procedure apply to conferences and other meetings of the International Telecommunication Union (hereinafter referred to as "the Union"). In the event of inconsistency between a provision of these Rules and a provision of the Constitution or the Convention, the latter instruments shall prevail.

1*bis* Meetings of a Sector, other than conferences or assemblies, may adopt working procedures which are compatible with those adopted by the competent conference or assembly of the Sector in question. In the event of inconsistency between those working procedures and a provision of these Rules of Procedure, the latter shall prevail.

2 2 The Rules of Procedure shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of the Convention.

1 Order of Seating

3 At meetings of the conference, delegations shall be seated in the alphabetical order of the French names of the Member States represented.

2 Inauguration of the Conference

4 1 1) The inaugural meeting of the conference shall be preceded by a meeting of the heads of delegation in the course of which it shall prepare the agenda for the first Plenary Meeting and make proposals for the organization, chairmanships and vice-chairmanships of the conference and its committees, taking into account the principles of rotation, geographical distribution, the necessary competence and the provisions of No. 8 below.

5 2) The Chairman of the meeting of Heads of delegation shall be appointed in accordance with the provisions of Nos. 6 and 7 below.

6 2 1) The conference shall be opened by a person appointed by the inviting government.

7 2) When there is no inviting government, it shall be opened by the oldest head of delegation.

8 3 1) The Chairman of the conference shall be elected at the first Plenary Meeting; generally, the Chairman shall be a person nominated by the inviting government.

9 2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposal made by the heads of delegation at the meeting described in No. 4 above.

10 4 The first Plenary Meeting shall also:

11 *a)* elect the Vice-Chairmen of the conference;

12 *b)* set up the conference committees and elect their respective Chairmen and Vice-Chairmen;

13 *c)* designate the conference secretariat, in accordance with No. 97 of the Convention; the secretariat may be reinforced, in case of need, by staff provided by the administration of the inviting government.

3 Powers of the Chairman of the Conference

14 1 The Chairman, in addition to the other prerogatives conferred upon the Chairman under these Rules of Procedure, shall open and close the meetings of the Plenary Meeting, direct the deliberations, ensure that the Rules of Procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.

15 2 The Chairman shall have the general direction of all the work of the conference, and shall ensure that order is maintained at Plenary Meetings. The Chairman shall rule on motions of order and points of order and, in particular, shall be empowered to propose that discussion on a question be postponed or closed, or that a meeting be suspended or adjourned. The Chairman, if finding it appropriate to do so, may also decide to postpone the convening of a Plenary Meeting.

16 3 It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.

17 4 The Chairman shall ensure that discussion is limited to the point at issue, and may interrupt any speaker who departs therefrom and request such speakers to confine their remarks to the subject under discussion.

4 Setting up of Committees

18 1 The Plenary Meeting may set up committees to consider matters referred to the conference. These committees may in turn set up subcommittees. Committees and subcommittees may set up working groups.

19 2 Subcommittees and working groups shall be set up when necessary.

20 3 Subject to the provisions of Nos. 18 and 19 above, the following committees shall be set up:

4.1 Steering Committee

21 *a)* This committee shall normally be composed of the Chairman of the conference or meeting, who shall be its Chairman, the Vice-Chairmen of the conference and the Chairmen and Vice-Chairmen of committees.

22 *b)* The Steering Committee shall coordinate all matters connected with the smooth execution of work and shall plan the order and number of meetings, avoiding overlapping wherever possible in view of the limited number of members of some delegations.

4.2 Credentials Committee

23 A plenipotentiary conference, a radiocommunication conference or a world conference on international telecommunications shall appoint a credentials committee, the mandate of which shall be to verify the credentials of delegations to these conferences. This committee shall report on its conclusions to the Plenary Meeting within the time specified by the latter.

4.3 Editorial Committee

24 *a)* The texts prepared in the various committees, which shall be worded as far as possible in their definitive form by these committees, taking account of the views expressed, shall be submitted to an editorial committee charged with perfecting their form without altering the sense and, where appropriate, with combining them with those parts of former texts which have not been altered.

25 *b)* The texts shall be submitted by the Editorial Committee to the Plenary Meeting, which shall approve them, or refer them back to the appropriate committee for further examination.

4.4 Budget Control Committee

26 *a)* At the opening of each conference, the Plenary Meeting shall appoint a budget control committee to determine the organization and the facilities available to the delegates, and to examine and approve the accounts for expenditure incurred throughout the duration of the conference. In addition to the members of delegations who wish to participate, this committee shall include a representative of the Secretary-General, of the Director of the Bureau concerned, and, where there is an inviting government, a representative of that government.

27 *b)* Before the budget approved by the Council for the conference is exhausted, the Budget Control Committee, in collaboration with the secretariat of the conference, shall present an interim statement of the expenditure to the Plenary Meeting. The Plenary Meeting shall take this

statement into account in considering whether, in view of the progress being made, a prolongation of the conference after the date when the approved budget will be exhausted is justified.

28 *c)* At the end of each conference, the Budget Control Committee shall present a report to the Plenary Meeting showing, as accurately as possible, the estimated total expenditure of the conference, as well as an estimate of the costs that may be entailed by the execution of the decisions taken by such conference.

29 *d)* After consideration and approval by the Plenary Meeting, this report, together with the observations of the Plenary Meeting, shall be transmitted to the Secretary-General for submission to the Council at its next ordinary session.

5 Composition of Committees

5.1 Plenipotentiary conferences

30 Committees shall be composed of the delegates of Member States and the observers referred to in No. 269 of the Convention who have so requested or who have been designated by the Plenary Meeting.

5.2 Radiocommunication conferences and world conferences on international telecommunications

31 Committees shall be composed of the delegates of Member States and the observers and representatives referred to in Nos. 278, 279 and 280 of the Convention who have so requested or who have been designated by the Plenary Meeting.

31A 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.

5.3 Radiocommunication assemblies, world telecommunication standardization assemblies and telecommunication development conferences

32 In addition to delegates of Member States and observers referred to in Nos. 259 to 262 of the Convention, the committees of radiocommunication assemblies and the committees of the world telecommunication standardization assemblies and telecommunication development conferences may be attended by representatives of any entity or organization included in the relevant list referred to in No. 237 of the Convention.

6 Chairmen and Vice-Chairmen of Subcommittees

33 The Chairman of each committee shall propose to the committee the choice of the Chairmen and Vice-Chairmen of the subcommittees which may be set up.

7 Summons to Meetings

34 Plenary Meetings and meetings of committees, subcommittees and working groups shall be announced in good time in the meeting place of the conference.

8 Proposals Presented Before the Opening of the Conference

35 Proposals presented before the opening of the conference shall be allocated by the Plenary Meeting to the appropriate committees set up in accordance with Section 4 of these Rules of Procedure. Nevertheless, the Plenary Meeting itself shall be entitled to deal with any proposal.

9 Proposals or Amendments Presented During the Conference

36 1 Proposals or amendments presented after the opening of the conference shall be delivered to the Chairman of the conference, to the Chairman of the appropriate committee or to the secretariat of the conference for publication and distribution as conference documents.

37 2 No written proposal or amendment may be presented unless signed by the head or deputy head of the delegation concerned. In the absence of the head and deputy head of delegation, any delegate who is authorized by the head of the delegation to act on behalf of the head of the delegation shall be able to sign any proposal or amendment.

38 3 The Chairman of the conference or of a committee, a subcommittee or a working group may at any time submit proposals likely to accelerate the debates.

39 4 Every proposal or amendment shall give, in precise and exact terms, the text to be considered.

40 5 1) The Chairman of the conference or the Chairman of the appropriate committee, subcommittee or working group shall decide in each case whether a proposal or amendment submitted during a meeting shall be made orally or presented in writing for publication and distribution in accordance with No. 36 above.

41 2) The texts of all major proposals to be put to the vote shall be distributed in good time in the working languages of the conference, in order that they may be studied before discussion.

42 3) In addition, the Chairman of the conference, on receiving proposals or amendments referred to in No. 36 above, shall refer them to the appropriate committee or to the Plenary Meeting as the case may be.

43 6 Any authorized person may read, or may ask to have read, at a Plenary Meeting any proposal or amendment they have submitted during the conference, and shall be allowed to explain their reasons therefor.

10 Conditions Required for Discussion of or Decision or Vote on any Proposal or Amendment

44 1 No proposal or amendment may be discussed unless it is supported by at least one other delegation when it comes to be considered.

45 2 Each proposal or amendment duly supported shall be submitted for discussion and thereafter for decision, if necessary by a vote.

11 Proposals or Amendments Passed Over or Postponed

46 When a proposal or an amendment has been passed over or when its examination has been postponed, the delegation sponsoring it shall be responsible for seeing that it is considered later.

12 Rules for Debates in Plenary Meetings

12.1 Quorum

47 For a valid decision to be taken at a Plenary Meeting, more than half of the delegations accredited to the conference and having the right to vote must be present or represented at the meeting. This provision applies without prejudice to any provision in the Constitution or the Convention requiring a special majority for the adoption of any amendment thereto.

12.2 Order of debates

48 1) Persons desiring to speak must first obtain the consent of the Chairman. As a general rule, they shall begin by announcing in what capacity they speak.

49 2) Speakers must express themselves slowly and distinctly, separating their words and pausing as necessary in order that everybody may understand their meaning.

12.3 Motions of order and points of order

50 1) During debates, any delegation may, when it thinks fit, submit a motion of order or raise a point of order, which shall at once be settled by the Chairman in accordance with these Rules of Procedure. Any delegation may appeal against the Chairman's ruling, which shall however stand unless a majority of the delegations present and voting are against it.

51 2) A delegation submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

12.4 Priority of motions of order and points of order

52 The motions and points of order mentioned in No. 50 above shall be dealt with in the following order:

53 *a)* any point of order regarding the application of these Rules of Procedure, including voting procedures;

54 *b)* suspension of a meeting;

55 *c)* adjournment of a meeting;

56 *d)* postponement of debate on the matter under discussion;

57 *e)* closure of debate on the matter under discussion;

58 *f)* any other motions of order or points of order that may be submitted, in which case it shall be for the Chairman to decide the relative order in which they shall be considered.

12.5 Motion for suspension or adjournment of a meeting

59 During the discussion of a question, a delegation may move that the meeting be suspended or adjourned, giving reasons for its proposal. If the proposal is seconded, the floor shall be given to two speakers to oppose the suspension or adjournment and solely for that purpose, after which the motion shall be put to the vote.

12.6 Motion for postponement of debate

60 During discussion of any question, a delegation may move that the debate be postponed for a stated period. Once such a proposal has been made, any discussion thereon shall be limited to no more than three speakers not counting the person submitting the proposal, one for the motion and two against, after which the motion shall be put to the vote.

12.7 Motion for closure of debate

61 A delegation may at any time move that discussions on the point at issue be closed. In such cases the floor shall be given to not more than three speakers, one for the motion and two against, after which the motion shall be put to the vote. If the motion succeeds, the Chairman will immediately call for a vote on the point at issue.

12.8 Limitation of speeches

62 1) The Plenary Meeting may, if necessary, decide how many speeches any one delegation may make on any particular point, and how long they may last.

63 2) However, as regards questions of procedure, the Chairman shall limit the speaking time allowed to a maximum of five minutes.

64 3) When a speaker has exceeded the time allowed, the Chairman shall notify the meeting and request the speaker to conclude briefly.

12.9 Closing the list of speakers

65 1) During the debate, the Chairman may rule that the list of speakers wishing to take the floor be read. The Chairman shall add the names of other delegations which indicate that they wish to speak and may then, with the assent of the meeting, rule that the list be closed. Nevertheless, as an exceptional measure, the Chairman may if finding it appropriate to do so rule that a reply may be made to any previous statement, even after the list of speakers has been closed.

66 2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.

12.10 Questions of competence

67 Any question of competence that may arise shall be settled before a vote is taken on the substance of the matter under discussion.

12.11 Withdrawal and resubmission of a motion

68 The author of a motion may withdraw it before it is put to a vote. Any motion, whether amended or not, which has been withdrawn from debate may be resubmitted or taken up by the author of the amendment or by another delegation.

SUP **13 Right to Vote** (inserted under Article 32A (CV))

14 Voting

14.1 Definition of a majority

72 1) A majority shall consist of more than half the delegations present and voting.

73 2) In computing a majority, delegations abstaining shall not be taken into account.

74 3) In case of a tie, a proposal or amendment shall be considered rejected.

75 4) For the purpose of these Rules of Procedure, a "delegation present and voting" shall be a delegation voting for or against a proposal.

14.2 Non-participation in voting

76 Delegations which are present but do not take part in a particular vote or expressly state they do not wish to take part shall not be considered as absent, for the purpose of determining a quorum as defined in No. 47 above, nor as abstaining for the purpose of applying the provisions of No. 78 below.

14.3 Special majority

77 In cases concerning the admission of new Member States, the majority described in Article 2 of the Constitution shall apply.

14.4 Abstentions of more than fifty per cent

78 When the number of abstentions exceeds half the number of votes cast (for, against, abstentions), consideration of the matter under discussion shall be postponed to a later meeting, at which time abstentions shall not be taken into account.

14.5 Voting procedures

79 1) The voting procedures are as follows:

80 *a)* by a show of hands as a general rule unless a roll call under b) or secret ballot under c) has been requested;

81 *b)* by a roll call in the alphabetical order of the French names of the Member States present and entitled to vote:

82 1 if at least two delegations, present and entitled to vote, so request before the beginning of the vote and if a secret ballot under c) has not been requested, or

83 2 if the procedure under a) shows no clear majority;

84 *c)* by a secret ballot, if at least five of the delegations present and entitled to vote so request before the beginning of the vote.

85 2) The Chairman shall, before commencing a vote, observe any request as to the manner in which the voting shall be conducted, and then shall formally announce the voting procedure to be applied and the issue to be submitted to the vote. The Chairman shall then declare the beginning of the vote and, when the vote has been taken, shall announce the results.

86 3) In the case of a secret ballot, the secretariat shall at once take steps to ensure the secrecy of the vote.

87 4) Voting may be conducted by an electronic system if a suitable system is available and if the conference so decides.

14.6 Prohibition of interruptions once the vote has begun

88 No delegation may interrupt once a vote has begun, unless to raise a point of order in connection with the way in which the vote is being taken. The point of order cannot include any proposal entailing a change in the vote that is being taken or a change in the substance of the question put to the vote. Voting shall begin with the Chairman's announcement that the voting has begun and shall end with the Chairman's announcement of its results.

14.7 Reasons for votes

89 The Chairman shall authorize any delegations which so request to give the reasons for their vote, after the vote has been taken.

14.8 Voting on parts of a proposal

90 1) When the author of a proposal so requests, or when the meeting thinks fit, or when the Chairman, with the approval of the author, so proposes, that proposal shall be sub-divided and its various sections put to the vote separately. The parts of the proposal which have been adopted shall then be put to the vote as a whole.

91 2) If all the sections of a proposal are rejected, the proposal shall be regarded as rejected as a whole.

14.9 Order of voting on concurrent proposals

92 1) When there are two or more proposals on any one matter, they shall be put to the vote in the order in which they were presented, unless the meeting decides to the contrary.

93 2) After each vote, the meeting shall decide whether or not the following proposal shall be voted on.

14.10 Amendments

94 1) Any proposal for modification consisting only of a deletion from, an addition to, or a change in, a part of the original proposal shall be considered an amendment.

95 2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.

96 3) No proposal for modification shall be regarded as an amendment if the meeting considers it to be incompatible with the original proposal.

14.11 Voting on amendments

97 1) When an amendment to a proposal is submitted, a vote shall first be taken on the amendment.

98 2) When two or more amendments to a proposal are submitted, the amendment furthest from the original text shall be put to the vote first; if this amendment does not obtain the support of the majority, of the remaining amendments, that furthest from the proposal shall then be put to the vote and the same procedure shall be followed until a subsequent amendment gains the support of the majority; if all the amendments submitted have been considered and none has gained a majority, the unamended proposal shall be put to the vote.

99 3) If one or more amendments are adopted, the proposal thus amended shall then be put to the vote.

14.12 Repetition of a vote

100 1) In the committees, subcommittees or working groups of a conference or a meeting, a proposal, a part of a proposal or an amendment which has already been decided by a vote within one of the committees, subcommittees or working groups may not be put to the vote again within the same committee, subcommittee or working group. This shall apply irrespective of the voting procedure chosen.

140 **RP**

101 2) In the Plenary Meetings, a proposal, a part of a proposal or an amendment shall not be put to the vote again unless:

102 *a)* the majority of the Member States entitled to vote so request, and

103 *b)* the request for a repetition of the vote is made at least one full day after the vote has been taken. This period shall not apply on the last day of a conference or other meeting.

15 Rules for Debates and Voting Procedures in Committees and Subcommittees

104 1 The Chairmen of all committees and subcommittees shall have powers similar to those conferred by Section 3 of the present Rules of Procedure on the Chairman of the conference.

105 2 The provisions of Section 12 of the present Rules of Procedure for the conduct of debates in the Plenary Meeting shall also apply to the discussions in committees and subcommittees, except in the matter of the quorum.

106 3 The provisions of Section 14 of the present Rules of Procedure shall also apply to votes taken in committees and subcommittees.

SUP

16 Reservations (inserted under Article 32B (CV))

17 Minutes of Plenary Meetings

109 1 The minutes of Plenary Meetings shall be drawn up by the secretariat of the conference, which shall ensure that they are distributed to delegations as early as possible, and in any event not later than five working days after each meeting.

110 2 After the minutes have been distributed, delegations may submit in writing to the secretariat of the conference any corrections they consider to be justified; this shall be done in the shortest possible time. This shall not prevent them from presenting amendments orally during the meeting at which the minutes are approved.

111 3 1) As a general rule, the minutes shall contain only proposals and conclusions, together with the principal arguments on which they are based, presented in terms as concise as possible.

112 2) However, any delegation shall have the right to require the insertion in the minutes, either summarized or in full, of any statement it has made during the debates. In this case, the delegation should, as a general rule, announce this at the beginning of its statement in order to facilitate the work of the reporters and must itself hand in the text to the secretariat of the conference within two hours after the end of the meeting.

113 4 The right accorded in No. 112 above regarding the insertion of statements in the minutes shall in all cases be used with discretion.

18 Summary Records and Reports of Committees and Subcommittees

114 1 1) Summary records of the debates of meetings of committees or subcommittees shall be drawn up, meeting by meeting, by the secretariat of the conference, which shall ensure that they are distributed to delegations not later than five working days after each meeting. The records shall bring out the essential points of the discussion, and the various opinions of which note ought to be taken, together with any proposals or conclusions resulting from the debates as a whole.

115 2) Nevertheless, any delegation shall be entitled to invoke No. 112 above.

116 3) The right accorded in No. 115 above shall in all circumstances be used with discretion.

117 2 Committees and subcommittees may prepare any interim reports they deem necessary and, if circumstances warrant, they may submit, at the end of their work, a final report recapitulating in concise terms the proposals and conclusions resulting from the studies entrusted to them.

19 Approval of Minutes, Summary Records and Reports

118 1 1) As a general rule, at the beginning of each Plenary Meeting, or meeting of a committee, or subcommittee, the Chairman shall inquire whether there are any comments on the minutes of the previous meeting, or, in the case of committees or subcommittees, on the summary record of the previous meeting. These documents shall be considered approved if no amendments have been handed in to the secretariat and no objection is made orally. Otherwise, the appropriate amendments shall be made in the minutes or summary record as the case may be.

119 2) Any interim or final report must be approved by the committee or subcommittee concerned.

120 2 1) The minutes of the last Plenary Meetings shall be examined and approved by the Chairman.

121 2) The summary records of the last meetings of each committee or subcommittee shall be examined and approved by the Chairman of the committee or subcommittee.

20 Numbering

122 1 The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading in Plenary Meeting. The passages added shall bear provisionally the number of the last preceding paragraph in the original text, with the addition of "A", "B", etc.

123 2 The final numbering of the chapters, articles and paragraphs shall normally be entrusted to the Editorial Committee after their adoption at the first reading but may, by a decision of the Plenary Meeting, be entrusted to the Secretary-General.

21 Final Approval

124 The texts of the final acts of a plenipotentiary conference, a radiocommunication conference or a world conference on international telecommunications shall be considered final when they have been approved at the second reading in Plenary Meeting.

22 Signature

125 The texts of the final acts approved by the conferences referred to in No. 124 above shall be submitted for signature, in the alphabetical order of the Member States' names in French, to the delegates provided with the powers defined in Article 31 of the Convention.

23 Relations with the Press and the Public

126 1 Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman of the conference.

127 2 The press and the public may, to the extent practicable, be present at conferences in accordance with the guidelines approved by the meeting of heads of delegations referred to in No. 4 above and with the practical arrangements made by the Secretary-General. The presence of the press and the public shall in no way disturb the normal conduct of the work of the meeting.

128 3 Other meetings of the Union shall not be open to the press and the public, unless the meeting in question decides otherwise.

24 Franking Privileges

129 During the conference, members of delegations, representatives of Member States of the Council, members of the Radio Regulations Board, senior

officials of the General Secretariat and of the Sectors of the Union attending the conference and the staff of the secretariat of the Union seconded to the conference shall be entitled to postal, telegram, telephone and telex franking privileges to the extent arranged by the host government in agreement with the other governments and recognized operating agencies concerned.

25 Proposal, Adoption and Entry into Force of Amendments to These Rules of Procedure

130 1 Any Member State may propose, at a plenipotentiary conference, any amendment to these Rules of Procedure. Amendments proposed must be submitted in conformity with the general provisions concerning conferences.

131 2 The quorum required for the examination of any proposed amendment to these Rules of Procedure shall be as indicated in Section 12.1 above.

132 3 In order to be adopted, any proposed amendment must be approved at a Plenary Meeting by more than half of the delegations accredited to the plenipotentiary conference which have the right to vote.

133 4 Unless otherwise decided by the plenipotentiary conference itself by a decision adopted by a two-thirds majority of the delegations accredited to the plenipotentiary conference which have the right to vote, amendments to the Rules of Procedure adopted in accordance with the provisions of this section shall enter into force, for all conferences and meetings of the Union, on the date of signature of the Final Acts of the plenipotentiary conference which adopted them.

DECISIONS

RESOLUTIONS

DECISION 3 (Minneapolis, 1998)

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.

DECISION 4 (Minneapolis, 1998)

Procedure concerning choice of contributory class

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

decides

1 that each Member State and Sector Member shall inform the Secretary-General before 6 May 1999 of the class of contribution it has chosen from the scale of contributions in Article 33 of the Convention of the International Telecommunication Union;

2 that Member States and Sector Members which have failed to make known their decision before 6 May 1999 in accordance with the requirements of paragraph 1 above shall be required to continue to contribute the same number of units as they contributed previously;

3 that, at the first session of the Council held after 1 January 2000, a Member State or Sector Member may, with the approval of the Council, reduce the level of its contributory class determined under paragraphs 1 and 2 above if its relative contributory position under the applicable scale of contribution is substantially worse than its previous position;

4 that the classes of contribution chosen under paragraph 1 above shall be applied as from 1 January 2000 to 31 December 2003,

instructs the Secretary-General

1 to inform Member States and Sector Members of this decision;

2 to inform Member States and Sector Members without delay regarding the choice of class of contribution made under *decides* 1 above.

DECISION 5 (Minneapolis, 1998)

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

Resolution 91 of this conference on general principles for cost recovery,

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;

1.3 that, when adopting the biennial budgets of the Union, the Council may decide to exceed the limits in paragraph 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;

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

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 the Council may authorize expenditure beyond the amounts indicated in paragraph 1.1 in light of the changes referred to 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;

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 above;

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.

RESOLUTION 2 (Rev. Minneapolis, 1998)

World Telecommunication Policy Forum

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

considering

a) that the telecommunication environment is undergoing considerable changes under the combined influence of advances in technology, the globalization of markets and growing user demand for integrated cross-border services increasingly adapted to their needs;

b) that the forces shaping the telecommunication environment have led in many countries to a restructuring of the telecommunication sector, especially the separation of regulatory and operating functions, the gradual liberalization of services and the appearance of new players in this area;

c) that the need for a global framework to exchange information on telecommunication strategies and policies has been evident for many years;

d) that national telecommunication policies and regulations have to be recognized and understood, so as to allow the development of global markets which can support the harmonious development of telecommunication services;

e) the important contributions provided by Member States and Sector Members to the previous world telecommunication policy forum,

conscious

a) that the purposes of the Union are, *inter alia*, to promote, at international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society, to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants and to harmonize the actions of Member States and Sector Members in the attainment of those ends;

b) that ITU is uniquely positioned to provide a forum for the coordination, information exchange, discussion and harmonization of national, regional and international telecommunication strategies and policies;

c) that the Plenipotentiary Conference (Kyoto, 1994), in its Resolution 2, established the world telecommunication policy forum, which was successfully convened twice, in 1996 and 1998, and provided a venue for discussion by high-level participants of global and cross-sectoral issues, thus contributing to the advance of world telecommunications and the establishment of procedures for conduct of the forum,

emphasizing

a) that Member States and Sector Members, realizing the need for constant review of their own telecommunication policies and legislation, and for coordination in the rapidly changing telecommunication environment, should also in the future be able to discuss strategies and policies;

b) that it is necessary for the Union, as an international organization playing a leading role in the field of telecommunications, to continue organizing the forum to facilitate the exchange of information by high-level participants on telecommunication policies;

c) that the purpose of the forum is to provide a venue for creating a shared vision among policy-makers worldwide on the issues arising from the emergence of new telecommunication services and technologies, and to consider any other policy issue in telecommunications which would benefit from a global exchange of views;

d) that the forum should continue to give special attention to the interests and needs of the developing countries, where modern technologies and services can contribute significantly to telecommunication infrastructure development;

e) the need for allowing adequate preparation time for a forum;

f) the importance of regional preparation and consultation,

resolves

1 that the world telecommunication policy forum as established by Resolution 2 of the Plenipotentiary Conference (Kyoto, 1994) shall be maintained, in order to discuss and exchange views and information on telecommunication policy and regulatory matters, especially on global and cross-sectoral issues;

2 that the world telecommunication policy forum shall neither produce prescriptive regulatory outcomes nor produce outputs with binding force; however it shall prepare reports and, where appropriate, opinions for consideration by Member States, Sector Members and relevant ITU meetings;

3 that the world telecommunication policy forum shall be open to all Member States and Sector Members; however, if appropriate, by decision of a majority of the representatives of Member States, a special session may be held for Member States only;

4 that the world telecommunication policy forum shall be convened on an ad hoc basis to respond quickly to emerging policy issues arising from the changing telecommunication environment;

5 that Council shall decide on the duration, the date, allowing ample time for preparations, the venue, the agenda and the themes of the world telecommunication policy forum;

6 that the agenda and themes shall be based on a report by the Secretary-General, including input from any conference, assembly or meeting of the Union, and on contributions from Member States and Sector Members;

7 that discussions at the world telecommunication policy forum shall be based on a report by the Secretary-General prepared in accordance with a procedure adopted by the Council and based on the views of Member States and Sector Members;

8 that the world telecommunication policy forum should be convened as far as possible in conjunction with one of the conferences or meetings of the Union in order to minimize the impact on the budget of the Union;

9 that broad participation in the world telecommunication policy forum and operational efficiency during the forum shall be facilitated,

instructs the Secretary-General

to make the necessary preparations for convening the world telecommunication policy forum based on the *resolves* above,

instructs the Council

1 to decide upon the duration, date, venue, agenda and themes of any future world telecommunication policy forum;

2 to adopt a procedure for the preparation of the report by the Secretary-General referred to in *resolves* 7 above,

further instructs the Council

to submit to the next plenipotentiary conference a report on the world telecommunication policy forum for evaluation and any necessary action.

RESOLUTION 11 (Rev. Minneapolis, 1998)

World and regional telecommunication exhibitions and forums

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

considering

a) that telecommunication exhibitions and associated forums are of considerable assistance in keeping the membership of the Union and the wider telecommunication community informed of the latest advances in all fields of telecommunications and the possibilities of applying them for the benefit of all Member States and Sector Members, particularly the developing countries;

b) that world and regional TELECOMs fulfil the mandate to keep Member States and Sector Members informed of, and offer a universal opportunity for the display of, state-of-the-art technology concerning all aspects of telecommunications and related fields of activity;

c) that regional TELECOMs bring the potential benefits of telecommunications closer to the people of all continents by emphasizing the specific problems of each region and indicating possible solutions to them;

d) that such regional exhibitions and forums organized on a regular basis by ITU, with no commercial interest, staged at the invitation of Member States, are an excellent means of catering for the needs of both developed and developing countries and facilitate the transfer of technology and of essential information to developing countries;

e) the commitments made by Switzerland towards ITU,

noting

a) that the Secretary-General is fully accountable for TELECOM as a part of the permanent activities of the Union;

b) that a board has been established to assist the Secretary-General in the management of TELECOM activities;

c) that TELECOM activities are subject to the ITU Staff Rules and Regulations, publication practices and Financial Regulations, including internal control and internal audit;

d) that the external audit of TELECOM activities should continue to be carried out by the external auditors of the Union,

resolves

1 that the Union should, in collaboration with its Member States, continue to organize world telecommunication exhibitions and forums on a regular basis;

2 that the Union should continue to cooperate with its membership in organizing regional exhibitions and forums; as far as possible, these events should be synchronized with other important meetings or conferences of the Union, with a view to minimizing expenses and encouraging wide participation;

3 that decisions on the venues of world and regional TELECOM exhibitions and forums should be made on the basis of a transparent decision-making process based on objective criteria; such criteria shall include cost elements and, in the case of world events, the additional costs which may result from holding the event outside the city of the seat of the Union;

4 that the management of TELECOM and its structure should be strengthened;

5 that the operational flexibility it needs in order to meet all the challenges of its field of activity should be maintained;

6 that a significant part of any surplus income over expenditure derived from the activities of TELECOM should be used as extrabudgetary income for the Telecommunication Development Bureau, for specific telecommunication development projects, primarily in the least developed countries,

instructs the Secretary-General

1 to ensure the supervision of TELECOM and give dedicated responsibilities to the TELECOM Board, keeping in mind the main objectives of the Union, and ensuring that ties between the Board and TELECOM secretariat are strengthened with a view to implementing the Board's recommendations as effectively and smoothly as possible;

2 to ensure the transparency of TELECOM activities and report on them in a regular annual report to Council, including on action taken with respect to the use of surplus income, on the process and criteria to be used for selecting venues, and on the reasons for the actual selection of venues;

3 to ensure that the TELECOM secretariat, while being governed by the ITU Staff Rules and Regulations, maintains the necessary flexibility in its decision-making process to compete in its semi-commercial environment;

4 to enhance the internal control and internal audit of the accounts for the different TELECOM activities,

instructs the Council

1 to review the annual report on TELECOM activities and give guidance on future trends for those activities;

2 to approve the TELECOM accounts after examination of the report of the external auditors of the Union;

3 to approve the use of TELECOM surplus funds.

RESOLUTION 16 (Rev. Minneapolis, 1998)

Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector

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

noting

the report by the Council on the results of the implementation of Resolution 16 (Kyoto, 1994),

considering

a) that ITU should be the pre-eminent global standardization body in the telecommunication field, including radiocommunication;

b) that ITU is the pre-eminent body for efficient worldwide cooperation in the radio regulatory field;

c) that the Additional Plenipotentiary Conference (Geneva, 1992) recognized Nos. 78 and 104 of the Constitution as an initial allocation of work between the Radiocommunication (ITU-R) and Telecommunication Standardization (ITU-T) Sectors and outlined general principles and guidelines pertaining to the allocation of work between ITU-R and ITU-T;

d) that, in application of instructions handed down by the Additional Plenipotentiary Conference (Geneva, 1992), the World Telecommunication Standardization Conference (Helsinki, 1993) and the Radiocommunication Assembly (Geneva, 1993) adopted resolutions that establish procedures for ongoing review and, as appropriate, allocation of work, in order to achieve goals in terms of effectiveness and efficiency;

e) the need to involve all interested participants of ITU-R and ITU-T in this ongoing review;

f) that, when implementing this resolution, questions that may have implications for the International Telecommunication Regulations and the Radio Regulations require a more cautious approach,

resolves

1 that the current process, in conformity with the relevant resolutions of the world telecommunication standardization conference and the radiocommunication assembly which provide for ongoing review of new and existing work and its allocation to ITU-R and ITU-T, shall be maintained;

2 that changes in the allocation of work between ITU-R and ITU-T on matters that may be related to the International Telecommunication Regulations or the Radio Regulations shall not be considered within that process.

RESOLUTION 21 (Rev. Minneapolis, 1998)

Special measures concerning alternative calling procedures on international telecommunication networks

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

recognizing

a) that each Member State has the sovereign right to prohibit or allow certain or all alternative calling procedures in order to avoid negative effects on their national telecommunications;

b) the interests of the developing countries;

c) the interests of consumers and users of telecommunication services,

recalling

a) Resolution 21 of the Plenipotentiary Conference (Kyoto, 1994), which:

- urged Member States to cooperate among themselves to resolve difficulties in order to ensure that national laws and regulations of ITU Member States are respected;
- instructed the Telecommunication Standardization Sector (ITU-T) to accelerate its studies with a view to developing appropriate solutions and recommendations;

b) Resolution 1099 of Council-96, which:

- endorsed the results of ITU-T studies calling for the suspension of call-back procedures which seriously degrade the quality and the performance of the public switched telephone network (PSTN), such as constant calling and answer suppression;
- urged ITU-T to develop, as soon as possible, appropriate recommendations, in particular on call-back methods and practices which seriously degrade the quality and the performance of the PSTN;

c) Resolution 29 of the World Telecommunication Standardization Conference (Geneva, 1996), which resolved that:

- administrations and recognized operating agencies (ROA) should take all reasonable measures, within the constraints of their national law, to suspend alternative calling procedures which seriously degrade the quality and performance of the PSTN;
- administrations and ROAs should take a cooperative and reasonable approach to respecting the national sovereignty of others;
- further studies are required;

d) Resolution 22 of the World Telecommunication Development Conference (Valletta, 1998), which resolved:

- to encourage administrations and ROAs to enhance the effectiveness of ITU's role and to give effect to its recommendations in order to promote a new and more effective basis for the accounting regime which would help limit the negative effects of alternative calling procedures on developing countries;
- to request the Telecommunication Development Sector (ITU-D) and ITU-T to collaborate so as to avoid any duplication of work, and achieve an outcome based on the spirit of Resolution 21 (Kyoto, 1994);
- to request administrations and ROAs of countries which permit the use of alternative calling procedures to respect the decisions of other administrations and ROAs whose regulations do not permit such services,

conscious

a) that, as of October 1998, 86 Member States had notified the Telecommunication Standardization Bureau that call-back is prohibited in their countries;

b) that ITU-T Study Group 2 has concluded that certain alternative calling procedures such as constant calling (or bombardment or polling) and answer suppression seriously degrade the quality and the performance of the PSTN,

resolves to urge ITU-T, in close communication with ITU-D

1 to implement the resolutions cited under *recalling*;

2 to coordinate activities in order to avoid duplication,

urges Member States and Sector Members

to continue to cooperate among themselves on the effective application of those resolutions.

RESOLUTION 22 (Rev. Minneapolis, 1998)

Apportionment of revenues in providing international telecommunication services

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

considering

a) the importance of telecommunications for the social and economic development of all countries;

b) that the International Telecommunication Union has an important role to play in promoting the universal development of telecommunication;

c) that the Independent Commission for World-Wide Telecommunications Development, in its report "The Missing Link", recommended, *inter alia*, that Member States should consider setting aside a small portion of revenues from calls between developing and industralized countries to be devoted to telecommunications in developing countries;

d) that ITU-T Recommendation D.150, which provides for the apportionment of accounting revenues from international traffic between terminal countries, in principle on a 50/50 basis, has been amended to provide for sharing in a different proportion in some cases where there are differences in the costs of providing and operating telecommunication services;

e) that ITU, in pursuance of Resolution 23 of the Plenipotentiary Conference (Nice, 1989) and as a follow-up to the recommendation in the "The Missing Link", carried out a study of the costs of providing and operating international telecommunication services between developing and industrialized countries and established that the cost of providing telecommunication services is much higher in developing countries than in developed ones;

f) that Study Group 3 of the Telecommunication Standardization Sector (ITU-T) is pursuing studies for completion of Recommendation D.140 which establishes the principles of cost-orientated accounting rates and accounting rate shares in each relation,

recognizing

a) that the continuing social and economic underdevelopment of a large part of the world is one of the most serious problems affecting not only the countries concerned but also the international community as a whole;

b) that the development of telecommunication infrastructure and services is a precondition for social and economic development;

c) that the uneven penetration of telecommunication facilities globally results in a widening of the gap between the developed and the developing world in terms of economic growth and technological progress;

d) that the trend is towards falling costs of international telecommunication transmission and switching, contributing towards a lowering of accounting rate levels, especially between developed nations, but that the conditions for lowering rates are not uniformly present throughout the world;

e) that raising telecommunication network quality and telephone penetration levels to developed-country levels throughout the world would assist significantly in achieving economic equilibrium and in diminishing existing call and cost imbalances,

recalling

a) the Buenos Aires Declaration adopted by the first World Telecommunication Development Conference (WTDC-94), and in particular the recognition of the need to pay special attention to the requirements of the least developed countries (LDCs) when devising development cooperation programmes;

b) the recommendation in "The Missing Link" that Member States should consider a rearrangement of their international traffic accounting procedures in relations between developing and industrialized countries such that a small proportion of call revenue be used for development purposes,

resolves to urge ITU-T Study Group 3

1 to expedite its work on completing the additional alternative procedures in Recommendation D.150 for the settlement of international telephone accounts;

2 to expedite its work on developing the appropriate costing methodologies;

3 to agree on transitional arrangements which may allow for some flexibility, taking into account the situation of the developing countries and the rapidly changing international telecommunication environment;

4 to take into consideration the interests of all users of telecommunication services as a high priority,

invites administrations

to contribute to the work of Study Group 3 and its focus group, with a view to reaching an early resolution of the issue of accounting rate reform, taking due account of the various interests involved,

instructs the Director of the Telecommunication Standardization Bureau

to submit a report to the Council on the progress of the studies.

RESOLUTION 25 (Rev. Minneapolis, 1998)

Strengthening the regional presence

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

recalling

a) the importance of the regional presence in enabling ITU be as close as possible to its membership and to enhance the dissemination of information on its activities and strengthen its relations with regional and subregional organizations;

b) Resolution 25 of the Plenipotentiary Conference (Kyoto, 1994), which defined the general functions of the regional presence and instructed the Council to establish a group of experts to carry out a detailed evaluation of regional presence, with a view to improving its structure and management;

c) the recommendations of the Group of Experts aimed at clarifying the functions to be entrusted to the regional presence and establishing staffing criteria for the decentralized regional and area offices;

d) the relevant Council resolution which defined the structure of posts in the Telecommunication Development Bureau (BDT), providing for a regional presence comprising 14 permanent and 23 fixed-term posts;

e) the confirmation by Council at its 1997 session, subject to adjustments, of the organization of the regional presence, while stressing the need to adapt the organization and activities of the regional presence to the requirements and priorities of each region, as well as the need to strengthen the regional presence by enhancing its usefulness and effectiveness in all the regions of the world, particularly by broadening the range of its activities, where appropriate, to encompass all the activities undertaken by ITU;

f) the instruction given in the relevant Council resolutions to the Director of BDT, in collaboration with the Secretary-General and the Directors of the Telecommunication Standardization Bureau (TSB) and the Radiocommunication Bureau (BR), to seek new sources of financing for regional presence and investigate the possible arrangements for, and impact of, expanding the role of the regional presence to serve the needs of countries wishing to benefit from the full range of the Union's activities,

considering

a) that the international telecommunication environment has undergone significant changes since the last Plenipotentiary Conference (Kyoto, 1994);

b) that the effects of globalization, liberalization and technological convergence cannot be ignored;

c) that many countries are coping with a complex array of issues, some of which are currently being addressed in all three Sectors of the Union;

d) that ITU could play a greater role in telecommunication development through the adoption of the proper approach and policies;

e) that the ITU regional presence should be viewed as an asset to the Union rather than as a liability,

recognizing

a) the difficulty faced by many countries, particularly developing countries with stringent budgetary constraints, in participating in the activities of ITU, including the conferences and meetings of the three Sectors;

b) the urgent need to adapt the expertise and working methods of the regional presence towards partnerships in project implementation and activities, which would necessarily involve strengthening the relationship between ITU and regional telecommunication organizations, as foreseen in Resolution 58 (Kyoto, 1994);

c) the decision by the World Radiocommunication Conference (Geneva, 1997), in its Resolution 72, to instruct the Director of BR to consult regional telecommunication organizations on the means by which assistance can be given to their preparations for future world radiocommunication conferences, including the facilitation of regional and interregional preparatory meetings, and to report on those consultations;

d) the decision by the World Telecommunication Development Conference (Valletta, 1998), through its Resolution 21, to highlight the need for the Telecommunication Development Sector (ITU-D) to institute active coordination and collaboration and organize joint activities in areas of common interest with regional and subregional organizations and training institutions, and to consider the establishment of regional rapporteur groups, as a complement to the two ITU-D study groups, so as to permit wider participation by some countries, at lower cost, in addressing certain questions;

e) that the regional offices enable ITU to respond more rapidly to the specific needs of the regions;

f) that the regional offices provide important technical assistance to countries with development needs;

g) that resources are limited, and that efficiency and effectiveness are therefore key considerations for activities to be undertaken by ITU;

h) that, to be effective, the regional presence must have the necessary level of authority to meet the diverse requirements of the Member States;

i) that adequate on-line access between headquarters and the field offices would enhance technical cooperation activities significantly,

noting

a) that joint projects involving the collaborative efforts of the ITU regional offices and certain regional telecommunication organizations have already been very successfully implemented in some regions;

b) that both the Council and the Plenipotentiary Conference (Kyoto, 1994) have endorsed the principle that regional offices should be entrusted with clear and specific functions;

c) that the total number of regional and area offices has fallen steadily since 1992;

d) that the regional and area offices are inadequately staffed,

resolves

1 that the regional presence shall be strengthened and kept under review in the interests of meeting the evolving requirements and priorities of each region, the first objective being to maximize the benefits of the regional presence for the whole of the Union's membership;

2 that a broadening of the information dissemination functions of the regional presence is required to ensure that all of the activities and programmes of the Union are represented, while avoiding the duplication of such functions between headquarters and the regional offices;

3 that the regional offices shall be empowered to make decisions within their mandate, while the coordination functions and the balance between ITU headquarters and the regional offices should be facilitated and improved, in accordance with the Strategic Plan 1999-2003, in order to achieve a better balance of work between headquarters and the regional offices;

4 that cooperation between the ITU regional offices and the relevant regional organizations and other international organizations dealing with development and financial matters should be improved, in the interests of optimizing the use of resources and avoiding duplication,

instructs the Council

1 to develop a more clearly defined role, functions and objectives for the regional presence, with inputs from the regional offices, and to take the necessary measures, including in respect of resources, to ensure that the regional presence is strengthened in accordance with the intent of this resolution;

2 to include the regional presence as an item on the agenda of each session of the Council, in order to examine its evolution and adopt decisions for its continuing structural adaptation and operation, with the aim of fully meeting the requirements of the Union's membership and giving effect to the decisions adopted at meetings of the Union, and of consolidating the coordination and complementary nature of activities between ITU and regional and subregional telecommunication organizations;

3 to report to the next plenipotentiary conference on the progress made in implementing this resolution,

instructs the Secretary-General

1 to facilitate the task of the Council by providing all necessary support for strengthening the regional presence as described in this resolution;

2 to adapt where necessary the agreements between ITU and the host countries of the regional and area offices to the changing environment in the host countries;

3 to submit each year to the Council for consideration a detailed report on the regional presence, covering its staffing, a financial overview and the evolution and development of its activities, including the extension of its activities to the three Sectors, and, if appropriate, proposing any changes that would be conducive to the better accomplishment of its mission, and to disseminate this report to all Member States and Sector Members,

instructs the Director of BDT, in close consultation with the Secretary-General and the Directors of BR and TSB

1 to take the necessary measures for gradually strengthening the regional presence, as described in this resolution;

2 to develop specific operational and financial plans for the regional presence, in collaboration with the regional offices, to be included as part of ITU's annual operational and financial plans;

3 to review and determine the appropriate posts, including permanent posts, in regional and area offices, and provide specialized staff on an as-needed basis to meet particular needs;

4 to fill the vacant posts in the regional offices, where appropriate, by the end of 1999, giving due consideration to the regional distribution of staff positions;

5 to ensure that the regional offices are given sufficient priority among the activities and programmes of the Union as a whole, and that, to supervise the implementation of funds-in-trust projects, they have the required autonomy, the decision-making authority and the appropriate means;

6 to set the end of the year 2000 as the time-limit for strengthening of the regional presence, under an action plan to be initiated in 1999 to give effect to this resolution, within the budgetary limits, for gradual adjustment of the existing structure of the regional presence, in order to ensure a better balance of work between headquarters and the regional offices in accordance with the Valletta Action Plan,

instructs the Directors of BR and TSB

to cooperate with the Director of BDT in enhancing the ability of the regional and area offices to provide information on their Sectors' activities, as well as the necessary expertise, to strengthen cooperation and coordination with the relevant regional organizations and to facilitate the participation of all Member States and Sector Members in the activities of the three Sectors of the Union.

RESOLUTION 33 (Rev. Minneapolis, 1998)

Assistance and Support to the Bosnia and Herzegovina for rebuilding its telecommunication network

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

recalling

a) the efforts of the United Nations to promote sustainable development and the relevant United Nations Security Council resolutions concerning the situation in Bosnia and Herzegovina;

b) the purposes of the Union as enshrined in Article 1 of its Constitution (Geneva, 1992),

noting

a) the report of the Secretary-General on the implementation, *inter alia*, of Resolution 33 of the Plenipotentiary Conference (Kyoto, 1994);

b) with appreciation the efforts deployed by the Secretary-General and the Director of the Telecommunication Development Bureau towards the implementation of Resolution 33;

c) that the key role played by ITU in the rebuilding of the country's telecommunication sector has been widely recognized;

d) with appreciation that a special initiative using TELECOM surplus funds has been launched recently,

recognizing

a) that considerable progress has been made in the implementation of Resolution 33 since its adoption in 1994;

b) that, under the present conditions and in the foreseeable future, Bosnia and Herzegovina will not be able to bring its telecommunication system up to an acceptable level without help from the international community, provided bilaterally or through international organizations,

resolves

that the plan of action initiated after the Plenipotentiary Conference (Kyoto, 1994) within the framework of the activities of the Telecommunication Development Sector of the Union, with specialized assistance from the Radiocommunication Sector and the Telecommunication Standardization Sector, should be continued in order to provide appropriate assistance and support to Bosnia and Herzegovina in rebuilding its telecommunication network,

calls upon Member States

to offer all possible assistance and support to Bosnia and Herzegovina, either bilaterally or through – and at any rate in coordination with – the special action of the Union referred to above,

instructs the Secretary-General

to ensure that ITU's action with regard to Bosnia and Herzegovina is as effective as possible and to report on the matter to the Council.

RESOLUTION 34 (Rev. Minneapolis, 1998)

Assistance and support to Burundi, Liberia, Rwanda and Somalia for rebuilding their telecommunication networks

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

recalling

a) the noble principles, purpose and objectives embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights;

b) the efforts of the United Nations to promote sustainable development;

c) the purposes of the Union as enshrined in Article 1 of its Constitution (Geneva, 1992),

recognizing

a) that a reliable telecommunication network is indispensable for promoting the socio-economic development of countries, in particular those having suffered from natural disasters, domestic conflicts or war;

b) that telecommunication facilities in Burundi, Liberia, Rwanda and Somalia have been severely damaged due to the wars in those countries;

c) that, under the present conditions and in the foreseeable future, these countries will not be able to bring their telecommunication systems up to an acceptable level without help from the international community, provided bilaterally or through international organizations,

noting

a) the report of the Secretary-General on the implementation, *inter alia*, of Resolution 34 of the Plenipotentiary Conference (Kyoto, 1994);

b) the efforts deployed by the Secretary-General and the Director of the Telecommunication Development Bureau (BDT) towards the implementation of Resolution 34,

noting further

that the conditions of order and security sought by United Nations resolutions have been only partially achieved and hence Resolution 34 was only partially implemented,

resolves

that the special action initiated by the Secretary-General and the Director of BDT, with specialized assistance from the Radiocommunication Sector and the Telecommunication Standardization Sector, should be continued in order to provide appropriate assistance and support to Burundi, Liberia, Rwanda and Somalia in rebuilding their telecommunication networks, as and when the conditions of order and security sought by United Nations resolutions are met,

calls upon Member States

to offer all possible assistance and support to the Governments of Burundi, Liberia, Rwanda and Somalia, either bilaterally or through – and at any rate in coordination with – the special action of the Union referred to above,

instructs the Council

to allocate the necessary funds within available resources and initiate this action,

instructs the Secretary-General

to coordinate the activities carried out by the three ITU Sectors in accordance with *resolves* above, to ensure that the Union's action in favour of Burundi, Liberia, Rwanda and Somalia is as effective as possible, and to report on the matter to the Council.

RESOLUTION 36 (Rev. Minneapolis, 1998)

Telecommunications in the service of humanitarian assistance

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

endorsing

a) Resolution 644 of the World Radiocommunication Conference (Geneva, 1997) on telecommunication resources for disaster mitigation and relief operations;

b) Resolution 19 of the World Telecommunication Development Conference (Valletta, 1998) on telecommunication resources for disaster mitigation and relief operations;

c) the Valletta Declaration adopted by the World Telecommunication Development Conference (Valletta, 1998), drawing the attention of ITU Member States and Sector Members to the importance of emergency telecommunications and the need for an international convention on this subject,

considering

that the Intergovernmental Conference on Emergency Telecommunications (Tampere, 1998) has adopted the Tampere Convention on the provision of telecommunication resources for disaster mitigation and relief operations,

noting

a) the Final Act of the Intergovernmental Conference on Emergency Telecommunications (Tampere, 1998), which reflects the recognition by the conference of the significant impact of disasters on societies and the environment and of the need for providing timely, effective telecommunication assistance and resources for disaster mitigation and relief;

b) the report of the Secretary-General on the implementation of, *inter alia*, Resolution 36 (Kyoto, 1994),

noting with appreciation

a) the efforts deployed by the ITU Secretary-General towards the adoption of the Tampere Convention;

b) the close cooperation between the United Nations Office for the Coordination of Humanitarian Affairs and ITU during the past four years,

recognizing

the seriousness and magnitude of potential disasters that may cause dramatic human suffering,

convinced

that the unhindered use of telecommunication equipment and services is indispensable for the provision of effective and appropriate humanitarian assistance,

further convinced

that the Tampere Convention provides the necessary framework for such use of telecommunication resources,

resolves to instruct the Secretary-General

to work closely with the United Nations Emergency Relief Coordinator on the development of practical arrangements for the implementation of the Tampere Convention,

urges Member States

to work towards the earliest possible ratification, acceptance, approval or final signature of the Tampere Convention by the appropriate national authorities,

further urges Member States Parties to the Tampere Convention

to take all practical steps for the application of the Tampere Convention and to work closely with the operational coordinator as provided for therein.

RESOLUTION 41 (Rev. Minneapolis, 1998)

Arrears and special arrears accounts

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

in view of

the report of the Council to the Plenipotentiary Conference on the situation with regard to amounts owed to the Union by Member States and Sector Members,

regretting

the increasing level of arrears and slow settlement of special arrears accounts,

considering

that it is in the interest of all Member States and Sector Members to maintain the finances of the Union on a sound footing,

noting

that a number of Member States for which special arrears accounts have been established have up to now not complied with their obligation to submit and agree with the Secretary-General on a repayment schedule,

urges

all Member States in arrears, especially those for which special arrears accounts have been established, as well as Sector Members in arrears, to submit and agree with the Secretary-General on a repayment schedule,

resolves

as from now, to open any new special arrears account only after the conclusion of an agreement with the Secretary-General establishing a specific repayment schedule at the latest within one year of the receipt of the request for such a special arrears account; in the case of existing special arrears accounts, where they have not yet been agreed upon, repayment schedules shall be agreed upon not later than 6 November 1999,

further resolves

that the amounts due shall not be taken into account when applying No. 169 of the Constitution provided that the Member States concerned have submitted and agreed with the Secretary-General on their repayment schedules and for as long as they strictly comply with them and with the associated conditions, and that failure to comply with the repayment schedule and associated conditions shall result in the abolition of the special arrears account,

instructs the Council

to establish guidelines for repayment schedules, including a maximum duration, as well as for appropriate additional measures such as, for example, temporary reduction in class of contribution, in particular for least developed countries (LDCs), and to take additional measures in respect of non-compliance with the agreed terms of settlement, such as suspending Sector Members' participation in the work of the Union,

further instructs the Council

to review the appropriate level of the Reserve for Debtors' Accounts with a view to covering outstanding amounts fully, and to report to the next plenipotentiary conference on the results obtained in pursuance of this resolution,

authorizes the Secretary-General

to negotiate and agree upon, with all Member States in arrears, especially those for which special arrears accounts have been established, as well as with Sector Members in arrears, schedules for the repayment of their debts in accordance with the guidelines established by the Council, and, where appropriate, to submit for decision by the Council proposals for additional measures as indicated under *instructs the Council* above including those related to non-compliance,

instructs the Secretary-General

to inform all Member States and Sector Members in arrears or having special arrears accounts of this resolution and to report to the Council on the measures taken and progress made towards the settlement of debts as well as on any non-compliance with the agreed terms of settlement,

urges Member States and Sector Members

to assist the Secretary-General and the Council in the application of this resolution.

RESOLUTION 45 (Rev. Minneapolis, 1998)

Assistance given by the Government of the Swiss Confederation in connection with the finances of the Union

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

considering

that the Government of the Swiss Confederation, under the existing arrangements, places at the disposal of the Secretary-General, if necessary and if the Secretary-General so requests, funds to meet the temporary cash requirements of the Union,

further considering

the assistance provided and the financial arrangements put in place by the Government of the Swiss Confederation enabling the Union to erect the new Montbrillant building,

resolves to express its appreciation

to the Government of the Swiss Confederation for its generous assistance in financial matters and hopes that the existing arrangements in this connection may be continued,

instructs the Secretary-General

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

RESOLUTION 47 (Rev. Minneapolis, 1998)

Compensation matters

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

considering

a) the need to ensure the competitiveness of remuneration levels in the Professional and higher categories;

b) the specific needs of the Union for attracting and retaining highly technical and specialized staff with knowledge of the most recent technological developments;

c) that most civil services and organizations facing similar difficulties have been able to find suitable solutions,

still concerned

by the increasing number of ad hoc measures taken by some Member States to give additional compensation to their nationals working in the United Nations system in order to compensate for the lack of competitiveness of remuneration levels in the United Nations common system,

recalling

the decision taken by the United Nations General Assembly in resolution 47/216, reiterated in resolutions 50/208 and 51/216, endorsing in principle the use of special occupational rates in organizations with problems of recruitment and retention, and requesting that organizations collect data to substantiate the recruitment and retention problems they face in respect of certain specialized occupations,

recognizing

the efforts made by the International Civil Service Commission (ICSC) in order to respond to requests submitted by organizations of the United Nations common system concerning recognition of performance,

expressing its satisfaction

at decisions taken by the Council in application of Resolution 47 of the Plenipotentiary Conference (Kyoto, 1994) in order to enhance staff motivation through the implementation of an incentive scheme,

resolves to invite ICSC and the United Nations General Assembly

1 to continue to monitor and to take steps to ensure the competitiveness of the common system compensation scheme for staff in the Professional and higher categories;

2 to continue to introduce the required flexibility in the United Nations common system to enable small highly technical agencies to be competitive in the labour market from which they draw their workforce,

instructs the Council

1 to continue monitoring with the greatest attention the question of protection of the purchasing power of pensions and the competitiveness of the compensation scheme for staff in all categories;

2 to continue monitoring the responsiveness of ICSC and the United Nations General Assembly and to take steps in order to ensure that the specific needs of ITU, as expressed in the present resolution, are met.

RESOLUTION 48 (Rev. Minneapolis, 1998)

Human resources management and development

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

recalling

a) Resolution 48 of the Plenipotentiary Conference (Kyoto, 1994) on human resources management and development;

b) No. 154 of the Constitution (Geneva, 1992);

c) Resolution 50 of the Plenipotentiary Conference (Kyoto, 1994) on recruitment of ITU staff and experts for technical assistance missions,

noting

a) the report of the Council (1998) concerning human resources management and development;

b) the Strategic Plan of the Union as described in Resolution 71 of this conference,

recognizing

the value of the human resources of the Union to the fulfilment of its goals,

further recognizing

a) the value, both to the Union and to the staff, of developing those resources to the fullest extent possible through various human resources development activities, and in particular in-service training;

b) the impact on the Union and its staff of the continuing evolution of activities in the field of telecommunications and the need for the Union and its human resources to adapt to this evolution;

c) the importance of human resources management and development in support of ITU's strategic orientations and goals,

considering

a) the need to follow a recruitment policy appropriate to the requirements of the Union, including the redeployment of posts and recruitment of specialists at the start of their career;

b) the need to continue to improve the geographical distribution of appointed staff of the Union;

c) the need to encourage the recruitment of women into the Professional and higher categories;

d) the constant advances made in telecommunication technology and operation and the corresponding need to recruit specialists of the highest standard of competence,

resolves

1 that the management and development of ITU's human resources should be compatible with goals and activities of the Union;

2 that the principles of human resources management and development should be applied with regard to human resources planning, selection and recruitment, training, compensation, job classification, career development, performance appraisal and end of service, within existing resources and to the extent consistent with the United Nations common system,

further resolves

1 that appointed staff in the Professional and higher categories shall continue to be recruited on an international basis and that, in general, vacancies for these posts shall be advertised as widely as possible and communicated to the administrations of all Member States of the Union; however, reasonable promotion possibilities must continue to be offered to existing staff;

2 that, when filling vacant posts by international recruitment, in choosing between candidates who meet the qualification requirements for a post, preference shall be given to candidates from regions of the world which are insufficiently represented in the staffing of the Union, taking into account the desirable balance between female and male staff;

3 that, when filling vacant posts by international recruitment and when no candidate fulfils all the qualification requirements, recruitment can take place at one grade below, on the understanding that since not all the requirements of the post are met, the candidate will have to fulfil certain conditions before being given the full responsibilities of the post and promotion to the grade of the post,

instructs the Secretary-General

1 to ensure that human resources management and development help achieve ITU's management goals;

2 to prepare medium-term and long-term human resources management and development plans to respond to the needs of the Union, its membership and its staff;

3 to study how best practices in human resources management might be applied within the Union, and report to the Council;

4 to continue to pursue a recruitment policy designed to improve geographical and gender representation among appointed staff;

5 to recruit specialists at the start of their career at the P.1/P.2 level, where appropriate, with a view to improving professional competence within the Union, taking into account geographical distribution and the balance between female and male staff;

6 to submit each year to the Council a report on the measures adopted in pursuance of this resolution and on the evolution of recruitment issues in general,

instructs the Council

1 to ensure, to the extent feasible within approved budget levels, that the necessary staff and financial resources are made available for addressing issues related to human resources management and development in ITU as they emerge;

2 to examine the Secretary-General's report on this matter and to decide on the actions to be taken;

3 to allocate the appropriate credits for in-service training in accordance with an established programme, which shall represent 3% of the budget allocated to staff costs;

4 to follow with the greatest attention the question of recruitment and to adopt, within existing resources and to the extent consistent with the United Nations common system, the measures it deems necessary to secure an adequate number of qualified candidates for Union posts, particularly taking account of *considering b)* and *c)* above.

RESOLUTION 51 (Rev. Minneapolis, 1998)

ITU staff participation in conferences of the Union

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

considering

a) that staff are a key element in the achievement of the Union's objectives;

b) the importance of good human resources management to the achievement of the Union's objectives;

c) the importance of fruitful working relations between the staff and its employer and of staff participation in the management of the Union,

d) that it is important for the Staff Council to be consulted by the Secretary-General before decisions of a general nature are taken concerning human resources management and working conditions at ITU, in accordance with Staff Rule 8.1.1.b),

recognizing

the rights of staff under Chapter VIII of the Staff Regulations and Staff Rules,

noting

the initiative of the Council in creating a consultative group comprising representatives of the secretariat of the Union, staff representatives and Council Members States,

considering further

that the participation of staff representatives is beneficial to the Plenipotentiary Conference,

resolves

1 that staff will be represented by a maximum of two persons who will attend sessions of the ITU Council and plenipotentiary conferences;

2 that the staff representatives will be entitled to state the staff's opinion concerning staff matters at the invitation of the Chairman of the meeting dealing with staff matters, or, as appropriate, at the request of a Member State of the Council, at Council sessions, or of a delegation at plenipotentiary conferences.

RESOLUTION 52 (Rev. Minneapolis, 1998)

Rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent funds

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

considering

the situation of the Provident Fund shown in the balance sheet at 31 December 1997,

taking into account

that the support measures hitherto applied have been effective,

aware

that the Provident Fund continues to require support in the form of an annual contribution,

instructs the Council

to monitor carefully in coming years the situation of the ITU Staff Superannuation and Benevolent Funds, and in particular the Provident Fund, with a view to taking any measures it considers appropriate,

resolves

to reduce the annual contribution from the ordinary 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 is able to meet its obligations.

RESOLUTION 66 (Rev. Minneapolis, 1998)

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 that is 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 68 (Rev. Minneapolis, 1998)

World Telecommunication Day

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

considering

the value of the annual celebration of World Telecommunication Day in supporting the main strategic orientations of the Union,

bearing in mind

Resolution 46 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973), instituting a World Telecommunication Day celebrated annually on 17 May, date of the signature of the first International Telegraph Convention marking the founding of ITU,

resolves to invite Member States and Sector Members

to celebrate the day annually by organizing appropriate national programmes with a view to:

- stimulating reflection and exchanges of ideas on the theme adopted by the Council;
- debating the various aspects of the theme with all partners in society;
- formulating a report reflecting national discussions on the issues underlying the theme, to be fed back to ITU and the rest of the membership,

invites the Council

to adopt, for each World Telecommunication Day, a specific theme relating to the main challenges which the changing telecommunication environment poses for both developed and developing countries,

invites Member States

to make available to the Secretary-General reports which may be produced on the main issues discussed at the national level,

instructs the Secretary-General

to circulate to the entire membership a consolidated document based on the national reports submitted in accordance with this resolution for the purpose of fostering the exchange of information and views among and with the membership on a host of selected strategic issues.

RESOLUTION 70 (Minneapolis, 1998)

Inclusion of gender perspective in the work of ITU

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

recalling

a) the initiative taken by the Telecommunication Development Sector (ITU-D) at the World Telecommunication Development Conference (Valletta, 1998) (WTDC-98) in adopting Resolution 7, transmitted to this Plenipotentiary Conference, which resolved that a task force on gender issues be established;

b) the purposes of ITU as laid down in Article 1 of the Constitution which include promoting "the extension of the benefits of the new telecommunication technologies to all the world's inhabitants";

c) United Nations General Assembly resolution 52/96 of 6 February 1998 on the improvement of the status of women in the secretariat;

d) the statement on "Gender Equality and Mainstreaming in the Work of the United Nations System: A Commitment for Action in 1998", adopted by the Administrative Committee on Coordination at its regular session in 1998 (Geneva, 27 and 28 March 1998),[1]

recognizing

a) that society as a whole will benefit from equal participation of women and men in policy and decision-making and equal access to communications services for both women and men;

b) that making better use of human resources, including the skills of women, significantly adds to the pool of talent that will be needed in the new information society;

c) that women constitute a substantial consumer market for information and communication technologies,

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[1] "Gender perspective": Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of design, implementation, monitoring and evaluation so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality. (Source: Report of the Inter-Agency Committee on Women and Gender Equality, third session, New York, 25-27 February 1998).

recognizing further

a) that the recommendations of the first meeting of the Task Force on Gender Issues held on 1 and 2 September 1998 identified priority activities to be undertaken by ITU-D aimed at ensuring that the benefits of telecommunications and the emerging information society are made available to all women and men in developing countries on a fair and equitable basis;

b) that the Secretary-General has recently appointed a focal point for gender issues in ITU;

c) that action is required in the light of the decision taken by the United Nations General Assembly to convene a special session from 5 to 9 June 2000 in order to appraise and assess the progress achieved in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women and the Beijing Platform for Action five years after its adoption,

noting

a) that there is a need for ITU to investigate, analyse and further understanding of the impact of telecommunication technologies on women and men;

b) that there is a need to ensure that the gender perspective is included in all ITU policies, work programmes, information dissemination activities, publications, study groups, seminars, workshops and conferences,

recommends that Member States and Sector Members

1 review and revise, as appropriate, their respective policies and practices to ensure that recruitment, employment, training and advancement of women and men alike are undertaken on a fair and equitable basis;

2 facilitate the employment of women and men equally in the telecommunication field including at senior levels of responsibility in the telecommunication administrations, government and regulatory bodies and intergovernmental organizations and in the private sector,

resolves

1 to endorse WTDC-98 Resolution 7;

2 to incorporate the gender perspective in the implementation of the ITU strategic plan, operational plan, financial plan and the approved recommendations of ITU-2000;

3 that the language in the basic instruments of the Union (Constitution and Convention) shall be considered as gender neutral,

instructs the Council

to ensure that, within available resources, appropriate funding is included in each budget for gender-perspective initiatives,

instructs the Secretary-General

1 to facilitate the work of the ITU Focal Point on Gender Issues by providing the necessary means to carry out the work, and to report to the Council in 2000 on progress made in this respect;

2 to ensure that the General Secretariat and the Sectors, through their Directors, incorporate the gender perspective in their work programmes, leadership and human resources development activities;

3 to report back to the next plenipotentiary conference on the results and progress made on the inclusion of a gender perspective in the work of ITU,

instructs the Director of the Telecommunication Development Bureau

to facilitate the full implementation of WTDC-98 Resolution 7,

instructs the Secretary-General and Directors of the Bureaux

to report to Council each year on progress made to incorporate the gender perspective in the work of the General Secretariat and the respective Sector operational plans.

RESOLUTION 71 (Minneapolis, 1998)

Strategic plan for the Union 1999-2003

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

considering

a) the provisions of the Constitution and Convention of the International Telecommunication Union relating to strategic policies and plans;

b) Article 19 of the Convention of the International Telecommunication Union on the participation of Sector Members in the Union's activities;

c) Resolution 2 of this conference on the continuation of the forum to discuss strategies and policies in the changing telecommunication environment,

noting

the challenges faced by the Union in achieving its purposes in the changing telecommunication environment, both in the period covered by this strategic plan for the Union for 1999-2003 and in the following period,

taking into account

a) the decisions of the World Telecommunication Standardization Conference (Geneva, 1996), the Radiocommunication Assembly and the World Radiocommunication Conference (Geneva, 1997) and the World Telecommunication Development Conference (Valletta, 1998) concerning the work programme of the Sectors;

b) the decisions of this conference concerning strategic policy issues,

recognizing

a) the need to continue facilitating smooth development of telecommunications for maximum social and economic benefit in the future by:

- promoting a more balanced distribution of telecommunication technology worldwide through non-discriminatory access to modern telecommunication facilities and services and new telecommunication technologies;
- introducing tariff reforms aimed at promoting the rational use of telecommunication networks and the provision of an efficient universal telecommunication service to foster investments, while preparing operators for a more competitive environment, taking into account that tariffs should be cost-orientated and that the geographical characteristics of countries are different;

– developing a common understanding of the regulation of telecommunications at the national level, while preserving each State's sovereign right to regulate its telecommunications;

b) the continuing need to improve the efficiency and effectiveness of the Union's working methods;

c) the need to adapt ITU's management systems to the operational requirements of the new environment, including its systems for managing financial, human and information resources;

d) the need for synergy with other world and regional agencies concerned with the advancement of telecommunications,

bearing in mind

the growing demands placed on the activities of the Union, the limited resources available to fund them and the consequent need to establish priorities among the Union's activities,

resolves

1 to adopt the strategic plan for 1999-2003, as Annex 1 to this resolution, based on the following principles:

1.1 the goal of the strategic plan is to establish the Union as the international focal point for all matters relating to telecommunications in the global information economy and society of the twenty-first century;

1.2 this goal is pursued through the Union's mission in the following three domains:

1.2.1 a technical domain – to promote the development, efficient operation, usefulness and general availability of telecommunication facilities and services;

1.2.2 a development domain – to promote the development of telecommunications in developing countries and the extension of the benefits of telecommunications to people everywhere;

1.2.3 a policy domain – to promote the adoption of a broader approach to telecommunication issues in the global information economy and society;

1.3 clear objectives, priorities and operational plans for each Sector;

2 to complement this strategic plan with the goals, strategies and priorities for the General Secretariat and for the three Bureaux set out in Annex 2 to this resolution,

instructs the Secretary-General

1 when reporting annually to the Council, to present progress reports on the strategic plan and on the goals, strategies and priorities for the General Secretariat and for the three Bureaux for 1999-2003, including recommendations to adjust the plan in light of changes in the telecommunication environment, based on proposals by the competent advisory bodies of the Sectors, decisions by conferences and by assemblies of the Sectors and changes in the Union's activities and its financial situation;

2 to distribute these reports to all Member States, after consideration by Council, urging them to circulate them to Sector Members, as well as to those entities and organizations referred to in No. 235 of the Convention which have participated in these activities,

instructs the Council

1 to oversee further development and implementation of the strategic plan for 1999-2003 in Annex 1 and Annex 2 to this resolution, on the basis of the Secretary-General's annual reports;

2 to present an assessment of the results of the strategic plan for 1999-2003 to the next plenipotentiary conference, along with a proposed strategic plan for the period 2003-2007,

invites the Member States

to contribute national insights on policy, regulatory and operational matters to the strategic planning process undertaken by the Union in the period before the next plenipotentiary conference, in order to:

- strengthen the effectiveness of the Union in fulfilling its purposes as set out in the instruments of the Union by cooperating in the implementation of the strategic plan; and
- assist the Union in meeting the changing expectations of all its constituents as national structures for the provision of telecommunication services continue to evolve,

invites Sector Members

to communicate their views on the strategic plan of the Union through their relevant Sectors.

Annex 1: Strategic Plan for the Union 1999-2003

Annex 2: Goals, strategies and priorities for the General Secretariat and the three Bureaux

ANNEX 1

Strategic Plan for the Union 1999-2003

I Introduction

1 The purposes of the Union are set out in Article 1 of the Constitution (Geneva, 1992). Essentially, they are to provide a forum in which the Union's membership can cooperate for the improvement and rational use of telecommunications of all kinds in the following domains:

1.1 a technical domain – to promote the development, efficient operation, usefulness and general availability of telecommunication facilities and services;

1.2 a development domain – to promote the development of telecommunications in developing countries and the extension of the benefits of telecommunications to people everywhere;

1.3 a policy domain – to promote the adoption of a broader approach to telecommunication issues in the global information economy and society.

2 The objective of the strategic plan for the Union for 1999-2003 is to indicate how these purposes will be achieved in this period of time by identifying key issues, goals, strategies and priorities for the Union as a whole, for each of the Sectors, and for the secretariat.

3 The ITU strategic plan for 1995-1999 was based on an ambitious goal – to establish the Union as the international focal point for all matters relating to telecommunications in the global information economy and society. This goal was to be achieved through the following overall strategies:

3.1 to strengthen the foundations of the Union – by enhancing the participation of Sector Members and increasing synergy between the activities of the Sectors;

3.2 to broaden the Union's activities – by creating the world telecommunication policy forum and using ITU resources and information systems more effectively;

3.3 to increase the Union's leverage in international affairs – by establishing strategic alliances with other concerned international and regional organizations, and communicating more effectively with the public.

4 The report of the Council to the Plenipotentiary Conference (Minneapolis, 1998) on the activities of the Union since the Plenipotentiary Conference (Kyoto, 1994) provides a detailed assessment of the results of the 1995-99 strategic plan. Each of these strategies has been successful, to a greater or lesser degree. However, the overall goal as referred to in § 3 above has not been entirely realized, largely because of developments outside the control of the Union and its membership.

5 The telecommunication environment has evolved in ways that were not completely foreseen when the 1995-1999 strategic plan was being crafted. In particular, the forces of liberalization, competition and globalization have been stronger than anticipated. They have resulted in a shift in the way telecommunications is viewed – by policy-makers

and regulators, by customers, and by the industry itself. These forces will be further strengthened by the implementation in 1998 of agreements liberalizing trade in telecommunications at the international and regional levels.

6 In this new environment, it is no longer realistic to believe that the Union can be the focal point for all matters relating to telecommunications in the global information economy and society. The world is now too complex and telecommunications too pervasive for a single organization to be the focus of all issues of concern to the international community. New goals must be set and new strategies devised. That is the purpose of this document, which is organized as follows:

- Part II identifies key trends and developments in the telecommunication environment and assesses their implications for ITU;
- Part III proposes general strategic orientations, goals and priorities for achieving the purposes of the Union in the new environment in the 1999-2003 time-frame;
- Part IV presents goals, strategies and priorities for the Sectors;
- Annex 2 proposes goals, strategies and priorities for the ITU secretariat.

7 The financial plan for the Union for 2000-2003 estimates the cost of ITU activities, identifies revenue options and establishes expenditure priorities on the basis of the provisions of the draft strategic plan.

II Environmental analysis

A Trends and developments in the telecommunication environment

8 The global market for telecommunications is expanding rapidly. It is not a question of "demand pull" or "supply push". Both are happening. The interaction of these two forces has made telecommunications one of the leading growth sectors in the world economy. It has also made telecommunications one of the most important components of social, cultural and political activity.

8.1 On the demand side, growth is pulled by an increasing reliance on telecommunications and information technology in every area of human life – in all sectors of economic and social activity; in government, in the provision of public services, and in the management of public infrastructures; in the pursuit of knowledge and the expression of culture; in the control of the environment; and in response to emergencies, whether natural or man-made.

8.2 On the supply side, growth is pushed by rapid technological developments which continuously improve the efficiency of existing products, systems and services, and provide the foundation for a continuing stream of innovations in each of these areas. Particularly noteworthy is the convergence of telecommunication, information, broadcasting and publishing technologies, which has greatly enriched the communication choices available to consumers.

9 The effect of the fundamental forces driving demand and supply has been amplified by the worldwide trend to liberalize markets for telecommunication and information technology goods and services. As a result of this trend, the majority of

telecommunication networks are now privately owned and operated. Significant developments have also taken place to introduce competition at the national, regional and international levels. Of particular importance is the World Trade Organization (WTO) agreement to liberalize trade in basic telecommunication services which was concluded in February 1997 by 69 countries which together account for more than 90% of global telecommunication revenues. The agreement entered into force on 5 February 1998.

10 The new framework developed by WTO to govern trade and regulation of telecommunication services will facilitate further globalization of the telecommunication equipment and services industries, as well as the closely-related information technology industry.

10.1 In the 1995-1999 planning period, "globalization" was more a slogan than a reality, since it referred mainly to alliances between major operators to provide end-to-end services to multinational enterprises. Public networks and residential customers were relatively unaffected by this kind of globalization, although various forms of "alternative calling procedures" provided consumers in countries which allowed such practices a "poor-man's version" of the benefits enjoyed by big business users.

10.2 In the 1999-2003 planning period, globalization is likely to become much more of a reality. The WTO agreement will make it possible for foreign operators to have direct access through interconnection and interoperability to public networks in most of the world's major telecommunication markets, as well as to make direct investments in the development of those networks.

11 Five years ago, few would have predicted that the Internet would emerge so rapidly as a serious competitive force in telecommunications. However, today's Internet is only a precursor to the new competitive forces that are likely to emerge in the next five to ten years in the new "communications and information sector" which will result from technological convergence.

12 The essential lesson to be learned from the Internet phenomenon is that competition is no longer a public policy tool which can be introduced in a completely controlled fashion and regulated within the confines of the traditional telecommunication sector. Competition in telecommunications is rapidly becoming a true market force whose evolution cannot be planned by policy-makers, a force which increasingly is seen as best regulated on the basis of principles that are not specific to telecommunications, but derived from a broader economic, social and cultural perspective.

13 Although far from universally accepted, the sweeping changes in telecommunications described above have broad support among many countries, including a number of developing countries who see it as the best way forward in developing their telecommunication networks and services to the benefit of their overall economic and social development.

14 The liberalization of telecommunications does not mean an end to regulation – but it has changed both the role of government and the nature of telecommunication regulation:

14.1 In the past, most administrations of ITU Member States tended to be "all-purpose" creatures – policy-makers and operators which both provided and regulated telecommunications on the basis of a "public utility" model.

14.2 The liberalization of telecommunications has been accompanied by a separation of these functions. The trend now is for administrations of ITU Member States to be policy-makers, nested within a general department of government (e.g. industry and trade); for telecommunications to be operated by corporations – whether public, private or mixed; and for "the public interest" in telecommunications to be protected by an independent regulatory authority.

14.3 In countries that have introduced partial or full competition, the model for regulating telecommunications is changing. Principles derived from competition law are taking their place alongside the classical precepts of public utility regulation. In some jurisdictions, sector-specific telecommunication regulation has been abandoned.

14.4 Again, the WTO agreement will amplify these regulatory trends. More than 60 signatories accounting for more than 90% of global telecommunication revenues have made commitments to apply in whole or in part a set of regulatory principles including interconnection, transparency and anti-competitive safeguards. These regulatory commitments, and indeed all other commitments, are subject to the WTO dispute resolution mechanism. They are therefore more than a voluntary code of conduct. They are binding commitments which are enforceable under the WTO dispute resolution mechanism.

15 In the 1999-2003 planning period, it is likely that the trends noted above with respect to liberalization, competition and globalization will begin to combine in new ways that may ultimately change the way the telecommunication industry sees itself and is seen by its regulator(s) and customers.

15.1 Countries that began permitting competition in telecommunications 10 or 20 years ago generally introduced it in a planned and orderly manner: first in terminal equipment; then in value-added services; then in the long-distance service; and finally in local and international services. In addition, competition was generally permitted among different service providers using the same infrastructure before being allowed between different infrastructure providers. Even today, most countries that permit competition do so on a highly regulated basis.

15.2 In this environment the regulator must implement competitive safeguards, nurture competition, ensure interconnection/interoperability and ensure broad and affordable access to necessary services.

15.3 As a result of technological progress, convergence and market liberalization, countries only now beginning to introduce competition are less likely to be in a position to plan an evolution of this kind.

15.4 Even in those countries that have experience with competition, service providers and regulators which have based their respective plans on an orderly evolution of this kind are finding that the "rules of the game" are suddenly changing, that competition is coming from unforeseen directions, and that it cannot be regulated as it was in the past.

15.5 More than any other phenomenon, the Internet symbolizes the changing nature of telecommunications. It is based on different technologies, network architectures, standardization and addressing schemes. Its economic foundations and charging principles are diametrically opposed to those of public telecommunication operators. It has experienced phenomenal growth and it has largely been outside government regulation. Yet it is emerging as a serious alternative to the traditional services provided by the telecommunication industry in every market segment from intra-corporate communications to public voice.

16 From one point of view, encouraging progress has been made in the 1995-1999 period in certain countries and some regions in forging the "missing link" identified by the Maitland Commission. Overall, the gap between developed and developing countries in access to basic telecommunication services is closing. However, from other points of view, new gaps are beginning to appear:

16.1 In general, the majority of the least developed countries (LDCs) have made little progress in the past five years in closing the gap in access to basic telecommunication services. In some cases, teledensity (the number of telephone lines per 100 people) has fallen, as population growth has outstripped telecommunication growth. New technologies such as global mobile personal communications by satellite (GMPCS) may help close the "telecommunication gap". This will only be possible, however, if their services are affordable to inhabitants of the LDCs.

16.2 There is currently an enormous gap between developed and developing countries in access to the Internet. Even as the telecommunication gap which has preoccupied the Union for so many years is beginning to close, an "information gap" of even greater proportions is opening up.

16.3 A difference in regulatory practices is emerging between countries which have decided to liberalize their telecommunication markets under the WTO agreements, and those that have not. If competition brings the first group of countries the anticipated benefits in terms of investment, technology transfer, innovative services and lower prices, these regulatory differences may become a new development gap. In this regard, it is important to recall that although the 119 ITU Member States that are not yet part of the WTO basic telecommunications agreement generate less than 10% of global telecommunication revenues, they include more than 45% of the world's people.

17 On the eve of the 21st century, the Union thus finds itself in a dynamic situation. On the one hand, the goal established by the Maitland Commission of achieving universal access to basic telecommunications will be technically achieved, and the overall gap between developed and developing countries is steadily narrowing. However, at the same time, new differences are developing, for example within the developing world, between the LDCs and other developing countries, between liberalized and non-liberalized countries which may be either developed or developing, and between countries that are moving rapidly towards competition and those moving at a slower pace.

18 This raises important questions in relation to the vision of the global information society (GIS). This vision was the subject of considerable discussion during the 1995-1999 period, initially in the G-7 group of advanced industrial economies, then in the broader international community. Today, the basic ideas behind the concept of the GIS have been

broadly accepted and indeed endorsed. In this vision, all forms of economic, social, cultural and political activity will increasingly depend on access to the telecommunication and information services provided by the global information infrastructure (GII). The rapid development of electronic commerce on the Internet is one tangible example of how the GIS is becoming a reality. The challenge facing the international community is to find ways to ensure that the GIS is truly global, and that people everywhere are able to share in its benefits.

B Impact on ITU

19 As a result of these trends and developments, demand for the products and services provided by ITU has risen in the 1995-1999 period and is expected to continue to rise in the 1999-2003 time-frame. This is the case for the services provided to the ITU membership (e.g. meetings, recommendations, assistance in applying regulations, frequency and number registrations, technical and development assistance) as well as those provided to the international telecommunication community as a whole (e.g. exhibitions, forums, development indicators, trend reports, information services).

20 One of the most important strategic issues facing ITU in the 1999-2003 period is how to respond to these rising demands:

20.1 The Union functions within the framework of the United Nations common system. Since the ITU budget has been based on "zero growth" for a number of years, it has only been possible to respond to increased demand for products and services through productivity improvements. Further improvements can and will continue to be made.

20.2 The 1995-1999 strategic plan noted that assessed contributions from Member States had "reached a plateau; income from these sources appears unlikely to grow dramatically and may begin to decline". Four years later, it is clear that this was an accurate assessment. This is the financial reality the membership faces in preparing a strategic and financial plan for 1999-2003.

20.3 While unquestioned, the intergovernmental nature of ITU is acknowledged by Member States and Sector Members alike as placing certain limits on enhancing Sector Members' rights and obligations. It does limit the role of Sector Members in decision-making, and although Sector Member rights have been somewhat enhanced, the intergovernmental nature of ITU might limit Sector Members' willingness to make increased financial contributions which they cannot control. Implementation of recommendations deriving from Resolution 15 (Kyoto, 1994) and Resolution 39 (Kyoto, 1994) can lessen these constraints and facilitate cooperation between Member States and Sector Members.

20.4 The solution to strengthening the Union lies in treating the Sector Members more as partners in appropriate work of the Union. The Union will have to see itself as seeking to satisfy the needs of its customers by providing products and services of superior value in a competitive environment. Many Sector Members have had to transform their organizational cultures in this fashion, and it is natural that they will expect to see similar changes in the Union.

20.5 Another factor affecting the future effectiveness of the Union is the process of decision-making. Even as ITU has supported some improvements during 1995-1999,

including the use of web technology, advanced electronic communication and document exchange facilities, the number of ITU meetings, meeting days, participants and pages of documents produced per meeting has continued to grow. That the membership has turned to ITU to satisfy their diverse needs should be seen as an indication of the value that can be provided by the Union. Therefore, appropriate changes in the working methods are required, along with financial responsibility based on a transparent budget process and generally accepted accounting principles.

21 There are clearly major challenges facing the Union as it seeks to respond to rising demand for its products and services. However, each of these challenges has a positive side which provides an opportunity to build on ITU's "core competencies":

21.1 The Union is an acknowledged leader in the movement to reform international organizations by enhancing the participation of non-government players, increasing efficiency, and adopting innovative approaches to achieving its purposes.

21.2 The Union has a comprehensive membership and "high approval rating" among the members of the international telecommunication community. The vast majority of the Union's Member States freely choose to contribute more than they would if they were assessed under some measure such as GDP or teledensity. And during the 1995-1999 period, Sector membership almost doubled as new players on the international telecommunication scene and companies from convergent industries were added to the ranks of established players.

21.3 Member States, Sector Members and the international community have shown a continuing willingness to pay for many ITU products and services. Demand has remained strong for established publications and TELECOM events. In addition, customers have responded well to the innovative range of ITU information products and services which have been introduced in the past four years.

21.4 In every major test of its decision-making ability in the 1995-1999 period, the Union has been able to respond with activities that have led to beneficial results for all concerned.

22 The strategic challenge facing the Union in the 1999-2003 time-frame is to remain a pre-eminent international forum where Member States and Sector Members work together to enable the development of telecommunication networks and to facilitate universal access to communication and information services, so that people everywhere can participate in and benefit from the global information economy and society.

III General goals, strategies and priorities

23 The purposes of the Union are achieved through the activities of its three Sectors, through the Sector conferences and assemblies, and through general-purpose activities such as the Plenipotentiary Conference, the world conference on international telecommunications and the Council, as well as the world telecommunication policy forum and TELECOM exhibitions and forums.

24 The ITU is a federal organization. Although financial resources are centrally controlled, each Sector has its own "governance structure" which defines the goals, strategies and activities necessary to achieve its mission in a given period of time. However, just as the purposes of the Union set out in Article 1 of the Constitution apply to all Sectors, so they share a number of strategic orientations and goals.

C Strategic orientations

25 "Strategic orientations" are principles intended to provide coherence, focus and direction to all of the activities undertaken by the Union. It is impossible to forecast the future completely in the rapidly changing telecommunication environment and to plan for every contingency. Strategic orientations therefore help to ensure consistency of purpose and action in the face of inevitable uncertainty.

26 The following strategic orientations are proposed for the 1999-2003 strategic plan. They build on the experience of the 1995-1999 period, particularly the results of implementation of Resolution 15 (Kyoto, 1994) and Resolution 39 (Kyoto, 1994), and they seek to apply that experience to the anticipated requirements of the new environment analysed in part II of this document, in addition to encouraging development of access to basic telecommunication and information services:

26.1 **improve customer service** – by identifying the specific needs of the Union's membership and other customers, establishing priorities, and providing the highest quality of service possible with available resources;

26.2 **innovate** – by continuing to develop new activities, products and services under the supervision of the Member States and Sector Members and in accordance with their agreed needs;

26.3 **strengthen the Union's financial foundations** – by determining and applying appropriate funding mechanisms for ITU activities, products and services (e.g. assessed contribution based on free choice of contributory unit, voluntary contribution, partial or full cost recovery, revenue generation), together with transparent budgetary measures;

26.4 **enhance participation by Sector Members** – by implementing the recommendations deriving from Resolution 15 (Kyoto, 1994) and Resolution 39 (Kyoto, 1994) as quickly and fully as possible, and by actively marketing ITU membership to all entities and organizations with a potential interest in participating actively in the work of the Union;

26.5 **establish partnerships** – by concluding a range of formal and informal cooperation agreements with other intergovernmental organizations and with other organizations at the national and regional levels, including non-governmental organizations (NGOs), in cases where such cooperation would further the purposes of the Union based upon the identification of specific subjects for cooperation;

26.6 **maintain solidarity** – between the ITU's Member States and Sector Members in partnership in pursuit of the purposes of the Union;

26.7 **inform** – by sharing and disseminating information related to the development of economically efficient public telecommunications;

26.8 **promote the principle and implementation of a competitive telecommunication environment** – by encouraging flexible regulatory systems that provide for a variety of telecommunication services;

26.9 **produce recommendations in timely response to market demand** – by streamlining development and approval procedures by each Sector, as appropriate.

D Goals and priorities

27 In addition to these strategic orientations, the Sectors of the Union share a number of goals for the 1999-2003 period, and will undertake priority actions to achieve these goals.

D.1 Goal 1 – Strengthen the multilateral foundations of international telecommunications

28 The trends and developments analysed in part II of this document illustrate the multilateral nature of key ITU activities. Since the most basic purpose of the Union is to maintain and extend international cooperation between all its members for the improvement and rational use of telecommunications, the central goal of the Union's strategy must be to take this into account and strengthen multilateral cooperation in areas where its effectiveness may be in question. To this end, the following priority actions are proposed:

28.1 **ITU-R**

- Considering the implications of the large increase in workload for preparation of, participation in and follow-up work of WRCs, and taking appropriate action.
- Further enhancing the structure of ITU-R through clarification of the roles of the RAG, RA and WRC, and in particular establishing clearer linkages between advisory, decision-making and budgetary responsibilities.

28.2 **ITU-T**

- Producing high-quality recommendations quickly in response to market demands.
- Broadening participation and enhancing involvement by non-administration entities in the Sector's standardization process.
- Developing recommendations to achieve accounting rate reform and proposing means to encourage their implementation.

28.3 **ITU-D**

- Developing new approaches to the provision of multilateral telecommunication assistance, *inter alia* by building partnerships for telecommunication development in priority areas, with special emphasis on telecommunication sector restructuring, regulatory reform, finance and resource mobilization, technology applications and human resources development.

28.4 **General activities**

- Developing the world telecommunication policy forum (WTPF) as a forum convened on an ad hoc basis for developing a non-binding shared vision on cross-Sectoral policy issues.

- Where agreed by the membership, developing innovative mechanisms for international cooperation outside the formal structures defined in the Constitution and Convention (e.g. MoUs).

- Deciding on the need to revise the International Telecommunication Regulations (ITR) to take account of developments in the telecommunication environment, particularly the WTO agreements.

- Extending cooperative participation to an increasing number of administrations and organizations, by encouraging the participation of Member States not currently active in ITU activities, encouraging and facilitating the participation of additional entities and organizations, including small or narrowly-focused entities, and increasing coordination and cooperation with other relevant international and regional organizations.

D.2 *Goal 2 – In addition to development of access to basic telecommunication and information services, promote global connectivity to the global information infrastructure (GII) and global participation in the global information society (GIS)*

29 The vision of the GIS will become a reality only if the networks and services of the converging telecommunication and information industries are able to interconnect and interoperate seamlessly, and if they are accessible to people everywhere at affordable rates. Facilitating development of the GII and promoting universal access to basic telecommunication and information services is a goal that unites all ITU Sectors. Priority actions proposed for 1999-2003 include:

29.1 **ITU-R**

- Accommodating the global and regional spectrum requirements of innovative telecommunication and information services.

29.2 **ITU-T**

- Developing recommendations for new technologies and applications such as appropriate aspects of the GII and global multimedia and mobility.

29.3 **ITU-D**

- Promoting the development, expansion and operation of telecommunication networks and services, particularly in developing countries, taking into account the activities of other relevant bodies, with universal access as the objective.

- Developing and/or sponsoring projects designed to connect developing countries to the GII (e.g. Africa ONE, Internet access).

- Promoting the development of technology applications (e.g. tele-health, tele-education, electronic commerce, environmental protection, disaster relief) in cooperation with other international and regional organizations and NGOs.

29.4 **General activities**

- Connecting ITU Member States, Sector Members and other members of the international telecommunity to the Union's information resources and to each other through an "ITU-II" (ITU information infrastructure), to help them develop the GII in their own areas of responsibility.

- Pursuing implementation of the United Nations system-wide project on universal access to basic communication and information services – the "right to communicate".

- Facilitate access to telecommunications through the promotion of cost-effective technologies and low price services to end users, that comply with standards and quality requirements.

D.3 Goal 3 – Coordinate international action to manage scarce telecommunication resources

30 Although we are living in an era of technological abundance, some communication resources remain scarce. The coordination of international action to manage resources such as the radio-frequency spectrum, satellite orbital positions and telecommunication numbers is a well-established and core role of ITU, as the pre-eminent competent international body to deal with these issues. In addition, human resources and information are becoming recognized as scarce resources of a different kind that are critical to developing countries in the new environment. The following priority actions are therefore proposed for 1999-2003:

30.1 **ITU-R**

- Improving the frequency coordination and planning framework for satellite networks.

30.2 **ITU-T**

- Developing and implementing administrative procedures for numbering plans for international networks and services.

30.3 **ITU-D**

- Contributing to and coordinating actions between Member States and Sector Members aimed at developing human resources, especially in the associated regulatory and economic domains.

30.4 **General activities**

- Serving as the depositary of cooperative international arrangements consistent with the purposes of ITU.

D.4 Goal 4 – Encourage and enable Member States, especially developing countries, to draw maximum benefit from technical, financial and regulatory changes in the telecommunication environment

31 As indicated in part II, the current telecommunication environment is a dynamic one, characterized by rapid technological progress but also by emerging differences, for example within the developing countries, between liberalized and non-liberalized countries, and between countries that are moving more rapidly towards competition and those moving at a slower pace. Countries will be assisted in adapting to this environment if they have available good information not only on the global environment but also on the issues and options they face. Each ITU Sector, and ITU as a whole, has a role to play in providing this information. The following priority actions are therefore proposed for 1999-2003:

31.1 **ITU-R**

- Providing assistance to all Member States, and especially the developing countries, through the dissemination of information and know-how, in particular on spectrum management.

31.2 **ITU-T**

- Producing recommendations responding to technological developments, in accordance with the priorities shown in § 41 below.
- Working with BDT with special attention to telecommunication development in developing countries, and cooperating with the other Sectors in the organization of information meetings, seminars and workshops, and in the development of case studies, guidelines and handbooks.

31.3 **ITU-D**

- Continuing to develop the telecommunication indicators and regulatory databases, and to add value to the information they contain through partnerships with other Sectors and organizations.
- Assisting developing countries in addressing policy and regulatory issues arising from the liberalization, convergence and globalization of telecommunications, while taking account of the GATS principles inherent in the WTO basic telecommunication agreement and Reference Paper (e.g. through studies, workshops, missions and cooperative mechanisms).
- Providing information about mechanisms for financing telecommunication development and assisting developing countries with the mobilization of resources for telecommunication investment.
- Disseminating information about ITU-R and ITU-T activities that are of particular importance for developing countries.

31.4 **General activities**

- Providing opportunities for the sharing of information and experience regarding relevant issues, such as convergence, globalization, regulatory principles and universal service, and regarding benefits to the public interest, investors and the national economy.

- Assisting countries most in need to draw maximum benefit from technical, financial and regulatory changes in the telecommunication environment.

D.5 Goal 5 – Improve the efficiency and effectiveness of Union structures, activities and processes

32 To remain a pre-eminent international and market-relevant focal point for matters related to the rapidly changing telecommunication environment, ITU must regularly review and, as appropriate, update its structure, activities and processes, ensuring that they are effective and efficient in the light of the current needs of its membership. To this end, the following items are proposed for 1999-2003:

32.1 **ITU-R**

- Fostering the cost-effective processing of information received from administrations in the application of the provisions of the Radio Regulations, the orderly recording and registration of frequency assignments and orbital positions and the development of recommendations, handbooks and other relevant outputs in a rapidly changing environment, while continuing to evaluate Sector structure, activities and processes with a view to remaining effective and efficient.

32.2 **ITU-T**

- Continuing to improve the working methods of the Sector, including the accelerated development of recommendations, the fostering of cooperative relationships with other relevant standardization organizations and the increased use both of electronic document handling (EDH) and project teams (see § 41 below).

- Assisting in developing, for the Telecommunication Standardization Sector, an open and transparent "bottom-up" budget proposal that incorporates financial management principles and techniques, including cost recovery as appropriate.

32.3 **ITU-D**

- Strengthening BDT's advisory capabilities through redistribution of its resources, to respond to requests in priority areas such as international agreements and national regulation, tariffs and finance, new and convergent technologies and the feasibility stage of negotiations.

- Developing its catalytic role in encouraging all actors, including global, regional and national organizations, to work together in assisting developing countries in their development and reform process as well as in their adaptation to the liberalized market.

- Strengthening regional presence by increasing the decentralization of functions and authority to field offices and by strengthening the coordination functions of headquarters.

32.4 **General activities**

- Increasing the use of modern methods of telecommunication, including electronic handling of submissions to ITU such as frequency and orbit notifications/registrations, and providing information to its customers.

- Streamlining the development, approval and publication processes for recommendations in each Sector, as appropriate.
- Increasing the use of task-oriented activities using the working methods agreed to in each Sector, such as rapporteur, focus and correspondence groups, while ensuring transparency.
- Developing a clear, transparent budget, encouraging each Sector and the General Secretariat to develop "bottom-up" budgets, and working to implement cost recovery, as appropriate.
- Improving the financial accountability of activities within ITU by more clearly linking costs with the related activity through annual Sector operational and financial plans consistent with the biennial budget.

IV Goals, strategies and priorities for the Sectors

E Radiocommunication Sector (ITU-R)

E.1 The Radiocommunication Sector mission

33 Under the provisions of the Constitution and Convention (Geneva, 1992), the mission of the ITU Radiocommunication Sector is, *inter alia*, to ensure rational, equitable, efficient and economical use of the radio-frequency spectrum by all radiocommunication services, including those using satellite orbits, and to carry out studies and adopt recommendations on radiocommunication matters.

E.2 The Radiocommunication Sector environment

34 This mission is to be undertaken in an environment that is characterized by:

- Growing recognition of the economic value of frequency spectrum and the application of economic principles in the management of that resource, recognizing the rapid market-driven and user-oriented technological development.
- The ever increasing demand for the limited radio-frequency spectrum for space and terrestrial radiocommunication systems.
- The growing role of regional organizations and private-sector activities in a liberalized environment.
- The limited financial resources available to support the Sector's activities.
- Growing convergence among many radio services, integration with wired telecommunication services and converging terrestrial and satellite applications.
- Increased interest, in particular on the part of the developing countries, in:
  - access to the radio-frequency spectrum and the geostationary-satellite and non-geostationary-satellite orbits in support of their national requirements;

- worldwide radiocommunication system standards to achieve overall system economy;
- handbooks;

- the rapid technological development and widespread application of digital techniques to most space and terrestrial systems, including mobile communications and new television and sound broadcasting systems.

E.3 The Radiocommunication Sector strategic objectives

35 Within its overall mission, the strategic objectives of ITU-R are to carry out the functions laid down in the Constitution and Convention, and specifically, in the period 1999-2003:

- to maintain and enhance the relevance of ITU-R in the efficient management of the usable radio-frequency spectrum, free from harmful interference, and to ensure that the Radio Regulations and the rights of Member States are respected;

- to continue developing enhanced criteria for frequency sharing and coordination of new and existing systems in both space and terrestrial environments, with a view to increasing the efficiency of use of the usable frequency spectrum;

- to continue improving the working methods and cost-effective operation of ITU-R in a flexible organizational structure; to aim at more efficient and more clearly defined roles of the RAG, radiocommunication assemblies and radiocommunication conferences to ensure clear linkages between advisory, decision-making and budgetary responsibilities as new and more efficient working methods evolve; and to further develop the Sector's quality of service and enhance its use of electronic document handling;

- to ensure that the Radio Regulations Board carries out its functions, particularly those concerning the application of the Radio Regulations, in a manner which maintains the confidence of Member States;

- to undertake, in project teams, the study of approved questions limited in scope and time, as appropriate; and urgent studies decided by WRCs, in preparation for future WRCs;

- in close collaboration with ITU-D and ITU-T, as appropriate, to assist developing countries in spectrum management and disseminate information and know-how through information meetings, seminars, handbooks and the provision of tools for automated spectrum management;

- to provide information on widely accepted spectrum management concepts and related regulatory frameworks, particularly with a view to assisting developing countries, and to assist in the application of relevant ITU-R recommendations providing guidance on the most economical and timely implementation of radiocommunication systems;

- to issue recommendations on, *inter alia*, the characteristics and performance of radio systems;
- to implement efficient measures to promote broader participation by Member States, particularly developing countries, and Sector Members in all ITU-R activities.

E.4 Priorities of the Radiocommunication Sector

36 The priorities of the Radiocommunication Sector for 1999-2003, in addition to those that may be identified by future conferences, are:

- to review the world radiocommunication conference process to ensure that it is effective and efficient, that the agendas developed do not unduly burden Member States and Sector Members and consequently burden secretariat resources, and that the intervals between conferences are appropriate;
- to accommodate the global and regional spectrum requirements of innovative services that will provide communication and information services "any time, any place" (e.g. GMPCS, IMT-2000 and high altitude platform stations, all of which include innovative terrestrial and space applications), by the appropriate consideration of such matters at WRCs and by issuing appropriate recommendations to facilitate their development and implementation;
- to study and apply, as appropriate, improved international spectrum management techniques;
- to facilitate timely coordination between new and existing active and passive systems in both space and terrestrial environments and to develop spectrum regulation initiatives to better harmonize frequency allocations and the use of satellite orbits, while continuing work to improve the frequency coordination and planning process for satellite networks;
- to expand the assistance offered to Member States in coordinating and registering frequency assignments and in applying the Radio Regulations, with special attention to developing countries and Member States that have recently joined the Union;
- to collaborate as needed with ITU-T and ITU-D and the General Secretariat to ensure that studies are appropriately coordinated and that no duplication of work occurs;
- to provide assistance to the Telecommunication Development Bureau (BDT) for the introduction of modern radio systems in developing countries, particularly in rural areas, conduct information meetings and world and regional seminars and give assistance to Member States, with special attention to developing countries, e.g. through the development of handbooks;
- in improving the working methods of the Sector, to strive for:
  - greater use of user-friendly document exchange capabilities;
  - the accelerated development of recommendations and improvement in publication mechanisms (reduction of unit cost and time taken to publish, wider distribution and greater electronic availability);

- increased use of information technology for the notification and processing of frequency assignments;
- a flexible organizational structure in the Radiocommunication Bureau (BR), with special attention to the training and development of the Bureau's staff;
- periodic study group reviews of work programmes to re-establish priorities and improve effectiveness;

- to encourage greater participation by Member States, Sector Members and other organizations in ITU-R activities, *inter alia* by concluding formal and informal task-oriented cooperation arrangements.

F Telecommunication Standardization Sector (ITU-T)

F.1 The Telecommunication Standardization Sector mission

37 Under the provisions of the Constitution and Convention (Geneva, 1992), the mission of the ITU Telecommunication Standardization Sector is to fulfil the purposes of the Union relating to telecommunication standardization by studying technical, operating and tariff questions and adopting recommendations on them with a view to standardizing telecommunications on a worldwide basis.

38 Taking account of rapid change in the telecommunication environment, the mission of the Telecommunication Standardization Sector for the period of 1999-2003 will include:

- maintaining and strengthening its pre-eminence in international telecommunication standardization by developing recommendations rapidly, for example through increased Sector Member participation and use in appropriate cases of a faster alternative approval process;
- developing recommendations that acknowledge market- and trade-related considerations;
- playing a leading role in the promotion of cooperation among international and regional standardization organizations and forums and consortia concerned with telecommunications;
- addressing important issues related to changes due to competition, tariff principles and accounting practices; and
- developing recommendations for new technologies and applications such as appropriate aspects of the GII and global multimedia and mobility.

F.2 The Telecommunication Standardization Sector environment

39 The mission is to be undertaken in an environment characterized by:

- rapid technological change and shortened innovation cycles, development and convergence of telecommunication, broadcasting, computer and information technology, and the growth of new products and services;

- a worldwide trend towards a "market-driven" approach to standardization, with an emphasis on rapid implementation of high-quality recommendations;
- an era of explosive growth in worldwide information transfer;
- the changing role of governments, and the increased involvement of Sector Members, in the standardization process;
- the strong influence of relevant regional standardization organizations and forums and consortia;
- an increased number of network operators and service providers due to deregulation and/or privatization;
- increasing privatization and heightened competition between and among network operators, service providers and equipment suppliers;
- increasing number of global telecommunication operators, systems and alliances;
- greatly increasing demand of developing countries for infrastructure development;
- potential changes to the financial resources available to support Sector activities.

F.3 The Telecommunication Standardization Sector objectives

40 The overall mission of the Telecommunication Standardization Sector can be realized by targeting the following strategic objectives in ITU-T activities:

- to produce high-quality recommendations quickly in response to market demands;
- to broaden participation and enhance involvement by non-administration entities in the Sector's standardization process;
- to enhance Sector Member participation in the standardization process, including their involvement in appropriate decision-making;
- to continue to improve the working methods of ITU-T, including the improved and accelerated development and approval of recommendations;
- to develop appropriate arrangements and cooperative relationships with regional and national standardization organizations and forums and consortia;
- to respond to the impacts of increased privatization and competition in network operation and service provision, and to the reforms in the accounting rate system;
- to encourage the participation of developing countries in telecommunication standardization activities;

- to encourage cooperation with the Telecommunication Development Sector through timely responses to relevant requests;
- to actively involve TSAG in financial aspects of the Telecommunication Standardization Sector.

F.4 Priorities of the Telecommunication Standardization Sector

41 The priorities of the Telecommunication Standardization Sector for 1999-2003, in addition to those that may be identified by future conferences, are:

- to produce recommendations responding to technological developments, including recommendations:
  - covering the implementation of the GII, including the definition of an integrated global framework reference model with network-network and network-user interfaces;
  - covering Internet Protocol (IP) related aspects as well as the interoperability and convergence of IP-based networks, the Internet, with existing network infrastructures;
  - covering the multimedia applications arising from the convergence of telecommunication, broadcasting, computer and information technology;
  - covering the further evolution of network infrastructures, for example in the areas of network access, signalling and control, interfaces, security and optical networking;
  - facilitating the interworking of global personal radiocommunication systems with public telecommunication networks;
  - facilitating the integration of existing and new transmission media in public networks, in cooperation with ITU-R for radio transmission aspects;
- to continue to improve the working methods of the Sector through the:
  - accelerated development of recommendations to keep pace with rapid technical progress and market demand;
  - fostering of cooperative relationships with other relevant standardization organizations and with forums and consortia to avoid duplication of work, identify gaps in work programmes and encourage work sharing where possible;
  - increased use of EDH techniques to increase efficiency and productivity;
  - greater use of project teams for the study of urgent issues in a relatively short time-frame;
- to develop recommendations to achieve accounting rate reform and to propose means to encourage their implementation;
- to work with BDT with special attention to telecommunication development in developing countries, and to cooperate with the other Sectors in the organization of information meetings, seminars and workshops and in the development of case studies, guidelines and handbooks;

- to assist in developing for ITU-T an open and transparent "bottom-up" budget proposal that incorporates financial management principles and techniques, including cost recovery as appropriate.

G Telecommunication Development Sector (ITU-D)

G.1 The Telecommunication Development Sector mission

42 The mission of the Telecommunication Development Sector, as set out in the Constitution and the Convention, encompasses the Union's dual responsibility as a United Nations specialized agency and executing agency for implementing projects under the United Nations development system or other funding arrangements, so as to facilitate and enhance telecommunication development by offering, organizing and coordinating technical cooperation and assistance activities.

The work of ITU-D will reflect the various resolutions of the world telecommunication development conference. It will place emphasis on gender balance in its programmes and will reflect the needs of other aspects of global society such as youth and the needs of indigenous peoples. Emergency telecommunications is another area where renewed efforts are required. Collaboration with the private sector should be more clearly defined and expanded so as to reflect the changing roles of public and private entities in the telecommunication sector. The "Year 2000" problem should be urgently addressed. ITU-D should also use the mechanisms for advancing Sector goals included in Opinion B of the World Telecommunication Policy Forum (Geneva, 1998) and the opportunities provided by the ITU programme funded by the surplus funds from TELECOM exhibitions.

In fulfilling its mission, ITU-D will cover the five major areas of telecommunication development: **telecommunication sector reform, technologies, management, finance and human resources**. It is supported by the four main modes of action by which the Sector carries out its work: **direct assistance (including project execution), resource development and mobilization, partnerships and information sharing,** which are reflected in the organizational structure of BDT.

G.2 The Telecommunication Development Sector environment

43 The telecommunication development environment is characterized by the following features:

- The restructuring and liberalization of the telecommunication sector at the national and international level, and the three agreements on basic telecommunications services, financial services and information technology products concluded through the World Trade Organization, have increasing consequences for the provision of international and national telecommunication services. Competition is rapidly becoming the rule rather than the exception.

- The above factors are straining the accounting rate system beyond its limits, calling for a rapid revision of accounting rates and causing major changes in traditional income flows which are of critical importance to certain countries.

- While the development gap has narrowed slightly in terms of access to basic telephone services, it is widening at a fast rate for advanced telecommunication services and access to information.

- However, the emergence of a global information society is creating new opportunities to close the gap. Political, technical and cultural factors are combining to promote these opportunities.

- The rapid development of telecommunications in some countries is associated with general economic growth, particularly where some form of restructuring, liberalization and competition is introduced; however, other countries witness modest and uneven progress.

- Many different players, including non-governmental organizations (NGOs), are invited to play a more important role.

- Business practices, including development activities, are being revolutionized by information and communication technologies. This can be expected to have a significant impact on telecommunication development activities such as planning and training.

- Technology-based convergence of telecommunications, informatics and mass media offers new opportunities for cooperation between the formerly different parts of the telecommunication sector.

- Due to increased emphasis on policy and regulatory frameworks that create open markets and encourage private investment, both domestic and foreign, development programmes rely less on technical assistance and more on partnerships and trade agreements. Private capital flows in several countries now exceed official development aid resources, but in others concessional finance is required to meet development needs.

- Limited funds available to ITU, as compared with developing country needs, require ITU to play a catalytic development role. This envisioned catalytic role of ITU is developed further below.

G.3 The Telecommunication Development Sector strategy

44 The following points define a strategy for the Telecommunication Development Sector that is consistent with its mission and the changing telecommunication environment. ITU-D will:

- pay special attention to the requirements of the developing countries, with particular emphasis on the least developed among them, and the need for well-differentiated and tailored responses to situations arising in transition economies, countries affected by conflicts or natural disasters, etc.;

- work with governments to assist them in establishing appropriate telecommunication policies and regulatory structures. Strategies for the development of telecommunications may be fostered by liberalization, private investment and competition in appropriate circumstances. The goal of these policies and structures should be to:

  - create a stable and transparent environment to attract investment and guarantee the rights of users, operators and investors;

  - facilitate access of service providers to the telecommunication network within a framework that promotes fair competition while protecting network integrity;

  - ensure the provision of universal access and universal service, promoting innovation and the introduction of new services and technologies to unserved and under-served users;

  - promote partnerships and cooperation between telecommunication entities in developing and developed countries, and with appropriate international institutions, consistent with their respective interests;

- play a creative catalytic role in identifying and providing resource support, in the new telecommunication environment, to help meet the requirements of developing countries in close collaboration with global, regional and national organizations and agencies, and with the private sector;

- maintain close cooperation with ITU-R and ITU-T reflecting the significant role played by those two Sectors in telecommunication development;

- include matters pertaining to information technology and broadcasting in its activities, as key factors in promoting economic, social and cultural development;

- promote training in human resources development (HRD) and human resources management (HRM) in order to meet the challenges of the rapidly changing telecommunication environment;

- seek innovative ways to rationalize its internal costs, optimize its resources and improve efficiency.

G.4 Priorities of the Telecommunication Development Sector

45 The experience of four successful years has given the Telecommunication Development Sector a solid basis from which to forecast the following priorities for 1999-2003:

- respond effectively, rapidly and in a flexible way to requests for direct assistance from developing countries, including through the use of a significant part of TELECOM surplus funds, primarily for LDCs;

- develop and mobilize resources for telecommunication development, including human and financial resources, technology, HRD/HRM tools and systems, information and expertise;

- create partnership arrangements that benefit all parties, avoiding purely commercial approaches and concentrating on long-term benefits (as opposed to short-term gains):
  - by establishing strategic alliances and cooperation agreements with other concerned international and regional organizations;
  - by taking the initiative to acquaint ministries responsible for agriculture, health, education, transport, industry, human settlement, trade and transfer of information with the role of telecommunications for social welfare and general economic and social progress, and in particular the work of the Union in rural and remote areas;
  - by inviting relevant bilateral development and donor agencies to join the activities of ITU in order to cooperate within the Sector to maximize synergistic efforts toward sustainable universal access to telecommunication services;
- promote partnership arrangements in and between the public and private sectors in both developed and developing countries;
- strengthen the ITU regional presence and enhance collaboration with regional and subregional telecommunication organizations, including broadcasting organizations;
- collaborate with the private sector in implementing the Valletta Action Plan, including partnerships with related entities in developing countries;
- improve the working methods of the Sector, to strive for:
  - greater use of user-friendly document exchange capabilities;
  - greater participation by Sector Members and other organizations in ITU-D activities;
  - the accelerated development of outputs and improvement of publication mechanisms, in particular through the wider use of information technology;
  - a flexible organizational structure in the Bureau, with special attention to the training and development of BDT staff.

46 During the period 1999-2003, the strategic processes of the Telecommunication Development Sector will incorporate all resolutions and recommendations adopted by WTDC-98, as well as all other relevant resolutions and recommendations of ITU conferences.

ANNEX 2

Goals, strategies and priorities for the General Secretariat and three Bureaux

A The secretariat mission

47 The mission of the secretariat (meaning the General Secretariat and the three Bureaux) is to provide high-quality, efficient services to the Union's membership and customers in response to the needs they have identified and within the limits of the resources made available by the membership.

B The secretariat environment

48 The secretariat shares the environmental challenges, constraints and opportunities identified in part II above. The main challenge it faces is to maintain established standards of quality and efficiency while responding to steadily increasing service demands in an environment characterized by:

- "zero-growth" in the financial resources derived from assessed contributions which finance the bulk of the Union's activities;
- organizational and managerial rules derived from the United Nations common system;
- a situation in which any significant undertaking beyond the responsibilities outlined in the Convention should be identified, approved specifically by the Council in advance and coordinated with the membership.

C Goals for improved management of the secretariat

49 To address these challenges, the secretariat should pursue these strategic objectives:

49.1 Efficiency, transparency, openness, customer service and effectiveness.

49.2 Quick, efficient and high-quality response to membership needs.

49.3 Create conditions that would enable development of:

- a shared view of the ITU's fundamental purposes;
- a common understanding of the priorities of the Union as they may change from time to time;
- a willingness and a capacity to act in concert, supporting one another in the achievement of departmental and organizational objectives;
- a common organizational culture;
- a customer orientation that includes responsiveness, efficiency, flexibility and accountability.

49.4 Instil an organizational climate:

- that is representative of diversity of cultures, backgrounds, opinions and values;
- that supports risk taking;
- in which delegation is encouraged and responsibility accepted;
- in which communication and information flow are facilitated;
- in which committees are properly used and decisions are taken by appropriate managers;
- in which managers exercise flexibility and rules are used not to inhibit but to facilitate.

49.5 Build essential skills so that staff acquire the required competencies:

- to exercise good interpersonal skills;
- to function effectively in difficult situations;
- to manage resources for the achievement of results.

49.6 Set objectives that move the organization forward in a time of great change so that:

- all staff are evaluated and rewarded for the achievement of agreed objectives;
- staff anticipate and manage change.

D Priorities of the secretariat

50 To achieve the above strategic objectives, the following priorities have been set for 1999-2003:

50.1 To improve the quality and efficiency of services provided to the ITU membership and the Union's other customers by:

- using the cost attribution framework for ITU products and services which was created in response to the recommendations of ITU-2000 to develop a comprehensive set of quality, efficiency and productivity indicators for all ITU activities;
- outsourcing products and services if the result is a net benefit to the Union's membership.

50.2 To improve the development and management of human resources by:

- recruiting people with the skills required to serve the Union's members and customers in the new telecommunication environment, while paying attention to the need for a more representative geographic, gender and other balance;
- improving training policies and programmes for staff at all levels so that they have the competencies needed in the new environment and are fully prepared to assume new roles and responsibilities;

- ensuring greater flexibility in the deployment of human resources to respond to emerging requirements and enrich career opportunities;
- continuing to develop middle level and senior management skills in the secretariat.

50.3 To improve the management of secretariat resources through:

- improvements to formal planning, management and reviewing systems;
- greater delegation of authority to managers, with appropriate accountability and control mechanisms;
- enhanced coordination between strategic, financial and performance management systems.

50.4 To adapt the secretariat's organizational culture to the new environment by:

- continuing improvements to internal communication;
- instilling a culture of customer service, entrepreneurship, accountability, recognition of performance and continuous learning.

50.5 To extend operational planning to the three Sectors and General Secretariat as a mechanism to enhance accountability and transparency, and link this management tool to the strategic planning and budgeting process, given the symmetry required between the objectives and priority activities outlined in the strategic plan and the costing analysis of ITU products and services specified in the financial plan.

RESOLUTION 72 (Minneapolis, 1998)

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 the 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 72 (Minneapolis, 1998)

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 73 (Minneapolis, 1998)

World summit on the information society

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

considering

a) the provisions of the Constitution and the Convention of the International Telecommunication Union concerning the role of the Union with regard to policies and strategies;

b) the resolutions adopted by this conference concerning strategic issues in the telecommunication sector,

noting

that the Union is required to fulfil its tasks in an environment where telecommunications are playing an increasingly decisive and driving role at the political, economic, social and cultural levels,

recognizing

a) that ITU is the organization best able to seek appropriate ways to provide for development of the telecommunication sector geared to economic, social and cultural development;

b) the complementarity between the work of the Union and the activities of other international and regional organizations;

c) the interpenetration between issues of telecommunication development and those of economic, social and cultural development, as well as the impact of such interpenetration on social structures in all Member States,

conscious

a) of the fact that the globalization of telecommunications must take account of a harmonious evolution in policies, regulations, networks and services in all Member States;

b) of the emergence of the concept of the information society in which telecommunications play a central role,

taking into account

a) the results of the World Telecommunication Standardization Conference (Geneva, 1996), the World Radiocommunication Conference (Geneva, 1997) and the World Telecommunication Development Conference (Valletta, 1998);

b) the role and results of the world telecommunication policy forums held,

resolves to instruct the Secretary-General

1 to place the question of holding a world summit on the information society on the agenda of the United Nations Administrative Committee on Coordination, with a view to meeting the necessary conditions for holding such a summit before the next plenipotentiary conference;

2 to report to the Council on the results of this consultation and to evaluate the financial burden that might result from the Union's contribution to holding a world summit on the information society,

instructs the Council

in the light of the results of this consultation:

1 to consider and decide on the Union's contribution to the holding of a world summit on the information society, with a view to:

- establishing an overall framework identifying, with the contribution of all partners, a joint and harmonized understanding of the information society;
- drawing up a strategic plan of action for concerted development of the information society by defining an agenda covering the objectives to be achieved and the resources to be mobilized;
- identifying the roles of the various partners to ensure smooth coordination of the establishment in practice of the information society in all Member States;

2 to ask the Secretary-General to coordinate with other international organizations and with the various partners concerned (Member States, Sector Members, etc.), with a view to holding a world summit on the information society;

3 to report on the results of the world summit on the information society to the next plenipotentiary conference.

RESOLUTION 74 (Minneapolis, 1998)

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 a number of recommendations of the ITU-2000 Group were adopted by this conference, resulting in amendments to the Constitution and Convention;

b) that these amendments will not come into force until 1 January 2000;

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

1 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;

2 to report, with the assistance of their advisory groups, to the forthcoming sessions of the Council on the effectiveness of these changes and any difficulties encountered,

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,

further resolves to invite the Council

1 to establish an open working group of Member States and Sector Members to review the management, functioning and structure of the Union as well as the rights and obligations of Member States and Sector Members, taking into account 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 comment;

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 Constitution and Convention.

RESOLUTION 75 (Minneapolis, 1998)

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 3 relating to the treatment of decisions, resolutions and recommendations of plenipotentiary conferences,

resolves to instruct 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.

RESOLUTION 76 (Minneapolis, 1998)

General provisions regarding conferences and assemblies of the International Telecommunication Union

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

considering

a) Resolution 12 of the Additional Plenipotentiary Conference (Geneva, 1992), in which it was considered:

- that there are practical provisions in the Convention on conferences and meetings, which may have to be revised more frequently than the other rules contained in the Convention;
- that ITU may benefit from having the procedures of conferences and meetings included in a separate instrument of the same type as those in force in other international organizations;

b) Resolution 8 of the Plenipotentiary Conference (Kyoto, 1994), which instructed the Council to continue work on the rules of procedure of conferences and meetings of ITU,

noting

a) that, on the basis of the conclusions of a voluntary group of experts on the provisions of Chapter III of the Convention that may be transferred to a new instrument, a report of the Council was presented to this conference;

b) that, following the examination of proposals by Member States, this conference is of the view that all or part of Chapter II of the Convention may be transferred to a separate instrument,

recognizing

that such a transfer should benefit from the input of experts from Member States,

resolves to instruct the Council

to set up a group of experts appointed by Member States with the following terms of reference:

1 to review the provisions of Chapter II of the Convention on the basis of proposals made to this conference and of subsequent contributions from Member States, and to identify those provisions that may be transferred to a separate instrument of the Union;

2 to prepare a report for consideration by the Council and transmission to the next plenipotentiary conference,

instructs the Secretary-General

to assist the group of experts in implementing this resolution.

RESOLUTION 77 (Minneapolis, 1998)

Future conferences and assemblies of the Union

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

having considered

a) Document 28 submitted by the Secretary-General on planned conferences and assemblies;

b) the proposals submitted by several Member States;

c) the necessary preparatory work to be carried out by Member States, Sector Members and the Sectors of the Union before each session of a conference or assembly,

resolves

1 that the schedule of future conferences and assemblies shall be as follows:

1.1 Regional Telecommunication Development Conference (RTDC): fourth quarter of 1999 or first quarter of 2000[1];

1.2 Radiocommunication Assembly (RA-2000): Turkey, 1-5 May 2000;

1.3 World Radiocommunication Conference (WRC-2000): Turkey, 8 May-2 June 2000;

1.4 World Telecommunication Standardization Assembly (WTSA-2000): Canada, 27 September-6 October 2000;

1.5 Regional Telecommunication Development Conference (RTDC): first quarter of 2001[2];

1.6 World Telecommunication Development Conference (WTDC-02): first quarter of 2002;

1.7 Plenipotentiary Conference (PP-02): Morocco, latter part of 2002;

1.8 World Radiocommunication Conference (WRC-02/03): place and date to be determined;

2 that the Council shall take a decision on the need for a radiocommunication assembly in 2002-2003;

3 that the agenda of the above conferences shall be established by the Council, taking into account the resolutions and recommendations of the relevant conferences and assemblies;

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[1] Place and dates to be decided by the Council at its November 1998 session.

[2] Place and dates to be decided by the Council at its 1999 session.

4 that the conferences and assemblies shall be held within the periods indicated in *resolves* 1, the precise dates and places, where not already decided, being set by the Council after consultation of the Member States, and leaving sufficient time between the various conferences. However, in cases where precise dates are specified, they shall not be changed except as provided for in the Convention. The durations indicated in *resolves* 1 for conferences and assemblies for which agendas have already been established shall not be changed; the precise duration of the other conferences and assemblies shall be decided by the Council after their agendas have been established, within the time periods indicated in *resolves* 1.

RESOLUTION 78 (Minneapolis, 1998)

Stable procedures for the election of Member States to the Council, elected officials, and members of the Radio Regulations Board

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

considering

a) that, in accordance with No. 64 of the Constitution, the procedures to be followed for the election of Member States to the Council, elected officials, and members of the Radio Regulations Board shall be established by each plenipotentiary conference;

b) that one of the basic principles in ITU is equitable geographical and gender distribution of posts for all levels of staff, elected and appointed;

c) that candidates for these positions can be announced at any time prior to the election, including during the conference;

d) that the resulting uncertainty regarding the procedures and candidatures makes it difficult to develop national positions in preparation for the elections;

e) that it is desirable to improve the efficiency of the election procedure,

recognizing

that it is common practice in other United Nations agencies to have established election procedures and a deadline for the announcement of candidates,

resolves to instruct the Council

1 to develop, in consultation with all Member States, draft stable procedures for the election of Member States to the Council, elected officials, and members of the Radio Regulations Board;

2 to submit a report containing these draft stable procedures to the next plenipotentiary conference for examination and possible adoption as permanent procedures.

RESOLUTION 79 (Minneapolis, 1998)

International Telecommunication Regulations

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

noting

a) that Article 2 of the Constitution describes the International Telecommunication Union as an intergovernmental organization in which Member States and Sector Members, having well-defined rights and obligations, cooperate for the fulfilment of the purposes of the Union;

b) that the ITU strategic plan, under its first general goal D.1 "to strengthen the multilateral foundations of international telecommunications", calls for action to decide on the need to review the International Telecommunication Regulations (ITR) in order to take account of developments in the telecommunication environment;

c) that, as a result of worldwide trends in the provision of telecommunication and information technology services, many telecommunication networks are now privately owned and operated, and significant competition has been introduced at the national, regional and international levels,

considering

that these trends are evident in many countries at all stages of development, which see these changes as an effective way forward in developing telecommunication networks and services to the benefit of their overall economic and social development,

believing

that in order for ITU to maintain its effectiveness as the pre-eminent competent and cooperative body in world telecommunications, ITU must continue to demonstrate its capacity to respond adequately to the rapidly changing telecommunication environment,

recognizing

a) that many Member States have, in addition to their binding ITU commitments, made binding multilateral commitments to expand trade in telecommunication services and have adopted progressive liberalization policies as a means of promoting world economic growth and development;

b) that consistent with the sovereign right of each State to regulate its national telecommunications, many Member States have national regulatory regimes and laws that restrict their ability to direct recognized operating agencies in the conduct of their commercial activities,

considering further

a) that the relationship between Member States and recognized operating agencies has, for some Member States, changed substantially in the ten years since the International Telecommunication Regulations were adopted in Melbourne in 1988;

b) that other relevant multilateral treaty obligations are considered by some Member States to limit their ability to apply strictly the Regulations that they agreed in good faith in 1988;

c) that Member States remain committed to complying fully with their obligations under international treaties;

d) that the Constitution and Convention of the Union, with respect to the International Telecommunication Regulations, should accurately reflect the relations between Member States, Sector Members, administrations and recognized operating agencies,

resolves to instruct the Secretary-General

in consultation with the Director of the Telecommunication Standardization Bureau and a balanced group of appropriate experts appointed by the Council:

1 to undertake an exploratory study of the evolution of the respective roles and responsibilities of Member States and Sector Members (or recognized operating agencies) as regards the regulation and operation of international telecommunication services;

2 to consider the wider context of multilateral treaty obligations that affect ITU Member States and those they regulate;

3 to review the extent to which the current needs of Member States are reflected in the basic instruments of the Union and in particular the International Telecommunication Regulations;

4 to report to the Council on the above points, by no later than the year 2000, and to advise the Council of any action that the Union could decide to take, including the convening of a world conference on international telecommunications, in order to define further the relations between Member States and recognized operating agencies as regards the regulation and operation of international telecommunication services,

resolves to instruct the Council

1 to consider the report of the Secretary-General and decide what actions, if any, should be taken on these issues in the period before the next plenipotentiary conference;

2 to report to the next plenipotentiary conference on any actions taken and any actions recommended,

invites the next plenipotentiary conference

to consider convening, at an appropriate date, a competent conference to revise the International Telecommunication Regulations.

RESOLUTION 80 (Minneapolis, 1998)

World radiocommunication conference process

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

considering

a) that the agenda for the 2000 World Radiocommunication Conference (WRC-2000) was amended and approved by Council-98;

b) that the radiocommunication sector has experienced rapid technological growth and demand for new services is increasing rapidly in an environment that demands timely and efficient action,

considering further

a) that for the World Radiocommunication Conference (Geneva, 1997) (WRC-97) many administrations submitted common regional proposals, which greatly assisted in the efficiency of the conference proceedings;

b) that informal groups and the general liaison between regions played an important role in smoothing the work of the conference;

c) that, by Resolution 72, WRC-97 invited this plenipotentiary conference to take appropriate measures to assist in regional preparations for world radiocommunication conferences,

noting

a) that this plenipotentiary conference has adopted many of the ITU-2000 recommendations that are aimed at increasing the effectiveness of ITU in a rapidly changing environment;

b) that in accordance with Nos. 118 and 126 of the Convention, the general scope of a world radiocommunication conference cycle is based on a period covering two conferences, whereby agenda items requiring long periods of study can be foreseen for a future conference, while those that may be studied within two to three years can be placed on the agenda for the first conference in the cycle;

c) that the strategic plan highlights a strategy aimed at more efficient world radiocommunication conferences,

resolves

1 that world radiocommunication conference preparations and administration, including budgetary appropriations, should be planned on the basis of two consecutive world radiocommunication conferences; items which are recommended for inclusion in the agenda of the second world radiocommunication conference and for which study work is already under way shall be given priority when finalizing the agenda for that conference;

2 to support the regional harmonization of common proposals, as stated in Resolution 72 (WRC-97), for submission to world radiocommunication conferences;

3 to encourage both formal and informal collaboration in the interval between conferences with a view to resolving differences on items already on the agenda of a conference or new items,

instructs the Director of the Radiocommunication Bureau

to study, with advice from the Radiocommunication Advisory Group, ways of improving the preparations for, and the structure and organization of, world radiocommunication conferences, for consideration by the conference,

instructs the Secretary-General

to encourage the participation of all Member States and Sector Members in addressing this issue.

RESOLUTION 81 (Minneapolis, 1998)

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)

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

considering

a) that the Arrangements to be made for organizing and financing the Minneapolis Plenipotentiary Conference were signed between the Government of the United States of America and the Secretary-General of ITU, under Council Resolution 82 (amended);

b) that the Arrangements have been considered by the Budget Control Committee,

resolves

to approve the Arrangements signed between the Government of the United States of America and the Secretary-General.

RESOLUTION 82 (Minneapolis, 1998)

Approval of questions and recommendations

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

considering

a) that this conference considered the need for approval of some questions and recommendations using an alternative approval process;

b) that the "alternative approval process" means that some questions and recommendations may be approved by Member States and Sector Members, acting together, in accordance with the procedures to be adopted by a given Sector;

c) that this conference accepted the principle that the alternative approval process shall not be used for certain questions and recommendations, particularly those having policy or regulatory implications;

d) the importance of enhancing cooperation between Member States and Sector Members in the activities of the Union;

e) that measures have been taken to enhance the rights and obligations of Sector Members,

recognizing

a) that each Sector has procedures, already in place, for the approval of questions and recommendations;

b) that each Sector may adapt its own working methods and procedures for the approval of questions and recommendations to meet its needs;

c) the prime role of the Member States in all Sectors in approving questions and recommendations on matters which have policy or regulatory implications, such as:

- relevant numbering and addressing plans;
- tariffs and accounting issues;
- relevant financial questions; and
- those relevant to radiocommunication conferences,

and, hence, that the alternative approval process is not to be used to approve such types of questions and recommendations;

d) that there is concern in applying an alternative approval process to questions and recommendations of the Radiocommunication Sector,

having adopted

Nos. 246A to 246C of the Convention relating to the procedures for approval of Sector recommendations that may be considered as approved without formally consulting the Member States,

resolves

that Nos. 246A and 246B of the Convention shall not be used for questions and recommendations having policy or regulatory implications such as:

- questions and recommendations approved by the Radiocommunication Sector relevant to the work of the radiocommunication conferences, and other categories of questions and recommendations that may be decided by the radiocommunication assembly;
- questions and recommendations approved by the Telecommunication Standardization Sector which relate to tariff and accounting issues, and relevant numbering and addressing plans;
- questions and recommendations approved by the Telecommunication Development Sector which relate to regulatory, policy and financial issues;
- questions and recommendations where there is any doubt about their scope,

invites

1 each Sector to develop its own procedures, if appropriate, for approving questions and recommendations using an alternative approval process;

2 each Sector to develop guidelines to be followed when identifying the procedure to be applied for approval of each question and recommendation,

instructs the Directors of the Bureaux

to report to the Council on the implementation of an alternative approval process within their respective Sectors,

instructs the Council

to report to the next plenipotentiary conference on any action that may be necessary.

RESOLUTION 83 (Minneapolis, 1998)

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 meetings 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 84 (Minneapolis, 1998)

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.

RESOLUTION 85 (Minneapolis, 1998)

Evaluation of the administrative due diligence procedure for satellite networks adopted by the World Radiocommunication Conference (Geneva, 1997)

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

considering

a) that Resolution 18 of the Plenipotentiary Conference (Kyoto, 1994) instructs the Director of the Radiocommunication Bureau to initiate a review of some important issues concerning international satellite network coordination;

b) that following an in-depth review of ITU procedures carried out in different areas of the Union, the Director of the Radiocommunication Bureau drew up an exhaustive report to the World Radiocommunication Conference (Geneva, 1997) (WRC-97) in which a range of options both financial and administrative were considered;

c) that WRC-97 was of the view that the problem of having too many notifications was a serious and increasing one and that it was therefore necessary to adopt due diligence measures;

d) that WRC-97 adopted Resolution 49 establishing administrative due diligence procedures applicable to some satellite communication services with effect from 22 November 1997;

e) that Resolution 49 instructs the Director of the Radiocommunication Bureau to report to the next world radiocommunication conference and future competent world radiocommunication conferences on the results of the implementation of the administrative due diligence procedure,

considering further

that the 2000 World Radiocommunication Conference (WRC-2000) and subsequent competent conferences will have to examine the implementation of the administrative due diligence measures adopted by WRC-97,

noting

that WRC-97 applied many of the recommendations made by the Director of the Radiocommunication Bureau, introducing a number of amendments to the Radio Regulations which will enter into force on 1 January 1999,

resolves

that WRC-2000 shall evaluate the results of the implementation of administrative due diligence and shall inform the following plenipotentiary conference, in 2002, of its conclusions in that regard,

recommends

the 2002 Plenipotentiary Conference to consider the recommendations of WRC-2000 and take any measures it considers appropriate,

instructs the Director of the Radiocommunication Bureau

to inform WRC-2000 about the effectiveness of the administrative due diligence procedure, in accordance with Resolution 49 (WRC-97),

instructs the Secretary-General

to encourage all Member States to participate in the consideration of this matter.

RESOLUTION 86 (Minneapolis, 1998)

Coordination and notification procedures for satellite networks

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

considering

a) that the Voluntary Group of Experts to study allocation and improved use of the radio-frequency spectrum and the simplification of the Radio Regulations (VGE) proposed changes to the Radio Regulations, including the coordination and notification procedures for satellite networks, with the aim of simplifying the procedures;

b) that Resolution 18 (Kyoto, 1994) instructed the Director of the Radiocommunication Bureau to initiate a review of some issues concerning international satellite network coordination;

c) that the World Radiocommunication Conference (Geneva, 1997) (WRC-97) adopted changes to the Radio Regulations that will enter into force 1 January 1999;

d) that the procedures for coordination and notification procedures for satellite networks are the foundation for discharging the ITU's role and mandate in space matters;

e) that by the 2000 World Radiocommunication Conference (WRC-2000) more than one year of experience will have been acquired in using the new procedures,

considering further

that it is important that these procedures be kept as current and simple as possible in order to reduce the cost for administrations and the Radiocommunication Bureau,

noting

that all matters relating to administrative due diligence are covered in Resolution 85 (Minneapolis, 1998) of this conference and Resolution 49 (WRC-97),

resolves to request WRC-2000 and subsequent WRCs

to continually review and update the advance publication, coordination and notification procedures, including the associated technical characteristics, and the related Appendices of the Radio Regulations, so as to ensure that they reflect the latest technologies, as well as to achieve additional simplification and cost savings for the Radiocommunication Bureau and administrations.

RESOLUTION 87 (Minneapolis, 1998)

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 88 (Minneapolis, 1998)

Implementation of processing charges for satellite network filings and administrative procedures

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

considering

a) that the Council in 1997 approved Resolution 1113 adopting the principle of full cost recovery for the processing by the Radiocommunication Bureau (BR) of space notifications;

b) that the Council in 1998 set out a specific methodology for the implementation of processing charges for satellite network filings and reported accordingly to this conference;

c) that a number of administrations have raised difficulties regarding the Council's proposals for the implementation of satellite network filings cost recovery;

d) that there are concerns regarding the possible date of implementation of cost recovery for satellite network filings,

further considering

that any delay in the application of satellite network cost recovery could result in a significant increase in the processing delay within the Radiocommunication Bureau and may have financial implications,

resolves

1 that cost recovery for satellite network filings shall be implemented as soon as possible consistent with the general principles for cost recovery adopted in Resolution 91 (Minneapolis, 1998);

2 that all filings for the production of the special sections of the Weekly Circular for space radiocommunication services concerning advance publication, and their associated requests for coordination or agreement (Article 11, Article 14 plus Resolutions 33 and 46, or Article S9 of the Radio Regulations) and requests for modification of the space service plans contained in Appendices 30/S30, 30A/S30A and 30B/S30B to the Radio Regulations, received by BR after 7 November 1998 shall be subject to the application of cost recovery using the methodology to be adopted according to this resolution,

instructs the Council, at its session during this conference

to establish a working group, open to all administrations and to satellite network operators which are Sector Members of the Radiocommunication Sector, in order to make recommendations to the 1999 session of the Council on:

i) the costing methodology to be used with respect to the *resolves* above;

ii) a schedule of charges,

further instructs the Council at its 1999 session

1 to implement, on the basis of the recommendations of the working group and as soon as possible after the 1999 Council, processing charges for satellite network filings for those networks identified in *resolves* 2 above;

2 to establish the earliest date for the receipt of payments, this being as soon as possible after the 2000 World Radiocommunication Conference (WRC-2000),

instructs WRC-2000

to consider whether, in the light of the Council decisions, any relevant amendments to the Radio Regulations with respect to the procedures covered by *resolves* 2 above may be necessary,

instructs the Secretary-General

to submit a report to the next plenipotentiary conference on the implementation and operation of cost recovery for processing charges for satellite network filings.

RESOLUTION 89 (Minneapolis, 1998)

Coping with the decreased use of international telex service

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

considering

a) that the number of subscribers to the international telex service is decreasing due to the introduction of more convenient means, such as Internet, facsimile and SWIFT, made possible by technological advancements;

b) that the World Telecommunication Development Report issued by ITU in 1998 shows that the number of telex subscribers worldwide has decreased by about 15% (compound annual rate) over the period 1990-1996,

noting

a) that measures need to be taken to cope with the decrease in the use of the international telex service, which was once the only worldwide text service available;

b) that countries may have different schedules for suspending the use of international telex services,

resolves to instruct the Director of the Telecommunication Standardization Bureau

1 to conduct a survey, to be updated regularly, on the decrease in the use of the international telex service and assess when it may become possible for the international telex service to be replaced by new means of telecommunication;

2 to study measures, in collaboration with the Telecommunication Development Bureau, to assist developing countries in expediting the changeover from the international telex service to more modern means of telecommunication;

3 to also study practical steps – for example work to encourage interoperability between telex networks and IP networks, which could be of particular value to those countries which have inherited extensive telex networks – and the application of other low-bandwidth data technology;

4 to submit a report to the Council for review and action.

RESOLUTION 90 (Minneapolis, 1998)

Review of the contribution of Sector Members towards defraying the expenses of the International Telecommunication Union

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

having regard to

Resolutions 15 and 39 of the Plenipotentiary Conference (Kyoto, 1994) concerning, respectively, a review of the rights and obligations of all members of the Sectors of the Union, and strengthening the financial base of the International Telecommunication Union,

having examined

a) the report of the Chairman of the ITU-2000 Group, set up by the Council by its Decision 471, and open to participation by the Member States and Sector Members, to consider the application of the aforementioned resolutions;

b) the proposals and opinions expressed by Member States during this conference with respect to the recommendations of ITU-2000, in particular recommendation 10 to the effect that, within the context of the free-choice system, the current ratio between the amounts of the contributory unit paid by Member States and Sector Members should be reviewed, in the light of the future financial structure of the Union,

resolves

1 that the need to retain current participants in the activities of the Sectors of the Union and involve new participants should be taken into account as an objective when pursuing the aims of recommendation 10 referred to above;

2 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 members,

instructs the Council

1 to review the contribution of Sector Members towards defraying the expenses of the Union, on the basis of the proposals made at this Conference* and any contributions submitted by Member States and Sector Members;

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* In this connection, the Council will take account of the proposals formulated in Documents 13 and 41.

2 to invite Member States and Sector Members to participate in the review;

3 to establish the terms of reference, general guidelines and specific procedures for conducting the review, in order to assist those carrying out the study in drawing up a detailed programme of activities;

4 to report to the next plenipotentiary conference on the results of the review,

instructs the Secretary-General

1 in relation to *instructs the Council* 2 above, to invite the Member States and Sector Members to submit proposals;

2 to take all necessary measures to provide full support and secretariat services for those undertaking the review;

3 once the review has been completed and on the basis of instructions from the Council, to distribute the resulting report to the Member States and Sector Members,

instructs the Directors of the Bureaux

to give the support of their respective Bureaux to the review set up by the present resolution.

RESOLUTION 91 (Minneapolis, 1998)

Cost recovery for some ITU products and services

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

considering

a) that Resolution 39 of the Plenipotentiary Conference (Kyoto, 1994) endorsed the examination of options for strengthening the financial base of the Union, including reducing costs, more effective allocation of resources, ranking of activities according to the objectives of the strategic plan, wider participation of entities other than Member States and, where appropriate, charging fees for ITU services, particularly where these services are sought on a discretionary basis or to a greater extent than the level of facilities generally provided;

b) that recommendation 20 of the ITU-2000 Group recommended that the Council "implement the use, as extensively as possible, of cost recovery for products and services and to consider additional opportunities for cost recovery that might prove promising";

c) that discussions in the ITU-2000 Group focused on the need for the elected officials and the Sector advisory bodies to review their activities and develop groups of products and services which could be subject to improvements in efficiency and cost-recovery mechanisms;

d) that solidarity among Member States and Sector Members in sharing equitably in the defrayal of financial obligations should continue to be an important principle for the financial base of the Union;

e) that the adoption and implementation of cost recovery for a wide range of products and services within the Union could raise some concerns about the inter-governmental nature of the Union;

f) that the Union has developed a contributory system in which some Member States have voluntarily assumed a large share of financial support for the Union's core activities, from which all Member States benefit, although the importance of those activities may be weighted differently by different Member States,

noting

a) that the Council has adopted, and is continuing to review and modify, a cost attribution approach to the budget which will enable the full costs of products and services to be identified;

b) that this conference has decided to implement operational planning in the General Secretariat and the three Sectors in order to link financial planning and the strategic plan (Resolution 72 (Minneapolis, 1998));

c) the role of the Council in establishing safeguards and controls on income and expenditure when adopting biennial budgets and when reviewing annual operational plans and financial operating reports,

recognizing

a) that cost-recovery charges for products and services are segregated to the specific product or service, covering only the exact cost of providing the product or service to which they relate, and should not be considered as generating revenue or profit;

b) that cost recovery can be a means of promoting efficiency by discouraging unnecessary or wasteful use of products and services,

resolves

1 to endorse the use of cost recovery as a means of funding the products and services of the Union for which the cost-recovery approach is adopted;

2 that further application of cost recovery may be considered by the Council, and, if appropriate, implemented:

i) for new ITU products and services;

ii) for products and services recommended by a conference or assembly of a Sector;

iii) in such other cases as the Council may consider appropriate;

3 that when the Council is addressing the application of cost recovery for a particular product or service, the following factors shall be taken into account:

i) when a product or service is provided for the benefit of a limited number of Member States or Sector Members;

ii) when a product or service is requested to a significantly greater extent by a small number of users;

iii) when products or services are requested on a discretionary basis;

4 that cost recovery should be implemented by the Council in a way which:

i) ensures that no more than the actual costs of providing products and services are recovered;

ii) allows for open and transparent accounting for costs and receipts;

iii) provides a means of adjusting the charge for the product or service based on actual expenditure;

iv) takes account of the special needs of developing countries, particularly the least developed countries, to ensure that cost recovery is not an impediment to the development of telecommunication services or networks in those countries;

v) allows all Member States an adequate level of the product or service free of charge, where appropriate;

vi) ensures that charges are not applied to products or services requested prior to the date of the decision by the Council or the Plenipotentiary Conference to apply cost recovery,

instructs the Secretary-General

in consultation with the Directors of the Bureaux, Member States and Sector Members,

1 to consider and recommend a set of criteria for the application of cost recovery, consistent with, but not limited to, *resolves* 2, 3 and 4 above;

2 to propose additional products and services to which the cost-recovery approach may be applied, either fully or partially;

3 to propose a clear and consistent methodology for the implementation of cost-recovery charges;

4 to prepare a report for consideration at the 1999 session of the Council,

instructs the Council

1 to consider the report of the Secretary-General and adopt criteria for the application of cost recovery in a manner consistent with *resolves* 2, 3 and 4 above;

2 to consider, on a case by case basis, products and services which meet the criteria referred to above, and decide which products and services should be subject to cost recovery;

3 to develop appropriate charges based on full attribution of the costs of providing the service;

4 to implement appropriate arrangements to meet the needs of developing countries, particularly the least developed countries;

5 to develop accounting and control mechanisms, using appropriate accounting principles, which:

i) segregate income and expenditure for the specified product or service, such that these funds cannot be mixed in with general or reserve budget funds;

ii) ensure that charges are consistent with, and do not exceed, the actual cost of the product or service;

iii) allow for the disclosure of any subsidies from Member State and Sector Member contributions for products or services that are subject to cost recovery;

iv) promote efficiency in the delivery of products and services which are subject to cost recovery charges;

6 to amend the Financial Regulations as required in order to enable the implementation of cost recovery and ensure accountability and transparency;

7 to keep the application of cost recovery under review at each Council session, including consideration of whether products and services subject to cost recovery continue to meet the relevant criteria and to act accordingly;

8 to report to the next plenipotentiary conference on action taken to implement this resolution.

RESOLUTION 92 (Minneapolis, 1998)

Internal invoicing of the costs of activities undertaken by the Telecommunication Development Bureau at the request of the General Secretariat or an ITU Sector

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

considering

a) that Resolution 39 (Kyoto, 1994) provided for the introduction of a cost attribution framework to determine clearly the respective costs of ITU's various functions and activities;

b) that No. 119 (Article 21) of the Constitution (Geneva, 1992) recognizes that the activities of the three ITU Sectors shall be the subject of close cooperation with regard to matters relating to development;

c) that the ITU Financial Plan 2000-2003 provides for adopting a bottom-up approach to the budget based on an annual operational plan with upper limits on resources, apart from those originating from activities subject to full cost recovery,

noting

a) that the cost attribution framework established by ITU already allows for the internal invoicing of certain activities;

b) that bodies such as world telecommunication policy forums, radiocommunication assemblies, world telecommunication standardization assemblies and study groups of the Telecommunication Standardization (ITU-T) and Radiocommunication (ITU-R) Sectors may ask the Telecommunication Development Bureau (BDT) to conduct development activities (e.g. case studies, seminars and other types of activity);

c) that usually the related expenses are only partially covered by voluntary contributions from Member States and Sector Members and the part not covered is borne by BDT, to the detriment of the other activities for which it is responsible;

d) that, unlike the other ITU Sectors and the General Secretariat, BDT derives no revenue from cost recovery for its external activities, other than the marginal revenue from sales of its publications and from support costs in respect of projects funded by the United Nations Development Programme,

resolves

1 that any development activity undertaken by BDT following a decision taken in another Sector or in the General Secretariat should be evaluated at cost price and invoiced to the requester (Sector or General Secretariat) by BDT;

2 to instruct the Secretary-General, in collaboration with the Directors of the Bureaux, to implement *resolves* 1 above and to report to the Council.

RESOLUTION 93 (Minneapolis, 1998)

Special arrears accounts

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

in view of

a) the report of the Council to the Plenipotentiary Conference on the situation with regard to amounts owed to the Union by Member States and Sector Members;

b) Resolution 10 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973), Resolution 53 of the Plenipotentiary Conference (Nairobi, 1982), Resolution 38 of the Plenipotentiary Conference (Nice, 1989) and Resolution 42 of the Plenipotentiary Conference (Kyoto, 1994),

regretting

the increasing level of arrears and the slow settlement of special arrears accounts,

considering

that it is in the interests of all Member States and Sector Members to maintain the finances of the Union on a sound footing,

resolves

1 that

a) the amount of 509 458.45 Swiss francs owed by the Islamic Republic of Mauritania in respect of 1982-1991 contributions;

b) 721 572.65 Swiss francs of the total amount of 801 747.40 Swiss francs owed by Grenada in respect of 1982-1996 contributions and interest on overdue payments;

c) the amount of 1 225 814.65 Swiss francs owed by Nicaragua in respect of 1983-1996 contributions;

d) the amount of 458 998.25 Swiss francs owed by the Azerbaijani Republic in respect of 1993-1998 contributions;

e) the amount of 928 646.30 Swiss francs owed by Sierra Leone in respect of 1976-1998 contributions and publications;

f) the amount of 1 266 128.65 Swiss francs owed by the Democratic Republic of the Congo in respect of 1991-1998 contributions and publications;

g) the amount of 547 219.90 Swiss francs owed by Costa Rica in respect of 1991-1997 contributions

shall be transferred to a special arrears account bearing no interest under the conditions laid down in Resolution 41 (Rev. Minneapolis, 1998);

2 that the transfer to a special arrears account shall not release the Member States concerned from the obligation to settle their arrears;

3 that this resolution shall not in any circumstances be invoked as a precedent,

authorizes the Council

to write off the amount of 809 352.10 Swiss francs owed by the Islamic Republic of Mauritania, the amount of 851 657.90 Swiss francs owed by Nicaragua, the amount of 70 966.80 Swiss francs owed by the Azerbaijani Republic, the amount of 1 121 266.15 Swiss francs owed by Sierra Leone, the amount of 261 621.60 Swiss francs owed by the Democratic Republic of the Congo and the amount of 150 339.70 Swiss francs owed by Costa Rica for interest on overdue payments, subject to each Member State concerned complying strictly with the agreed repayment schedule for the settlement of the unpaid contributions,

instructs the Secretary-General

1 to inform the competent authorities of the Member States concerned of this resolution and of Resolution 41 (Rev. Minneapolis, 1998);

2 to report annually to the Council on the progress made by these Member States towards repaying their debts and on the action taken under Resolution 41 (Rev. Minneapolis, 1998),

instructs the Council

1 to take appropriate measures for the application of this resolution;

2 to report to the next plenipotentiary conference on the results obtained in pursuance of this resolution.

RESOLUTION 94 (Minneapolis, 1998)

Auditing of the accounts of the Union

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

considering

that the external auditor appointed by the Government of the Swiss Confederation audited the Union's accounts for the years 1994 to 1997 most carefully, competently and accurately,

resolves to express

its warmest thanks to the Government of the Swiss Confederation and hopes that the existing arrangements for the auditing of the Union's accounts may be renewed,

instructs the Secretary-General

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

RESOLUTION 95 (Minneapolis, 1998)

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.

RESOLUTION 96 (Minneapolis, 1998)

Introduction of a long-term care insurance scheme in the Union

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

recalling

a) Article 20 of the Headquarters Agreement of 22 July 1971 between the Swiss Federal Council and the Union under which ITU has to provide its staff with a social protection coverage equivalent to the one in force in the host country;

b) that the current health provisions of the United Nations organizations do not allow for payments for long-term care;

c) its commitment to the welfare of the Union's staff;

d) the study by the Consultative Committee on Administrative Questions (CCAQ) – (Personnel and General Administrative Questions) and the Administrative Committee on Coordination (ACC) on the possibility of introducing an affordable long-term care insurance in the United Nations common system,

considering

a) that, before and after retirement, some international civil servants may be excluded from their national social security arrangements;

b) that life expectancy is increasing rapidly and most of those surviving into old age will have some degree of handicap,

resolves to instruct the Secretary-General

1 to consult the executive heads of other United Nations common system organizations regarding their interest in the possible introduction of a long-term care insurance in their organizations, comprising a mandatory low-premium component and a voluntary component, as proposed by CCAQ and ACC;

2 to compile and prepare appropriate data regarding the possible introduction of a long-term care insurance, comprising a mandatory low-premium component and a voluntary component, as proposed by CCAQ and ACC, and in particular, regarding the cost of such an insurance for the Union and for the participant staff members;

3 to report to the next Council session on the outcome of deliberations in ACC on the above-mentioned proposal and other progress made with respect to this resolution.

RESOLUTION 97 (Minneapolis, 1998)

Occupational illness

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

considering

that the protection of the health of its staff must be a major concern of the Union at all times,

recognizing

the inadequate provisions in the ITU Staff Regulations and Staff Rules regarding safety, health and environmental standards, and regarding compensation for work-related illness, death, injury or disability attributable to service occurring after end of service,

resolves to instruct the Secretary-General

1 to take the necessary steps to ensure compliance with accepted safety, health and environmental standards in force in the country of the seat of the Union;

2 to determine if the current insurance coverage would be applicable and effective in the event of an illness occurring after end of service by reason of prior employment with ITU, and, if not, to evaluate the cost of appropriate coverage;

3 to submit a report on this matter to the Council, for consideration and action, taking into account the provisions of Article 11 of the ITU Financial Regulations,

instructs the Council

to report to the next plenipotentiary conference on the progress made with respect to this resolution.

RESOLUTION 98 (Minneapolis, 1998)

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 99 (Minneapolis, 1998)

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 100 (Minneapolis, 1998)

Role of the Secretary-General of ITU as depositary for memoranda of understanding

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

considering

a) that one of the purposes of the Union as set out in Article 1 of the Constitution is to maintain and extend international cooperation between all its Member States for the improvement and rational use of telecommunications of all kinds;

b) that another purpose of 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 world and regional intergovernmental organizations and those non-governmental organizations concerned with telecommunications,

noting

that cooperative multilateral action in the field of telecommunications is increasingly being achieved through the conclusion of memoranda of understanding ("MoUs"), which are generally non-binding instruments used to reflect international consensus on a matter, and in which both Member States and Sector Members may participate,

appreciating

the successful implementation of the MoU on global mobile personal communications by satellite (GMPCS), which is open to Member States, Sector Members and other telecommunication entities to sign, and the role of the Secretary-General as depositary for that MoU, as approved by Council,

observing

that the Secretary-General has recently received a number of requests to serve as depositary for other MoUs that relate to telecommunications,

believing

that the Secretary-General's role as depositary for any MoU must follow established criteria and guidelines and must be in line with the general practices of the United Nations system,

instructs the Council

1 to formulate criteria and guidelines for the Secretary-General to respond to requests to serve as depositary for MoUs, based on the following principles:

a) that any involvement of the Secretary-General in this capacity should contribute to and be within the purposes of the Union as set forth in Article 1 of the Constitution;

b) that such involvement be on the basis of cost recovery;

c) that interested Member States and Sector Members will be kept informed of the activities of the Secretary-General in serving as depositary of the MoUs and will not be restricted from joining relevant MoUs;

d) that the sovereignty and rights of ITU Member States are fully respected and preserved;

2 to implement a mechanism to review the Secretary-General's activities in these matters;

3 to report on the application of this resolution to the next plenipotentiary conference,

resolves

that in keeping with the criteria and guidelines to be established by the Council, the Secretary-General may, with the approval of the Council, serve as depositary for MoUs that relate to telecommunications and that are in the overall interest of the Union.

RESOLUTION 101 (Minneapolis, 1998)

Internet Protocol (IP)-based networks

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

considering

a) that advances in the global information infrastructure, including the development of Internet Protocol (IP)-based networks and especially the Internet, are an issue of crucial importance to the future, as an important engine for growth in the world economy in the twenty-first century;

b) that the increased use of the Internet is replacing existing services and introducing new ones based on its highly advanced technology: the utilization of e-mail has become commonplace, voice over Internet is being developed rapidly;

c) that IP-based networks will continue to introduce dramatic changes in the way we acquire, produce, circulate and consume information;

d) that active discussions are being held in international and regional organizations on electronic commerce over IP-based networks,

considering further

a) that a study has started in the Telecommunication Development Sector (ITU-D) on the promotion of infrastructure and the use of the Internet in developing countries;

b) that studies have already started in the Telecommunication Standardization Sector (ITU-T) on IP-based network issues, including service interoperability with other telecommunication networks, numbering, signalling requirements and protocol aspects, security and infrastructure component costs;

c) that a general cooperation agreement between ITU-T and the Internet Society (ISOC) and its Internet Engineering Task Force (IETF) has recently been established,

recognizing

a) that IP-based networks have evolved to a widely accessible medium used for global commerce and communication, and there is therefore a need to identify the global activities related to IP-based networks with respect to, for example:

i) infrastructure, interoperability and standardization;

ii) Internet naming and addressing;

iii) dissemination of information about IP-based networks and the implications of their development for ITU Member States, particularly the least developed countries;

b) that significant work on IP-related issues is being conducted within ITU and many other international bodies;

c) that it is in the public interest that IP-based networks and other telecommunication networks should be able to interoperate so as to provide the quality of service required by users,

encourages

a) ITU-T to continue its collaborative activities on IP-based networks with ISOC/IETF;

b) all Sectors to consider their future work programmes on IP-based networks,

resolves

1 that ITU shall fully embrace the opportunities for telecommunication development that arise from the growth of IP-based services;

2 that ITU shall clearly identify, for its Member States and Sector Members and for the general public, the range of Internet-related issues that fall within the responsibilities incumbent on the Union under its Constitution;

3 that ITU shall collaborate with other relevant organizations to ensure that growth in IP networking delivers maximum benefits to the global community, and participate as appropriate in any directly related international initiative,

instructs the Secretary-General

1 to prepare a report to the Council, as soon as possible, with the appropriate input from Member States, Sector Members, the three Sectors and the General Secretariat, that provides a comprehensive summary both of the activities that ITU is already undertaking in regard to IP-based networks and of the roles and activities of other relevant international organizations, describing their involvement in IP-based network issues; the report shall indicate the degree of cooperation between ITU and these organizations, drawing the required information wherever possible from existing sources, and shall be distributed widely among the Member States and Sector Members, the advisory bodies of the three Sectors and other groups involved;

2 based on this report, to consult with other international bodies on any need for ITU to start additional collaborative activities related to IP-based networks,

invites the Council

to consider the above-mentioned report and, if appropriate, recommend further steps,

invites the Member States and Sector Members

1 to participate in and follow the progress of the current work of the Sectors of the Union;

2 to increase awareness at national level among all interested non-governmental parties and to encourage their participation in relevant ITU activities.

RESOLUTION 102 (Minneapolis, 1998)

Management of Internet domain names and addresses

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

conscious

that the purposes of the Union are, *inter alia*, to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society, to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants and to harmonize the efforts of Member States and Sector Members in the attainment of those ends,

considering

a) that advances in the global information infrastructure, including the development of Internet Protocol (IP)-based networks and especially the Internet, are an issue of crucial importance to the future, as an important engine for growth in the world economy in the twenty-first century;

b) that the private sector is playing a key role in the expansion of the Internet, for example through investments in infrastructures and services;

c) that the development of the Internet must essentially be market-led and driven by private initiative;

d) that the future management of the registration and allocation of Internet domain names and addresses must fully reflect the geographical and functional nature of the Internet, taking into account an equitable balance of interests of all stakeholders, in particular of businesses and consumers;

e) that Internet domain names and addresses, and more generally the Internet and global information networks, must be widely accessible to all citizens without regard to gender, race, religion or country of residence;

f) that the methods of allocation of Internet domain names and addresses should not privilege any country or region of the world to the detriment of others;

g) that the management of the Internet is a subject of valid international interest and must flow from full international cooperation,

recognizing

that ITU has already started to deal with issues related to IP-based networks in general and the Internet in particular,

emphasizing

a) that the methods of allocation of global and essential resources such as Internet domain names and addresses are a subject of concern for both governments and the private sector;

b) that the role of governments is to provide a clear, consistent and predictable legal framework, to promote a favourable environment in which global information networks are interoperable and widely accessible to all citizens, and to ensure adequate protection of consumer and user interests;

c) that it is in the public interest that the system that manages Internet domain names and addresses has transparent and equitable dispute resolution procedures to facilitate the protection of intellectual property rights;

d) that governments are expected to promote a fair competitive environment among companies or organizations responsible for Internet resource allocation,

instructs the Secretary-General

1 to take an active part in the international discussions and initiatives on the management of Internet domain names and addresses, which is being led by the private sector, with special attention to the activities conducted by the World Intellectual Property Organization (WIPO), bearing in mind the purposes of the Union;

2 to report annually to the Council on the activities undertaken on this subject,

instructs the Council

to take appropriate measures in order to contribute actively to the above-mentioned international discussions and initiatives,

invites Member States

1 to participate in and follow the progress of this work;

2 to increase awareness at national level among all interested non-governmental parties, and to encourage their participation in the entities managing Internet domain names and addresses.

RESOLUTION 103 (Minneapolis, 1998)

Gradual lifting of interim limitations on the use of official and working languages of the Union

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

having regard

to Article 29 of the Constitution of the International Telecommunication Union (Geneva, 1992),

recalling

Resolution 59 of the Plenipotentiary Conference (Nice, 1989) and Resolutions 62 and 63 of the Plenipotentiary Conference (Kyoto, 1994),

also recalling

that the main purpose of the Union, as expressed in its Constitution, is to promote the development of telecommunications wherever possible, using all the means at its disposal,

conscious

a) of the desirability of making greater use of the official and working languages of the Union, so as to enable a larger number of Member States and Sector Members to participate more actively in the work of the Union;

b) of the technological, administrative, financial and staffing advantages thereof;

c) of the need for greater use of the official and working languages in order to permit greater understanding among the membership and to achieve fully the Union's purposes;

d) that emerging modern technological tools may provide a means of reducing the costs of translation and word processing,

recognizing

a) that the official and working languages of the Union should be equally used for drawing up and publishing documents and texts of the Union, in versions equivalent in form and content;

b) that the use on an equal footing of the six official and working languages of the Union would have a very positive influence on the development of telecommunications and of knowledge in general,

considering

a) that the interim limitations on the use of these languages were put in place notably for financial reasons;

b) that the full-scale use of all official and working languages of the Union may be implemented only gradually,

having examined

the reports of the Council and Secretary-General drawn up in application of Resolutions 62 and 63 of the Plenipotentiary Conference (Kyoto, 1994),

pursuant to

the provisions of No. 172 of the Constitution (Geneva, 1992),

resolves

1 that interim limitations on the use of official and working languages of the Union as established by Resolution 62 (Kyoto, 1994) are to be lifted gradually;

2 that, as a first step, the Council is to decide, within the limits set in the budget, to what extent the limitations resulting from the first paragraph of *resolves* 1 of Resolution 62 (Kyoto, 1994), reading "all documents of conferences and assemblies of the Union except* the final texts of final acts, protocols, resolutions, questions, recommendations, opinions and handbooks", shall no longer apply;

3 that the Council, in taking the decision mentioned in *resolves* 2 above, is to take into account, *inter alia*, the need for delegations to participate more actively in the work of the Union, the efficient functioning of the Union and the financial limitations set in the budget,

resolves further

that Resolution 62 (Kyoto, 1994) shall remain in force, subject to the implementation of this resolution, until the next plenipotentiary conference in 2002,

instructs the Secretary-General

to report to the Council on the ways and means of implementing this resolution; this report shall include information on practical and financial implications of the use of all the official and working languages of the Union,

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* In these cases, Article 29 of the Constitution shall apply; namely, all six working languages shall be used, and all texts shall be translated.

instructs the Council

1 to consider the report of the Secretary-General;

2 to take any necessary action to implement this resolution, taking into account the financial limits set by this conference;

3 to study, in the light of the application of *resolves* 2 above, further steps to be undertaken to implement *resolves* 1, in particular for the next plenipotentiary conference;

4 to report to the next plenipotentiary conference on the implementation of this resolution.

RESOLUTION 104 (Minneapolis, 1998)

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 alone, 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 other 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 104 (Minneapolis, 1998)

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.

RESOLUTION 105 (Minneapolis, 1998)

Urgent need for prompt action to address the year 2000 problem

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

recognizing

that automated and intelligent systems, components and software, including those involved with the provision of telecommunication services, were not designed to take into account the millennial change that will occur on 1 January 2000, and that nations have a vital interest in ensuring the continuous and reliable provision of telecommunication services,

considering

a) that virtually all sectors of the global economy depend on reliable telecommunication networks and that failure to avert significant network failures could be calamitous;

b) that telecommunication operators and carriers have an important role to play in assuring the general public and users who rely on the telecommunication network that their telecommunication services will not be disrupted on 1 January 2000;

c) that the lack of Year 2000 readiness could have a huge impact on international trade, foreign investment, the global economy and even national security;

d) that the operability of the global telecommunication network is critical to public safety, emergency preparedness and personal communications;

e) that there is a relatively short time – just over 14 months – remaining to address the problem, and that telecommunication operators and carriers need to accelerate and amplify their efforts to do so;

f) that the international Year 2000 problem is especially significant because global telecommunications rely on the seamless interconnection of networks;

g) that, being date-dependent, the earth stations of satellite systems, which interface with virtually every aspect of the global economy, are especially vulnerable to the Year 2000 problem;

h) that United Nations General Assembly resolution 52/233, entitled "Global implications of the Year 2000 date conversion problem of computers", recognizes the potentially serious impact that the Year 2000 problem could have in all countries;

i) that a Year 2000 Task Force, established by the Telecommunication Standardization Sector (ITU-T), has, in cooperation with the Telecommunication Development Sector (ITU-D) and the Radiocommunication Sector (ITU-R), been active since the beginning of 1998;

j) that the Year 2000 Task Force, with its five subgroups – Inter-Carrier Testing, Information Management, Development (assistance to developing countries), Contingency Planning, and Relationships with Other Groups – continues its work to raise the awareness of all telecommunication operators and carriers about the Year 2000 problem,

resolves

that the Union shall give every possible encouragement and support to the efforts of telecommunication operators and carriers around the world to address the Year 2000 problem, and shall call upon them to take the necessary steps to prevent Year 2000 system failures,

urges administrations

1 to take all possible steps to highlight the problem, motivate telecommunication operators and carriers to address the Year 2000 problem speedily and facilitate the exchange of information that is essential to tackling the problem;

2 to work closely with the telecommunication industry to ensure that the Year 2000 challenge is addressed promptly and that adequate resources are dedicated to addressing it,

urges Member States

1 to assist the Secretary-General and the Council in the implementation of this resolution and to undertake and accelerate to the extent possible all actions needed to meet the Year 2000 challenge;

2 specifically, to urge telecommunication operators and carriers:

i) to conduct an inventory of their systems and/or components and assess whether they need to be reprogrammed in response to the Year 2000 problem;

ii) to reprogram and "fix" those systems and/or components which are not Year 2000 compliant;

iii) to test systems and/or components to determine whether the Year 2000 problems have been satisfactorily remedied;

iv) to test systems and/or components together in their operating environments;

v) to throughout all of these phases, to establish adequate contingency plans,

instructs the Director of the Telecommunication Standardization Bureau

1 to join with the Directors of the Radiocommunication and Telecommunication Development Bureaux in encouraging the telecommunication industry to take prompt, comprehensive and effective action to address the Year 2000 problem, *inter alia* by supporting the ongoing work of the Year 2000 Task Force and by identifying additional areas for its activity, as appropriate;

2 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 international compliance standards, for all members of the telecommunication industry, and to promote continued testing and the development of "best practices" contingency plans;

3 to draw up a report to the Council in May 1999 on progress made and on the work of the Year 2000 Task Force.

FINAL ACTS
OF THE PLENIPOTENTIARY CONFERENCE
(MINNEAPOLIS, 1998)

Abrogated Decisions and Resolutions (Kyoto, 1994)

DECISION	
1	Expenditure of the Union for the Period 1995 to 1999
2	Procedure Concerning Choice of Contributory Class
RESOLUTION	
	Strategic policies and plans:
1	Strategic Plan for the Union, 1995-1999
	Conferences and meetings:
3	Future Conferences of the Union
8	Instructions for the Continuation of Work on the Rules of Procedure of Conferences and Meetings of the International Telecommunication Union
9	Inaugural Meeting of the New Council and 1995 Session of the Council
10	Observer Status at Council Meetings for Members of the Union Which Are Not Members of the Council
12	Resumption of Full Participation of the Government of South Africa in the Plenipotentiary Conference and All Other Conferences, Meetings and Activities of the Union
13	Approval of the Memorandum of Understanding Between the Representative of the Government of Japan and the Secretary-General of the International Telecommunication Union Relating to the Plenipotentiary Conference (Kyoto, 1994)
	Activities of the ITU Sectors:
	General
15	Review of the Rights and Obligations of all Members of the Sectors of the Union
	ITU-R and ITU-T
17	Advisory Groups for the Radiocommunication and Telecommunication Standardization Sectors

RESOLUTION	
	ITU-R
18	Review of the ITU's Frequency Coordination and Planning Framework for Satellite Networks
19	Improved Use of the Technical and Data Storage/Dissemination Facilities of the Radiocommunication Bureau
20	Use by the Broadcasting Service of the Bands Additionally Allocated to this Service
	ITU-D
23	Implementation of the Buenos Aires Action Plan
39	Strengthening the Financial Base of the International Telecommunication Union
40	Funding Arrangements for Telecommunications Programmes
41	Settlement of Arrears and Special Arrears Accounts
42	Special Arrears and Interest Accounts
43	Approval of the Accounts of the Union for the Years 1989 to 1993
44	Auditing of the Accounts of the Union
	Staff and Pensions:
50	Recruitment of ITU Staff and Experts for Technical Assistance Missions
	United Nations, Specialized Agencies and Regional Telecommunication Organizations:
54	Support to Members Hosting United Nations Peacekeeping Forces
	Miscellaneous:
61	Premises at the Seat of the Union: Construction of the "Montbrillant Building"
63	Study of the Languages in the Union

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