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109th Congress, 2d Session | SENATE | TREATY DOC. 109–11

2002 AMENDMENTS TO ITU CONSTITUTION AND CONVENTION

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

AMENDMENTS TO 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), TOGETHER WITH THE DECLARATIONS AND RESERVATIONS BY THE UNITED STATES, ALL AS CONTAINED IN THE FINAL ACTS OF THE PLENIPOTENTIARY CONFERENCE (MARRAKESH, 2002).

JULY 10, 2006.—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, *July 10, 2006.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the amendments to 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), together with the declarations and reservations by the United States, all as contained in the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002).

I transmit also, for the information of the Senate, the report of the Department of State concerning these amendments.

The Plenipotentiary Conference (Marrakesh, 2002) adopted amendments that would expand the field of individuals eligible for election to the Radio Regulations Board; provide for functional privileges and immunities for members of the Radio Regulations Board; strengthen the finances of the International Telecommunication Union by, among others, providing for sector member contributions to defray the expenses of regional conferences in which they participate and clarifying that operational plans prepared by the International Telecommunication Union Secretary-General and Directors of each of the International Telecommunication Union sectors must reflect the financial implications of the activities proposed; provide for sector members to be represented as observers at meetings of the Council; and recognize the authority of the Radiocommunication Assembly, the World Telecommunication Standardization Assembly, and the World Telecommunication Development Conference to adopt working methods and procedures for their respective sectors.

Consistent with longstanding practices, the United States, in signing the 2002 amendments, made certain declarations and reservations. Subject to those declarations and reservations, I believe the United States should ratify the 2002 amendments to the International Telecommunication Union Constitution and Convention. Those amendments will contribute to the International Telecommunication Union's ability to adapt to changes in the telecommunication environment and, in so doing, serve the needs of the United States Government and United States industry. It is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

GEORGE W. BUSH.

LETTER OF SUBMITTAL

MAY 16, 2006.

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) and the Plenipotentiary Conference (Minneapolis, 1998). The United States signed these amendments to the Constitution and Convention on October 18, 2002, at the Plenipotentiary Conference in Marrakesh on September 23–October 18, 2002 (the "2002 Conference"). I also have the honor to submit to you certain U.S. reservations and declarations to these amendments that also require Senate advice and consent.

The Department of State and the other agencies involved recommend that these declarations and reservations 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. These amendments will not require implementing U.S. legislation.

Respectfully submitted.

CONDOLEEZZA RICE.

Enclosure: As stated.

Overview of the 2002 Amendments to the ITU Constitution and Convention

These amendments to the ITU Constitution and Convention were signed by the United States on October 18, 2002, at the Plenipotentiary Conference that convened in Marrakesh during the period September 23 - October 18, 2002. The text of the amendments (with annexes and U.S. reservations and declarations) is contained in a bound volume, which also includes texts of the following documents that do not require ratification by the United States: (1) reservations and declarations of other governments; (2) General Rules of Conferences, Assemblies, and Meetings of the Union; (3) Decisions; (4) Resolutions; (5) a List of Resolutions Abrogated by the 2002 Conference; and (6) Recommendations. The certified English-language text of the amendments is submitted herewith. Certified copies of the text in Arabic, Chinese, French, Russian and Spanish are also available.

The activities of the ITU take place under the auspices of the three "Sectors" - the Telecommunication Standardization Sector, the Radiocommunication Sector, and the Telecommunication Development Sector. The telecommunication environment continues to undergo dramatic change. Member States of the ITU and the organization itself have had to consider and adopt measures that will enable the ITU to adapt effectively to these changes. Having taken into account the work of the Plenipotentiary Conference (Minneapolis, 1998) and recommendations of the Working Group on ITU Reform, a group created under the aegis of the ITU, Member States proposed amendments to the Constitution and Convention of the ITU, which upon entry into force, should allow for improvement in the management, functioning, and finances of the organization.

Description and Effect of Amendments

Amendments concerning the election of members of the Radio Regulations Board.

The Radio Regulations Board (RRB) is a body of the ITU that consists of elected members highly qualified in radiocommunications who have substantial expertise in issues relating to the assignment and use of radio frequencies. The duties of the RRB include, among others, approving rules of procedure to be used in the application of the Radio Regulations and consideration of radiocommunication matters that cannot be resolved through the application of such rules. In electing members to the RRB, Member States are required to give due consideration to the ITU principle that representation on the RRB should reflect equitable geographic distribution among the regions of the world, as defined by the ITU. This is intended to ensure that the members of the RRB are familiar with the specific radio concerns of particular ITU regions. The Constitution currently provides, however, that members of the RRB may not be of the same nationality as the Secretary-General of the ITU, the Deputy Secretary-General, or the Directors of the three Sectors (collectively, the "elected officials"). Some Member States, including the United States, considered this to be unduly restrictive since it limited the field of potential candidates for election to the RRB. Several Member States proposed amendments to the Constitution that would allow members elected to the RRB to be of the same nationality as the Secretary-General, the Deputy Secretary-General, the Director of the Telecommunication Standardization Sector, and the Director of the Telecommunication Development Sector, while retaining the restriction on members of the RRB sharing the same nationality as the Director of the Radiocommunication Sector. The 2002 Conference adopted these proposed amendments, thereby expanding the field from which qualified individuals could be elected to serve on the RRB. See Constitution, Art. 9, paragraphs 1(b) (MOD 62) and 1(c)(MOD 63).

Amendments concerning privileges and immunities for members of the RRB.

The Constitution provides that Member States shall respect the international character of the duties of members of the RRB and shall refrain from efforts to influence members of the RRB in the exercise of their official duties. See Constitution, Art. 14, paragraph 3(3)(100). This provision, however, did not prevent at least one Member State that disagreed with a finding of the RRB from threatening legal action against members of the RRB. Article 14 does not clearly authorize Member States to confer on members of the RRB privileges and immunities, including immunities from legal action. In order to ensure that members of the RRB could continue to function in an independent and professional manner, several Member States proposed an amendment to the Convention to grant members of the RRB -- while performing their official duties -- functional privileges and immunities equivalent to those granted to the elected officials of the ITU by each Member State. See Convention, Art. 10, paragraph 4*bis* (ADD 142A). The 2002 Conference adopted this proposed amendment. The United States, in signing the Final Acts of the conference, submitted a declaration stating that the United States would confer on members of the RRB functional privileges and immunities equivalent to those accorded to officials of international organizations that are designated under the International Organizations Immunities Act, 22 U.S.C. § 288 et. seq.

Amendments concerning the duties of the RRB.

The 2002 Conference also adopted amendments to the Convention that would authorize the RRB, at the request of one or more administrations, to consider appeals against decisions made by the Radiocommunication Bureau regarding frequency assignments. See Convention, Art. 10, paragraph 2(2) (MOD 140).

Amendments Concerning Observers at Meetings of the Council.

The ITU Council acts as the governing body of the ITU during the interval between Plenipotentiary Conferences. See Constitution, Art. 10, paragraph 3 (68). Member States on the Council are elected at each Plenipotentiary Conference and may not exceed 25 percent of the total number of Member States of the ITU. See Convention, Art. 4, paragraph 1(2) (50A). Member States that have not been elected to the Council may, with prior notice to the Secretary-General, send an observer, at their own expense, to meetings of the Council. See Convention, Art. 4, paragraph 9*bis* (60A). Neither the Constitution nor the Convention, however, provided for Sector Member (i.e., private sector) participation as observers at meetings of the Council.

In attempts to address the needs of their respective Sector Members, some Member States, including the United States, proposed that Sector Members be authorized to be represented as observers at meetings of the Council. Sector Members participate in the work of the sectors of the ITU and contribute to the financing of the work of the Union. Since most of the financing decisions of the ITU are made either at the Plenipotentiary Conference or at the Council, Member States that supported this proposed amendment considered it appropriate that Sector Members be able to observe meetings of the Council at which financing decisions were being made. The 2002 Conference adopted amendments that allow for Sector Members to be represented as observers at meetings of the Council, subject to conditions to be established by the Council. See Convention, Art. 4, paragraph 9*ter* (ADD 60B). The 2002 Conference also modified provisions governing Member State participation as observers at meetings of the Council to allow such observers to address the meetings of the Council. See Convention, Art. 4, paragraph 9*bis* (MOD 60A).

Amendments Relating to the Finances of the ITU.

In order to facilitate Member State and Sector Member participation in its work, the ITU convenes, among others, regional conferences that provide Member States and Sector Members of the region concerned with an

opportunity to discuss telecommunication matters that are of particular interest to the region. Under current provisions of Article 28 of the Constitution, expenses incurred by such conferences are borne, in accordance with their respective class of contribution, by the Member States of the region concerned and any other Member State that has elected to participate in the conference. See Constitution, Art. 28, paragraph 2*ter*(a) and (b) (MOD 159D, ADD 159E-159F). Article 28 is silent as to the financial contribution of Sector Members that participate in such conferences. Several Member States proposed amendments to Article 28 to require that Sector Members participating in such conferences also contribute to conference costs. The conference adopted the proposed amendments. Sector Member contributions to defraying the costs of such conferences are to be borne in accordance with relevant provisions of the Convention. See Constitution, Art. 28, paragraph 2*ter*(c) (ADD 159G).

Article 4 of the Convention currently provides that only the traveling, subsistence, and insurance expenses incurred by the representative of each Member State of the Council shall be borne by the ITU. In the interest of strengthening the finances of the ITU, the 2002 Conference adopted amendments to this provision that authorize the ITU to pay only the traveling, subsistence, and insurance expenses of Member State representatives to the Council that are from developing countries, as defined under the list established by the United Nations Development Programme. See Convention, Art. 4, paragraph 6 (MOD 57).

Amendments Relating to the Working Methods of the ITU.

To facilitate the work of the three sectors, several Member States proposed amendments to the Constitution and Convention that specifically recognize the authority of the Radiocommunication Assembly, the World Telecommunication Standardization Assembly and the World Telecommunication Development Conference to establish and adopt working methods and procedures for their respective sectors. Under the proposed amendments, such working methods and procedures must be compatible with the Constitution, Convention, and Administrative

Regulations. The Conference adopted the proposed amendments. See, e.g., Constitution, Chapter IVA (ADD 145A); Convention, Art. 8, para. 1*bis* (ADD 129A), para. 1*bis*(7) and (8) (ADD 136A-B); Convention, Art. 13, para. 1*bis* (ADD 184A), para. 1*bis*(a) (MOD 187), para. 1*bis*(f) and (g) (ADD 191*bis*, ADD 191*ter*); and Convention, Art. 16, para. 1 (ADD 207A), para. 1*bis*(a*bis*) and (a*ter*) (ADD 209A, ADD 209B).

Amendments Concerning the Preparation of the Operational Plans of the General Secretariat and the three Sectors.

The Secretary-General and the Directors of each of the three Sectors are required to prepare an annual operational plan and financial plan of activities to be undertaken by their respective staffs in support of the strategic plan adopted by the Plenipotentiary Conference. See e.g., Convention, Art. 5, para. 1(d*bis*) (87A); Convention, Art. 12, para. 2(4)(f) (181A); Convention, Art. 15, para. 2(g) (205A) and Convention, Art. 18, para. 2(g) (223A). Several Member States, including the United States, proposed amendments to these provisions to clarify the manner in which the Secretary-General and the three Directors prepared their respective operational plans with particular emphasis on the need for careful consideration of the financial implications of the activities proposed. Under the proposed amendments, the Secretary-General is required to prepare annually a rolling four-year operational plan of activities to be undertaken by the staff of the General Secretariat consistent with the strategic plan adopted by the Plenipotentiary Conference. In preparing the operational plan, the Secretary-General is required to take into account the financial plan approved at the Plenipotentiary Conference. The four-year operational plan is to be reviewed by the advisory groups of the three sectors and reviewed and approved annually by the Council. See Convention, Art. 5, para. 1(d*bis*) (MOD 87A). With respect to the three sectors, the Director of each sector is required to prepare annually a rolling four-year operational plan of activities to be undertaken by their respective sectors. In preparing these operational plans, Directors are required to take into account the financial implications of the activities to be undertaken. Sector Advisory Groups are required to review the operational plans of their respective sectors. The Council also must annually approve each Sector's

rolling four-year operational plan. See Convention, Art. 12, para. 2(4)(g) (MOD 181A); Convention, Art. 15, para. 2(g) (MOD 205A); and Convention, Art. 18, para. 2(g) (MOD 223A).

Amendments of a Technical Nature.

The 2002 Conference adopted amendments, which, in effect, transferred most of the procedural provisions of Chapter II of the Convention to the Rules of Procedure of Conferences and Other Meetings of the International Telecommunication Union ("Rules of Procedure"). The transferred provisions, included, among others, rules relating to invitations to conferences and assemblies; procedures for convening or canceling world conferences or assemblies; provisions for conferences and assemblies when there is no inviting government; changes in the place or dates of a conference or assembly; and time limits and conditions for submission of proposals and reports to conferences. See Convention, Article 23, former para. 1-5 (SUP* 255-266), Article 24, former para. 1-3 (SUP* 270-275), former para. 4(e) (SUP* 281); Article 25, former para. 1-4 (SUP* 283 – 294), former para. 6(c) (SUP* 298); former Article 26; former Article 27; former Article 28, former Article 29; and former Article 30. In addition, the conference agreed to amend the title of the Rules of Procedure of Conferences and Other Meetings of the International Telecommunication Union by replacing it with the title General Rules of Conferences, Assemblies, and Meetings of the Union. See General Rules of Conferences, Assemblies and Meetings of the Union, pg. 113.

The decision to transfer most of Chapter II of the Convention to a separate instrument was a continuation of work begun at the Plenipotentiary Conference (Minneapolis, 1998), which agreed to transfer some procedural rules to a separate instrument. As was the case at Minneapolis, several Member States argued that rules of procedure should be subject to a more flexible amendment process than that currently applied to the Constitution and Convention. Along with the transfer of additional procedural rules, the 2002 Conference for the first time agreed to adopt election procedures that would apply to future Plenipotentiary Conferences. Prior to this decision,

each Plenipotentiary Conference adopted its own election procedures. The decision to include uniform election procedures in the General Rules will enhance the efficiency of future Plenipotentiary Conferences by eliminating the need to consider and adopt new election procedures at each conference.

Declarations and 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 2002, the United States submitted five declarations and reservations that are included in the 2002 Final Acts. The United States also reserved the right to make additional reservations or declarations at the time of deposit of its instruments of ratification of the amendments adopted by the Plenipotentiary Conference. See No. 70 found on page 88 of the Final Acts. The five declarations and reservations made by the United States require Senate advice and consent to ratification.

Consistent with long-standing U.S. practice at ITU treaty-making conferences, the first of these declarations and reservations (No. 70) incorporates by reference declarations and reservations from previous conferences. It also reiterates the long-standing 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 relevant text reads as follows:

> The United States of America reiterates and incorporates by reference all reservations made at world administrative conferences and world radiocommunication conferences prior to signature of these Final Acts.
>
> The United States does not by signature to or by any subsequent ratification of the amendments to the Constitution and Convention adopted by the Plenipotentiary Conference (Marrakesh, 2002) 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 to 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 of its consent to be bound.

The second of these declarations and reservations, (No. 71), states the manner in which the United States intends to implement the provision that requires that Member States, consistent with their respective national laws, grant members of the Radio Regulations Board functional privileges and immunities that are equivalent to those granted to the elected officials of the ITU. It reads as follows:

> In regard to the privileges and immunities to be extended pursuant to ADD No. 142A of Article 10 of the Convention of the International Telecommunication Union, the United States of America shall provide members of the Radio Regulations Board with functional privileges and immunities that are equivalent to those accorded to officials of international organizations that are designated under the International Organizations Immunities Act, 22 United States Code 288 et. seq.

The third of these declarations and reservations (No. 79), responds 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 72 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 of these declarations and reservations, (No. 80), preserves the right of the United States to take such actions as it deems necessary in response to actions taken by other Member States that are detrimental to U.S. telecommunication interests. It reads as follows:

> The United States of America refers to declarations made by various Member States 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 fifth of these declarations and reservations (No. 101), in which the United States joined 27 other countries, responds to a statement by Colombia concerning the use of the geostationary satellite orbit. It reads as follows:

> The delegations of the above-mentioned States, referring to the declaration made by the Republic of Colombia (No. 45), inasmuch 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.

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.

PP02
MARRAKECH
23 SEPT. - 18 OCT. 2002

Final Acts of the Plenipotentiary Conference (Marrakesh, 2002)

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

General Rules of Conferences,
Assemblies and Meetings of the Union

Decisions
Resolutions
Recommendations

COPIE
certifiée conforme à l'original

Genève, le 23 SEP. 2003

Le Secrétaire général
de l'Union Internationale des
télécommunications

[NOTE BY THE DEPARTMENT OF STATE: THE FINAL ACTS ARE COMPOSED OF THE INSTRUMENTS AMENDING THE CONSTITUTION AND CONVENTION OF THE INTERNATIOAL TELECOMMUNICATION UNION (GENEVA, 1992) AS AMENDED BY THE PLENIPOTENTIARY CONFERENCE (KYOTO, 1994) AND BY THE PLENIPOTENTIARY CONFERENCE (MINNEAPOLIS, 1998); DECLARATIONS AND RESERVATIONS; GENERAL RULES OF CONFERENCES, ASSEMBLIES AND MEETINGS OF THE INTERNATIONAL TELECOMMUNICATION UNION; DECISIONS; RESOLUTIONS (AND A LIST OF RESOLUTIONS ABROGATED BY THE PLENIPOTENTIARY CONFERENCE); AND RECOMMENDATIONS. ONLY THE AMENDMENTS AND THE 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 (Marrakesh, 2002) in relation to the texts of the Constitution and Convention (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998), 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
SUP*	=	provision moved to another place in the Final Acts
ADD*	=	an existing provision moved from another place in the Final Acts to the place indicated

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, resolutions and recommendations.

Decisions, resolutions and recommendations newly adopted by the Plenipotentiary Conference (Marrakesh, 2002) have been numbered to start from the next number following the last number used at the Plenipotentiary Conference (Minneapolis, 1998). Resolutions revised by the Plenipotentiary Conference (Marrakesh, 2002) retain the same number as before, followed by "(Rev. Marrakesh, 2002)".

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Table of contents

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

(Amendments adopted by the Plenipotentiary Conference (Marrakesh, 2002))

Page

PART I – Foreword 3

CHAPTER I – Basic Provisions

ARTICLE 8 Plenipotentiary Conference 4

9 Principles Concerning Elections and Related Matters 4

10 The Council 5

11 General Secretariat 6

CHAPTER II – Radiocommunication Sector

ARTICLE 14 Radio Regulations Board 7

CHAPTER IVA – Working Methods of the Sectors 8

CHAPTER V – Other Provisions Concerning the Functioning of the Union

ARTICLE 28 Finances of the Union 9

Page

ARTICLE 32 General Rules of Conferences, Assemblies and Meetings of the Union 10

CHAPTER VII – Special Provisions for Radio

ARTICLE 44 Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite and Other Satellite Orbits 11

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

ARTICLE 50 Relations With Other International Organizations 12

CHAPTER IX – Final Provisions

ARTICLE 55 Provisions for Amending this Constitution 13

58 Entry into Force and Related Matters 13

PART II – Date of Entry into Force 14

Final Formula 14

Signatures 15

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

(Amendments adopted by the Plenipotentiary Conference (Marrakesh, 2002))

Page

PART I – Foreword 25

CHAPTER I – Functioning of the Union

ARTICLE 2 Elections and Related Matters 26

3 Other Conferences and Assemblies 27

4 The Council 27

5 General Secretariat 30

6 Coordination Committee 30

8 Radiocommunication Assembly 31

10 Radio Regulations Board 31

11A Radiocommunication Advisory Group 33

12 Radiocommunication Bureau 33

13 World Telecommunication Standardization Assembly ... 35

14A Telecommunication Standardization Advisory Group ... 36

15 Telecommunication Standardization Bureau 36

16 Telecommunication Development Conferences 37

17A Telecommunication Development Advisory Group 38

Page

ARTICLE 18 Telecommunication Development Bureau 39

CHAPTER II – Specific Provisions Regarding Conferences and Assemblies

ARTICLE 23 Admission to Plenipotentiary Conferences 40

24 Admission to Radiocommunication Conferences 41

25 Admission to Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and Telecommunication Development Conferences 42

26 Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council 43

27 Procedure for Convening Regional Conferences at the Request of Member States or on a Proposal of the Council 43

28 Provisions for Conferences and Assemblies Meeting when There is no Inviting Government 43

29 Change in the Place or Dates of a Conference or an Assembly 43

30 Time-Limits and Conditions for Submission of Proposals and Reports to Conferences 43

31 Credentials for Conferences 43

CHAPTER III – Rules of Procedure

ARTICLE 32 General Rules of Conferences, Assemblies and Meetings of the Union 44

CHAPTER IV – Other Provisions

ARTICLE 33 Finances 45

Page

CHAPTER VI – Arbitration and Amendment

ARTICLE 42 Provisions for Amending this Convention 46

Part II – Date of Entry into Force..... 47

Final Formula..... 47

Signatures 15

Declarations and Reservations 49

Algeria (People's Democratic Republic of) (27, 52)

Germany (Federal Republic of) (48, 53, 67, 101)

Saudi Arabia (Kingdom of) (9, 27, 52)

Argentine Republic (107)

Armenia (Republic of) (59)

Australia (57, 101)

Austria (40, 48, 101)

Azerbaijani Republic (67, 69, 101)

Bahrain (Kingdom of) (27)

Bangladesh (People's Republic of) (26)

Belarus (Republic of) (59)

Belgium (40, 48, 101)

Benin (Republic of) (32)

Bhutan (Kingdom of) (86)

Botswana (Republic of) (65)

Brazil (Federative Republic of) (61)

Brunei Darussalam (20)

Bulgaria (Republic of) (4)

Burkina Faso (33)

Burundi (Republic of) (37)

Cameroon (Republic of) (89)

Canada (38, 101)

Central African Republic (13)

Chile (100)

China (People's Republic of) (21)

Cyprus (Republic of) (12, 47)

Colombia (Republic of) (45)

Korea (Republic of) (58)

Costa Rica (28)

Cuba (72)

Denmark (48, 67, 101)

Dominican Republic (77)

Egypt (Arab Republic of) (36, 52)

El Salvador (Republic of) (8)

United Arab Emirates (27)

Ecuador (94)

Spain (48, 66)

Estonia (Republic of) (43, 47, 67)

United States of America (70, 71, 79, 80, 101)

Ethiopia (Federal Democratic Republic of) (83)

Finland (48, 67, 101)

France (22, 48, 67, 101)

Gabonese Republic (60)

Ghana (109)

Greece (14, 48)

Guatemala (Republic of) (34)

Guinea (Republic of) (5)

Haiti (Republic of) (110)

Hungary (Republic of) (47, 67, 101)

India (Republic of) (29)

Indonesia (Republic of) (7)

Iran (Islamic Republic of) (27, 52, 64)

Ireland (48, 67, 101)

Iceland (23, 24, 101)

Israel (State of) (62, 90)

Italy (48, 67)

Japan (55, 101)
Jordan (Hashemite Kingdom of) (41, 52)
Kenya (Republic of) (74)
Kuwait (State of) (27, 52, 103)
Lesotho (Kingdom of) (15)
Latvia (Republic of) (43, 47, 67, 101)
Libya (Socialist People's Libyan Arab Jamahiriya) (27, 99)
Liechtenstein (Principality of) (23, 24, 101)
Lithuania (Republic of) (43, 47)
Luxembourg (40, 48, 101)
Malaysia (27, 30)
Malawi (76)
Mali (Republic of) (73, 97)
Malta (47, 56, 67, 101)
Morocco (Kingdom of) (52)
Marshall Islands (Republic of the) (81)
Mexico (51)
Micronesia (Federated States of) (78)
Moldova (Republic of) (59)
Mongolia (19)
Mozambique (Republic of) (63)
Myanmar (Union of) (42)
Nepal (1)
Niger (Republic of the) (105)
Nigeria (Federal Republic of) (93)
Norway (23, 24, 101)
New Zealand (46, 101)
Oman (Sultanate of) (27)
Uganda (Republic of) (95)
Uzbekistan (Republic of) (59)
Pakistan (Islamic Republic of) (17, 27)
Papua New Guinea (87)
Paraguay (Republic of) (96)
Netherlands (Kingdom of the) (48, 67)
Philippines (Republic of the) (2)
Poland (Republic of) (16, 47)
Portugal (48, 67, 101, 104)
Qatar (State of) (27, 52, 106)
Syrian Arab Republic (10, 27)
Kyrgyz Republic (59)
Slovak Republic (47, 49, 67, 101)
Czech Republic (47, 50, 67, 101)
Romania (47, 88, 101)
United Kingdom of Great Britain and Northern Ireland (48, 67, 101)
Russian Federation (59)
San Marino (Republic of) (3)
Sao Tome and Principe (Democratic Republic of) (102)
Senegal (Republic of) (84)
Singapore (Republic of) (18)
Sri Lanka (Democratic Socialist Republic of) (85)
South Africa (Republic of) (75)
Sweden (48, 67, 101)
Switzerland (Confederation of) (67, 101)
Swaziland (Kingdom of) (44)
Tanzania (United Republic of) (92)
Thailand (25)

Togolese Republic (108)
Tonga (Kingdom of) (54)
Tunisia (27, 39)
Turkey (47, 67, 68, 98, 101)
Ukraine (59)
Uruguay (Eastern Republic of) (6)
Venezuela (Bolivarian Republic of) (35)
Viet Nam (Socialist Republic of) (82)
Yemen (Republic of) (11, 27, 52)
Zambia (Republic of) (31)
Zimbabwe (Republic of) (91)

Page

General Rules of Conferences, Assemblies and Meetings of the Union 111

CHAPTER I General Provisions Regarding Conferences and Assemblies 114

II Rules of Procedure of Conferences, Assemblies and Meetings 121

III Election Procedures 138

IV Proposal, Adoption and Entry into Force of Amendments to These General Rules 144

Decisions

5 (Rev. Marrakesh, 2002) Income and expenditure of the Union for the period 2004 to 2007 147

6 (Marrakesh, 2002) Financial Plan of the Union for the period 2004 to 2007 150

7 (Marrakesh, 2002) Review of the management of the Union 157

8 (Marrakesh, 2002) ITU input to the declaration of principles and plan of action of the World Summit on the Information Society and the information document on ITU activities related to the Summit 163

Page

Resolutions

2	(Rev. Marrakesh, 2002)	World telecommunication policy forum.....	187
11	(Rev. Marrakesh, 2002)	World and regional telecommunication exhibitions and forums.....	191
21	(Rev. Marrakesh, 2002)	Special measures concerning alternative calling procedures on international telecommunication networks.....	195
25	(Rev. Marrakesh, 2002)	Strengthening the regional presence.....	198
31	(Rev. Marrakesh, 2002)	Telecommunication infrastructure and information and communication technologies for socio-economic and cultural development	206
33	(Rev. Marrakesh, 2002)	Assistance and support to Bosnia and Herzegovina for rebuilding its telecommunication network	210
36	(Rev. Marrakesh, 2002)	Telecommunications in the service of humanitarian assistance	212
41	(Rev. Marrakesh, 2002)	Arrears and special arrears accounts.....	215
48	(Rev. Marrakesh, 2002)	Human resources management and development.....	218
70	(Rev. Marrakesh, 2002)	Gender mainstreaming in ITU.....	223
71	(Rev. Marrakesh, 2002)	Strategic plan for the Union 2004-2007.....	228
72	(Rev. Marrakesh, 2002)	Linking strategic, financial and operational planning in ITU	247
77	(Rev. Marrakesh, 2002)	Future conferences and assemblies of the Union	251

			Page
80	(Rev. Marrakesh, 2002)	World radiocommunication conference process	253
86	(Rev. Marrakesh, 2002)	Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks	256
88	(Rev. Marrakesh, 2002)	Processing charges for satellite network filings and administrative procedures	259
94	(Rev. Marrakesh, 2002)	Auditing of the accounts of the Union	263
102	(Rev. Marrakesh, 2002)	Management of Internet domain names and addresses	264
106	(Marrakesh, 2002)	Review of the ITU structure	269
107	(Marrakesh, 2002)	Improvements to the management and functioning of ITU	273
108	(Marrakesh, 2002)	Improvement of the functioning of the Coordination Committee, including the tasks of the Deputy Secretary-General and the role of the other elected officials	277
109	(Marrakesh, 2002)	Review and consolidation of provisions regarding observers	280
110	(Marrakesh, 2002)	Review of the contribution of Sector Members towards defraying the expenses of the International Telecommunication Union	283
111	(Marrakesh, 2002)	Scheduling of ITU conferences and assemblies	286
112	(Marrakesh, 2002)	Regional preparations for plenipotentiary conferences	287
113	(Marrakesh, 2002)	World Summit on the Information Society	290

		Page
114 (Marrakesh, 2002)	Interpretation of No. 224 of the ITU Constitution and No. 519 of the ITU Convention with regard to deadlines for submitting proposals for amendments	295
115 (Marrakesh, 2002)	Use of the six official and working languages of the Union on an equal footing..	296
116 (Marrakesh, 2002)	Approval of the accounts of the Union for the years 1998 to 2001	298
117 (Marrakesh, 2002)	Determination of the planning area for terrestrial television and sound broadcasting in the VHF and UHF bands at the regional radiocommunication conference	299
118 (Marrakesh, 2002)	Use of spectrum at frequencies above 3 000 GHz.....	301
119 (Marrakesh, 2002)	Methods to improve the efficiency and effectiveness of the Radio Regulations Board.....	303
120 (Marrakesh, 2002)	Radiocommunication Assembly (RA-03) and World Radiocommunication Conference (WRC-03).....	306
121 (Marrakesh, 2002)	Review of the International Telecommunication Regulations	307
122 (Marrakesh, 2002)	The evolving role of the World Telecommunication Standardization Assembly...	311
123 (Marrakesh, 2002)	Bridging the standardization gap between developing and developed countries.....	314
124 (Marrakesh, 2002)	Support for the New Partnership for Africa's Development	317

		Page
125 (Marrakesh, 2002)	Assistance and support to the Palestinian Authority for rebuilding its telecommunication networks	322
126 (Marrakesh, 2002)	Assistance and support to the Federal Republic of Yugoslavia for rebuilding its public broadcasting and telecommunication systems	326
127 (Marrakesh, 2002)	Assistance and support to the Government of Afghanistan for rebuilding its telecommunication system	328
128 (Marrakesh, 2002)	Support for the "Agenda for Connectivity in the Americas and Quito Action Plan"	330
129 (Marrakesh, 2002)	Bridging the digital divide	333
130 (Marrakesh, 2002)	Strengthening the role of ITU in information and communication network security	336
131 (Marrakesh, 2002)	Community connectivity indicators	338
132 (Marrakesh, 2002)	Continued ITU support for the sustainability of the Geneva Diplomatic Community network	341
133 (Marrakesh, 2002)	Role of administrations of Member States in the management of internationalized (multilingual) domain names	343

List of resolutions abrogated by the Plenipotentiary Conference (Marrakesh, 2002) 346

Recommendations

4 (Marrakesh, 2002)	General policy statements to plenipotentiary conferences	348
5 (Marrakesh, 2002)	Submission of the first report of the Credentials Committee to the Plenipotentiary Conference	349
6 (Marrakesh, 2002)	Rotation of Council Member States	351

INSTRUMENTS AMENDING THE CONSTITUTION AND THE CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION (GENEVA, 1992)

as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998)

INSTRUMENT AMENDING THE CONSTITUTION OF THE INTERNATIONAL TELECOMMUNICATION UNION*

(GENEVA, 1992)

as amended by the
Plenipotentiary Conference (Kyoto, 1994)
and by the
Plenipotentiary Conference (Minneapolis, 1998)

(Amendments adopted by the
Plenipotentiary Conference (Marrakesh, 2002))

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) and by the Plenipotentiary Conference (Minneapolis, 1998), in particular those in Article 55 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) has adopted the following amendments to the said Constitution:

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* In accordance with Resolution 70 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference on gender mainstreaming in 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 8

Plenipotentiary Conference

MOD PP-98 **51** *c)* in the light of its decisions taken on the reports referred to in No. 50 above, establish the strategic plan for the Union and the basis for the budget of the Union, and determine related financial limits, until the next plenipotentiary conference, after considering all relevant aspects of the work of the Union in that period;

MOD PP-98 **58A** *jbis)* adopt and amend the General Rules of conferences, assemblies and meetings of the Union;

ARTICLE 9

Principles Concerning Elections and Related Matters

(MOD) **61** *a)* the Member States of the Council are elected with due regard to the need for equitable distribution of the seats on the Council among all regions of the world;

MOD PP-94 PP-98 **62** *b)* the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux 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; due consideration should also be given to the principles embodied in No. 154 of this Constitution;

MOD 63
PP-94
PP-98

c) the members of the Radio Regulations Board shall be elected in their individual capacity from among the candidates proposed by Member States as their nationals. Each Member State may propose only one candidate. The members of the Radio Regulations Board shall not be nationals of the same Member State as the Director of the Radiocommunication Bureau; at their election, due consideration should be given to equitable geographical distribution amongst the regions of the world and to the principles embodied in No. 93 of this Constitution.

MOD 64

2 Provisions relating to taking up duties, vacancy and re-eligibility are contained in the Convention.

ARTICLE 10

The Council

(MOD) 66

2) Each Member State of the Council shall appoint a person to serve on the Council who may be assisted by one or more advisers.

SUP* 67

MOD 70
PP-98

2) The Council shall consider broad telecommunication policy issues in accordance with the guidelines given by the Plenipotentiary Conference to ensure that the Union's policies and strategy fully respond to changes in the telecommunication environment.

ADD 70A

2*bis*) The Council shall prepare a report on the policy and strategic planning recommended for the Union, together with their financial implications, using the specific data prepared by the Secretary-General under No. 74A below.

ARTICLE 11

General Secretariat

MOD 74A *b)* prepare, with the assistance of the Coordination Committee, and provide to the Member States and Sector Members, such specific information as may be required for the preparation of a report on the policies and strategic plan for the Union, and coordinate the implementation of the plan; this report shall be communicated to the Member States and Sector Members for review during the last two regularly scheduled sessions of the Council before a plenipotentiary conference;

PP-98

CHAPTER II

Radiocommunication Sector

ARTICLE 14

Radio Regulations Board

MOD 95 PP-98

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 developed in a transparent manner and shall be open to comment by administrations and, in case of continuing disagreement, the matter shall be submitted to the next world radiocommunication conference;

8

ADD

CHAPTER IVA

ADD

Working Methods of the Sectors

ADD **145A** The radiocommunication assembly, the world telecommunication standardization assembly and the world telecommunication development conference may establish and adopt working methods and procedures for the management of the activities of their respective Sectors. These working methods and procedures must be compatible with this Constitution, the Convention and the Administrative Regulations, and in particular Nos. 246D to 246H of the Convention.

CHAPTER V

Other Provisions Concerning the Functioning of the Union

ARTICLE 28

Finances of the Union

MOD 159D PP-98 2*ter* Expenses incurred by the regional conferences referred to in No. 43 of this Constitution shall be borne:

ADD 159E *a)* by all the Member States of the region concerned, in accordance with their class of contribution;

ADD 159F *b)* by any Member States of other regions which have participated in such conferences, in accordance with their class of contribution;

ADD 159G *c)* by authorized Sector Members and other authorized organizations which have participated in such conferences, in accordance with the provisions of the Convention.

MOD 161E PP-98 4) Bearing in mind the draft financial plan as revised, the plenipotentiary conference shall, as soon as possible, determine the definitive upper limit of the amount of the contributory unit and set the date, which shall be a date within the penultimate week of the plenipotentiary conference, by which Member States, upon invitation by the Secretary-General, shall announce their definitive choice of class of contribution.

ARTICLE 32

MOD

General Rules of Conferences, Assemblies and Meetings of the Union

MOD 177
PP-98

1 The General Rules of conferences, assemblies and meetings of the Union adopted by the Plenipotentiary Conference shall apply to the preparation of conferences and assemblies and to the organization of the work and conduct of the discussions of conferences, assemblies and meetings of the Union, as well as to the election of Member States of the Council, of the Secretary-General, of the Deputy Secretary-General, of the Directors of the Bureaux of the Sectors and of the members of the Radio Regulations Board.

MOD 178
PP-98

2 Conferences, assemblies and the Council may adopt such rules as they consider to be essential in addition to those in Chapter II of the General Rules of conferences, assemblies and meetings of the Union. Such additional rules must, however, be compatible with this Constitution, the Convention and the aforesaid Chapter II; those adopted by conferences or assemblies shall be published as documents of the conference or assembly concerned.

CHAPTER VII

Special Provisions for radio

ARTICLE 44

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

(MOD) **195** 1 Member States shall endeavour to limit the number of frequencies and the spectrum used to the minimum essential to provide in a satisfactory manner the necessary services. To that end, they shall endeavour to apply the latest technical advances as soon as possible.

CHAPTER VIII

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

ARTICLE 50

Relations With Other International Organizations

MOD **206** In furtherance of complete international coordination on matters affecting telecommunication, the Union should cooperate with international organizations having related interests and activities.

CHAPTER IX

Final Provisions

ARTICLE 55

Provisions for Amending this Constitution

MOD 224 PP-98 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, publish any such proposal for the information of all the Member States.

MOD 228 PP-98 5 Unless specified otherwise in the preceding paragraphs of this Article, which shall prevail, the General Rules of conferences, assemblies and meetings of the Union shall apply.

ARTICLE 58

Entry into Force and Related Matters

MOD 238 1 This Constitution and the Convention, adopted by the Additional Plenipotentiary Conference (Geneva, 1992), shall enter into force on 1 July 1994 between Member States having deposited before that date their instrument of ratification, acceptance, approval or accession.

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 2004 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) and by the Plenipotentiary Conference (Minneapolis, 1998).

Done at Marrakesh, 18 October 2002

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INSTRUMENT AMENDING THE CONVENTION

OF THE INTERNATIONAL

TELECOMMUNICATION UNION*

(GENEVA, 1992)

as amended by the
Plenipotentiary Conference (Kyoto, 1994)
and by the
Plenipotentiary Conference (Minneapolis, 1998)

(Amendments adopted by the
Plenipotentiary Conference (Marrakesh, 2002))

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) and by the Plenipotentiary Conference (Minneapolis, 1998), in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) has adopted the following amendments to the said Convention:

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* In accordance with Resolution 70 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference on gender mainstreaming in 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 2

Elections and Related Matters

The Council

(MOD) **11** *a)* when a Member State of the Council does not have a representative in attendance at two consecutive ordinary sessions of the Council;

Members of the Radio Regulations Board

(MOD) **21** 2 If, in the interval between two plenipotentiary conferences, a member of the Board resigns or is no longer in a position to perform his duties, the Secretary-General, in consultation with the Director of the Radiocommunication Bureau, shall invite the Member States of the region concerned to propose candidates for the election of a replacement at the next session of the Council. However, if the vacancy occurs more than 90 days before a session of the Council or after the session of the Council preceding the next plenipotentiary conference, the Member State concerned shall designate, as soon as possible and within 90 days, another national as a replacement who will remain in office until the new member elected by the Council takes office or until the new members of the Board elected by the next plenipotentiary conference take office, as appropriate. The replacement shall be eligible for election by the Council or by the Plenipotentiary Conference, as appropriate.

MOD 22 3 A member of the Radio Regulations Board is considered no longer in a position to perform his duties after three consecutive absences from the Board meetings. The Secretary-General shall, after consultation with the Board's Chairman as well as the member of the Board and the Member State concerned, declare existence of a vacancy in the Board and shall proceed as stipulated in No. 21 above.

ARTICLE 3

Other Conferences and Assemblies

MOD 47 PP-98 7 In the consultations referred to in Nos. 42, 46, 118, 123 and 138 of this Convention and in Nos. 26, 28, 29, 31 and 36 of the General Rules of conferences, assemblies and meetings of the Union, 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

The Council

MOD 57 PP-98 6 Only the travelling, subsistence and insurance expenses incurred by the representative of each Member State of the Council, belonging to the category of developing countries, the list of which is established by the United Nations Development Programme, in that capacity at Council sessions, shall be borne by the Union.

MOD 60A PP-98 9*bis* 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.

ADD 60B 9*ter* Sector Members may be represented as observers at meetings of the Council, its committees and its working groups, subject to the conditions established by the Council, including conditions relating to the number of such observers and the procedures for appointing them.

ADD 61A 10*bis* While at all times respecting the financial limits as adopted by the Plenipotentiary Conference, the Council may, as necessary, review and update the strategic plan which forms the basis of the corresponding operational plans and inform the Member States and Sector Members accordingly.

ADD* 61B 10*ter* The Council shall adopt its own Rules of Procedure.

ADD 62A 1) receive and review the specific data for strategic planning that is provided by the Secretary-General as noted in No. 74A of the Constitution and, in the last but one ordinary session of the Council before the next plenipotentiary conference, initiate the preparation of a draft new strategic plan for the Union, drawing upon input from Member States, Sector Members and the Sector advisory groups, and produce a coordinated draft new strategic plan at least four months before that plenipotentiary conference;

ADD 62B 1*bis*) establish a calendar for the development of strategic and financial plans for the Union, and of operational plans for each Sector and for the General Secretariat, so as to allow for the development of appropriate linkage among the plans;

MOD 73
PP-98

7) review and approve the biennial budget of the Union, and consider the budget forecast (included in the financial operating report prepared by the Secretary-General under No. 101 of this Convention) for the two-year period following a given budget period, 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 priorities established by the Plenipotentiary Conference as expressed in the strategic plan for the Union, the views of the Coordination Committee as contained in the report by the Secretary-General mentioned in No. 86 of this Convention and the financial operating report mentioned in No. 101 of this Convention;

MOD 79
PP-98

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 and the Administrative Regulations and which cannot await the next competent conference for settlement;

MOD 81
PP-98

15) send to Member States, within 30 days after each of its sessions, summary records on the activities of the Council and other documents deemed useful;

SECTION 3

ARTICLE 5

General Secretariat

MOD PP-98 **87A** *dbis*) prepare annually a four-year rolling operational plan of activities to be undertaken by the staff of the General Secretariat consistent with the strategic plan, covering the subsequent year and the following three-year period, including financial implications, taking due account of the financial plan as approved by the plenipotentiary conference; this four-year operational plan shall be reviewed by the advisory groups of all three Sectors, and shall be reviewed and approved annually by the Council;

SECTION 4

ARTICLE 6

Coordination Committee

(MOD) **111** 4 A report shall be made of the proceedings of the Coordination Committee and will be made available on request to Member States of the Council.

SECTION 5

Radiocommunication Sector

ARTICLE 8

Radiocommunication Assembly

ADD **129A** 1 *bis* The radiocommunication assembly is authorized to adopt the working methods and procedures for the management of the Sector's activities in accordance with No. 145A of the Constitution.

ADD **136A** 7) decide on the need to maintain, terminate or establish other groups and appoint their chairmen and vice-chairmen;

ADD **136B** 8) establish the terms of reference for the groups referred to in No. 136A above; such groups shall not adopt questions or recommendations.

MOD **137A** PP-98 4 A radiocommunication assembly may assign specific matters within its competence, except those relating to the procedures contained in the Radio Regulations, to the radiocommunication advisory group indicating the action required on those matters.

ARTICLE 10

Radio Regulations Board

MOD **140** 2 In addition to the duties specified in Article 14 of the Constitution, the Board shall:

1) consider reports from the Director of the Radiocommunication Bureau on investigations of harmful interference carried out at the request of one or more of the interested administrations, and formulate recommendations with respect thereto;

2) also, independently of the Radiocommunication Bureau, at the request of one or more of the interested administrations, consider appeals against decisions made by the Radiocommunication Bureau regarding frequency assignments.

MOD **141** 3 The members of the Board shall participate, in an advisory capacity, in radiocommunication conferences. In this case, they shall not participate in these conferences as members of their national delegations.

ADD **141A** 3 *bis* Two members of the Board, designated by the Board, shall participate, in an advisory capacity, in plenipotentiary conferences and radiocommunication assemblies. In these cases, the two members designated by the Board shall not participate in these conferences or assemblies as members of their national delegations.

ADD **142A** 4 *bis* The members of the Board shall, while in the exercise of their duties for the Union, as specified in the Constitution and Convention, or while on mission for the Union, enjoy functional privileges and immunities equivalent to those granted to the elected officials of the Union by each Member State, subject to the relevant provisions of the national legislation or other applicable legislation in each Member State. Such functional privileges and immunities are granted to members of the Board for the purposes of the Union and not for their personal advantage. The Union may and shall withdraw the immunity granted to a member of the Board whenever it considers that such immunity is contrary to the orderly administration of justice and its withdrawal is not prejudicial to the interests of the Union.

MOD **145** 2) The Board shall normally hold up to four meetings a year, of up to five days' duration, generally at the seat of the Union, at which at least two-thirds of its members shall be present, and may carry out its duties using modern means of communication. However, if the Board deems necessary, depending upon the matters to be considered, it may increase the number of its meetings. Exceptionally, the meetings may be of up to two weeks' duration.

ARTICLE 11A

PP-98

Radiocommunication Advisory Group

MOD **160A** PP-98

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 other groups, and will act through the Director.

MOD **160C** PP-98

1) review priorities, programmes, operations, financial matters and strategies related to radiocommunication assemblies, study groups and other 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 **160CA**

1 *bis*) review the implementation of the operational plan of the preceding period in order to identify areas in which the Bureau has not achieved or was not able to achieve the objectives laid down in that plan, and advise the Director on the necessary corrective measures;

ADD **160I**

7) prepare a report for the Radiocommunication Assembly on the matters assigned to it in accordance with No. 137A of this Convention and transmit it to the Director for submission to the assembly.

ARTICLE 12

Radiocommunication Bureau

MOD **164** PP-98

a) coordinate the preparatory work of the study groups and other 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 165 *b)* participate as of right, but in an advisory capacity, in the deliberations of radiocommunication conferences, of the radiocommunication assembly and of the radiocommunication study groups and other groups. The Director shall make all necessary preparations for radiocommunication conferences and meetings of the Radiocommunication 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 in carrying out these preparations;

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

MOD 170 *c)* process information received from administrations in application of the relevant provisions of the Radio Regulations and regional agreements and their associated Rules of Procedure and prepare it, as appropriate, in a form suitable for publication;

MOD 175 3) coordinate the work of the radiocommunication study groups and other groups and be responsible for the organization of that work;

MOD 175B PP-98 3 *ter*) take practical measures to facilitate the participation of developing countries in the radiocommunication study groups and other groups.

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 period since the last conference shall be submitted to the Council and, for information, to Member States and Sector Members;

MOD **181A** *f)* prepare annually a rolling four-year operational plan that covers the subsequent year and the following three-year period, including financial implications of activities to be undertaken by the Bureau in support of the Sector as a whole; this four-year operational plan shall be reviewed by the radiocommunication advisory group in accordance with Article 11A of this Convention, and shall be reviewed and approved annually by the Council;
PP-98

SECTION 6

Telecommunication Standardization Sector

ARTICLE 13

PP-98 World Telecommunication Standardization Assembly

ADD **184A** 1 *bis* The world telecommunication standardization assembly is authorized to adopt the working methods and procedures for the management of the Sector's activities in accordance with No. 145A of the Constitution.

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. 197H and 197I of this Convention;
PP-98

ADD **191 *bis*** *f)* decide on the need to maintain, terminate or establish other groups and appoint their chairmen and vice-chairmen;

ADD **191 *ter*** *g)* establish the terms of reference for the groups referred to in No. 191 *bis* above; such groups shall not adopt questions or recommendations.

MOD 191B PP-98 5 A world telecommunication standardization assembly shall be presided over by a chairman 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 chairman elected by the assembly itself. The chairman shall be assisted by vice-chairmen elected by the assembly.

ARTICLE 14A

PP-98 **Telecommunication Standardization Advisory Group**

MOD 197A PP-98 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 and other groups.

ADD 197CA 1 *bis*) review the implementation of the operational plan of the preceding period in order to identify areas in which the Bureau has not achieved or was not able to achieve the objectives laid down in that plan, and advise the Director on the necessary corrective measures;

ARTICLE 15

Telecommunication Standardization Bureau

MOD 200 PP-98 *a)* update annually the work programme approved by the world telecommunication standardization assembly, in consultation with the chairmen of the telecommunication standardization study groups and other groups;

MOD 201 PP-98 *b)* participate, as of right, but in an advisory capacity, in the deliberations of world telecommunication standardization assemblies and of the telecommunication standardization study groups and other 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 205A PP-98 *g)* prepare annually a rolling four-year operational plan that covers the subsequent year and the following three-year period, including financial implications of activities to be undertaken by the Bureau in support of the Sector as a whole; this four-year operational plan shall be reviewed by the telecommunication standardization advisory group in accordance with Article 14A of this Convention, and shall be reviewed and approved annually by the Council;

SECTION 7

Telecommunication Development Sector

ARTICLE 16

Telecommunication Development Conferences

ADD 207A 1 The world telecommunication development conference is authorized to adopt the working methods and procedures for the management of the Sector's activities in accordance with No. 145A of the Constitution.

ADD 209A a*bis*) decide on the need to maintain, terminate or establish other groups and appoint their chairmen and vice-chairmen;

ADD **209B** a*ter*) establish the terms of reference for the groups referred to in No. 209A above; such groups shall not adopt questions or recommendations.

MOD **210** *b)* regional telecommunication development conferences shall consider questions and priorities relating to telecommunication development, taking into account the needs and characteristics of the region concerned, and may also submit recommendations to world telecommunication development conferences;

MOD **213A** PP-98 3 A telecommunication development conference may assign specific matters within its competence to the telecommunication development advisory group, indicating the recommended action on those matters.

ARTICLE 17A

PP-98

Telecommunication Development Advisory Group

MOD **215C** PP-98 1 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 and other groups.

ADD **215EA** 1 *bis*) review the implementation of the operational plan of the preceding period in order to identify areas in which the Bureau has not achieved or was not able to achieve the objectives laid down in that plan, and advise the Director on the necessary corrective measures.

ADD **215JA** 6 *bis*) prepare a report for the world telecommunication development conference on the matters assigned to it in accordance with No. 213A of this Convention and transmit it to the Director for submission to the conference.

ARTICLE 18

PP-98

Telecommunication Development Bureau

MOD **218** *a)* participate as of right, but in an advisory capacity, in the deliberations of the telecommunication development conferences and of the telecommunication development study groups and other groups. The Director shall make all necessary preparations for conferences and meetings of the Telecommunication Development 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 in carrying out these preparations;

MOD **223A** *g)* prepare annually a rolling four-year operational plan that covers
PP-98 the subsequent year and the following three-year period, including financial implications of activities to be undertaken by the Bureau in support of the Sector as a whole; this four-year operational plan shall be reviewed by the telecommunication development advisory group in accordance with Article 17A of this Convention, and shall be reviewed and approved annually by the Council;

CHAPTER II

MOD PP-98

Specific Provisions Regarding Conferences and Assemblies

ARTICLE 23

MOD

Admission to Plenipotentiary Conferences

SUP* **255 to 266**

(MOD) **267** 1 The following shall be admitted to plenipotentiary conferences:

ADD **268A** *b)* the elected officials, in an advisory capacity;

ADD **268B** *c)* the Radio Regulations Board, in accordance with No. 141A of this Convention, in an advisory capacity;

MOD **269** PP-94 *d)* observers of the following organizations, agencies and entities:

ADD* **269A** *i)* the United Nations;

ADD* **269B** *ii)* regional telecommunication organizations mentioned in Article 43 of the Constitution;

ADD* **269C** *iii)* intergovernmental organizations operating satellite systems;

ADD* **269D** *iv)* the specialized agencies of the United Nations and the International Atomic Energy Agency;

ADD* **269E** *v)* Sector Members referred to in Nos. 229 and 231 of this Convention and organizations of an international character representing them.

ADD* **269F** 2 The General Secretariat and the three Bureaux of the Union shall be represented at the conference in an advisory capacity.

ARTICLE 24

MOD **Admission to Radiocommunication Conferences**

SUP* **270 to 275**

(MOD) **276** 1 The following shall be admitted to radiocommunication conferences:

(MOD) **278** *b)* observers of organizations and agencies referred to in Nos. 269A to 269D of this Convention;

MOD **279** *c)* observers of other international organizations invited by the government and admitted by the conference in accordance with the relevant provisions of Chapter I of the General Rules of conferences, assemblies and meetings of the Union;

SUP* **281**

(MOD) **282** *e)* 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;
PP-98

ADD* **282A** *f)* in an advisory capacity, the elected officials, when the conference is discussing matters coming within their competence, and the members of the Radio Regulations Board.

ARTICLE 25

MOD PP-98

Admission to Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and Telecommunication Development Conferences

SUP* **283 to 294**

(MOD) **295** 1 The following shall be admitted to the assembly or conference:

MOD **297** *b)* observers of the following organizations and agencies:

SUP* **298**

ADD* **298A** *i)* regional telecommunication organizations mentioned in Article 43 of the Constitution;

ADD* **298B** *ii)* intergovernmental organizations operating satellite systems;

ADD* **298C** *iii)* any other regional organization or other international organization dealing with matters of interest to the assembly or conference;

ADD* **298D** *iv)* the United Nations;

ADD* **298E** *v)* the specialized agencies of the United Nations and the International Atomic Energy Agency;

ADD* **298F** *c)* representatives of Sector Members concerned.

ADD **298G** 2 The elected officials, the General Secretariat and the Bureaux of the Union, as appropriate, shall be represented at the assembly or conference in an advisory capacity. Two members of the Radio Regulations Board, designated by the Board, shall participate in radiocommunication assemblies in an advisory capacity.

SUP* ARTICLE 26

SUP* ARTICLE 27

SUP* ARTICLE 28

SUP* ARTICLE 29

SUP* ARTICLE 30

ARTICLE 31

Credentials for Conferences

MOD 334 PP-98

5 Credentials shall be deposited with the secretariat of the conference as early as possible; to that end, Member States should send their credentials, prior to the opening date of the conference, to the Secretary-General who shall transmit them to the secretariat of the conference as soon as the latter has been established. The committee referred to in No. 68 of the General Rules of conferences, assemblies and meetings of the Union shall 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.

CHAPTER III

Rules of Procedure

ARTICLE 32

MOD

General Rules of Conferences, Assemblies and Meetings of the Union

MOD 339A PP-98 1 The General Rules of conferences, assemblies and meetings of the Union are adopted by the Plenipotentiary Conference. The provisions governing the procedure for amending those Rules and the entry into force of amendments are contained in the Rules themselves.

MOD 340 PP-98 2 The General Rules of conferences, assemblies and meetings of the Union shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of this Convention.

CHAPTER IV

Other Provisions

ARTICLE 33

Finances

MOD 476
PP-94
PP-98

4 1) The organizations referred to in Nos. 269A to 269E of this Convention and other organizations of an international character (unless they have been exempted by the Council, subject to reciprocity) and Sector Members which participate, in accordance with the provisions of this Convention, in a plenipotentiary conference, in a conference, assembly or meeting of a Sector of the Union, or in a world conference on international telecommunications, shall share in defraying the expenses of the conferences, assemblies and meetings in which they participate on the basis of the cost of these conferences and meetings and in accordance with the Financial Regulations. Nevertheless, Sector Members will not be charged separately for their attendance at a conference, assembly or meeting of their respective Sectors, except in the case of regional radiocommunication conferences.

CHAPTER VI

Arbitration and Amendment

ARTICLE 42

Provisions for Amending this Convention

MOD 523 PP-98

5 Unless specified otherwise in the preceding paragraphs of this Article, which shall prevail, the General Rules of conferences, assemblies and meetings of the Union shall apply.

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 2004 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) and by the Plenipotentiary Conference (Minneapolis, 1998).

Done at Marrakesh, 18 October 2002

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* *Note by the General Secretariat:* The signatures following the instrument amending the Convention (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998) are the same as those shown on pages 15 to 23.

DECLARATIONS AND RESERVATIONS

DECLARATIONS AND RESERVATIONS

made at the end of the

Plenipotentiary Conference

of the International Telecommunication Union

(Marrakesh, 2002)*

The undersigned Plenipotentiaries confirm, through their signing of the present document, which forms part of the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), that they have taken note of the following declarations and reservations made at the end of that conference.

1

Original: English

For Nepal:

1 In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of Nepal 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or the annexes and protocols attached thereto, or should reservation by any Member of the Union jeopardize Nepal's telecommunication services and affect its sovereignty.

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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 The delegation of Nepal 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

Original: English

For the Republic of the Philippines:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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 laws to safeguard its interests, should reservations made by representatives of other Member States jeopardize its telecommunication services or prejudice its right 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 ratification of the instruments (Marrakesh, 2002) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) or the annexes or protocols thereto, as amended by the Plenipotentiary Conference (Kyoto, 1994) and further amended by the Plenipotentiary Conference (Minneapolis, 1998).

3

Original: English

For the Republic of San Marino:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of the Republic of San Marino reserves for its Government the right to take any action which it might consider necessary to safeguard 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.

4

Original: French

For the Republic of Bulgaria:

The delegation of the Republic of Bulgaria to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) declares that the Republic of Bulgaria will apply the provisions adopted pursuant to the Constitution and the Convention of ITU, but that from the date of accession of Bulgaria to the European Community, the application of those provisions will be subject to obligations under the treaty establishing the European Economic Community.

In addition, it reserves for its Government the right:

1 to take any action it considers necessary to safeguard its interests should any Member of the Union fail in any way whatsoever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences of the International Telecommunication Union (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), or should the consequences of reservations made by other countries jeopardize Bulgarian telecommunication services;

2 not to accept any financial measure which may entail an unjustified increase in its contributory share towards defraying the expenses of the Union;

3 to make any declaration or reservation at the time of ratifying the amendments to the Constitution and the Convention of ITU (Geneva, 1992) adopted by the Plenipotentiary Conference of the Union (Marrakesh, 2002).

5

Original: French

For the Republic of Guinea:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of the Republic of Guinea reserves for its Government the sovereign right to take any measure or action necessary in order to safeguard its national interests and rights if any Member of the Union should fail in any way to comply with the provisions of the aforesaid Acts, or directly or indirectly jeopardize the interests of its telecommunication services or put the security of its national sovereignty at risk.

6

Original: Spanish

For the Eastern Republic of Uruguay:

The delegation of the Eastern Republic of Uruguay declares that it reserves for its Government the right:

– to take any measures it may deem necessary to safeguard its interests should other Members fail to comply with provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and the annexes and protocols to those instruments, or should the reservations made by other Members jeopardize its full sovereign rights or the proper functioning of its telecommunication services;

– to make, under the Vienna Convention on the Law of Treaties of 1969, additional reservations to the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) at any time it may think fit between the date of signature and the date of ratification of the international instruments constituting such Final Acts.

7

Original: English

For the Republic of Indonesia:

On behalf of the Republic of Indonesia, the delegation of the Republic of Indonesia to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002):

– reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any provision of the Constitution, the Convention and the resolutions, as well as any decision of the Plenipotentiary Conference of the ITU (Marrakesh, 2002), directly or indirectly affect its sovereignty or be in contravention to the Constitution, Laws and Regulations of the Republic of Indonesia as well as the existing rights acquired by the Republic of Indonesia as a party to other treaties and conventions and any principles of international law;

- further reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any Member in any way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002) or should the consequences of reservations by any Member jeopardize its telecommunication services or result in an unacceptable increase of its contributory share towards defraying expenses of the Union.

8

Original: Spanish

For the Republic of El Salvador:

The delegation of the Republic of El Salvador declares that it reserves for its Government the right:

- to take any measures it may deem necessary to safeguard its interests should other Members fail to comply with provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and the annexes and protocols to those instruments, or should the reservations made by other Members jeopardize its full sovereign rights or the proper functioning of its telecommunication services;

- to make, under the Vienna Convention on the Law of Treaties of 1969, additional reservations to the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) at any time it may think fit between the date of signature and the date of ratification of the international instruments constituting such Final Acts.

9

Original: Arabic/English

For the Kingdom of Saudi Arabia:

The delegation of the Kingdom of Saudi Arabia to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) declares that its Government reserves the right to take any action it considers necessary to safeguard its interests should other countries fail to observe the provisions adopted by this conference to amend the Constitution and the Convention (Geneva, 1992) and their amendments (Kyoto, 1994 and Minneapolis, 1998) and their annexes, or should they fail to defray the expenses of the Union, or should their reservations, now or in the future, or their failure to comply with the Constitution and the Convention, jeopardize the proper operation of the telecommunication services in the Kingdom of Saudi Arabia, or lead to an increase in its share in defraying the expenses of the Union.

The delegation of the Kingdom of Saudi Arabia further reserves the right to its Government to make additional reservations it considers necessary to the Final Acts adopted by this conference up to the time of deposit of ratification of the Final Acts.

10

Original: Arabic/English

For the Syrian Arab Republic:

The delegation of the Kingdom of Saudi Arabia to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) declares, on behalf of the Government of the Syrian Arab Republic, that it 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), the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) and the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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.

The Syrian Arab Republic further reserves the right to make any additional reservations it considers necessary to the Final Acts adopted by this conference up to the time of deposit of ratification of the Final Acts.

11

Original: Arabic

For the Republic of Yemen:

The delegation of the Republic of Yemen to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) declares, on behalf of the Government of the Republic of Yemen, that it 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), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or should the reservations made by such a Member jeopardize Yemen's telecommunication services or lead to an increase in Yemen's share in defraying the expenses of the Union.

12

Original: English

For the Republic of Cyprus:

The delegation of the Republic of Cyprus 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 provisions of the Constitution and Convention (Geneva, 1992) and/or annexes and protocols thereof, as amended by the Kyoto 1994 Instrument, the Minneapolis 1998 Instrument and the Marrakesh 2002 Instrument, or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or jeopardize its telecommunication services, 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 Marrakesh 2002 Instruments amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and Kyoto 1994 Instruments and Minneapolis 1998 Instruments are ratified by the Republic of Cyprus.

The delegation of Cyprus further declares that Cyprus will apply the acts adopted under the Constitution and Convention of ITU, but from the date of its accession to the European Community, application will be subject to obligations under the treaty establishing the European Economic Community.

13

Original: French

For the Central African Republic:

The delegation of the Central African Republic reserves for its Government the right to make any declaration or reservation at the time of ratifying the instruments (Marrakesh, 2002) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), and to take any measures it may deem necessary in order to safeguard its interests should a Member of the Union fail in any way whatsoever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should the reservations made by other countries jeopardize the proper functioning of the telecommunication services of the Central African Republic.

14

Original: English

For Greece:

In signing the Final Acts of the sixteenth Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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 provision 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 of third party, in general, affect its national sovereignty and interests;

b) to make, under the Vienna Convention of 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 (Additional) Plenipotentiary Conference (Geneva, 1992) (Nos. 50 and 73), the fourteenth Plenipotentiary Conference (Kyoto, 1994) (Nos. 73, 92 and 94) and the fifteenth Plenipotentiary Conference (Minneapolis 1998) (Nos. 53, 63, 65, 111, 112 and 113) remains intact and completely valid.

15

Original: English

For the Kingdom of Lesotho:

The delegation of the Kingdom of Lesotho, in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), declares on behalf of the Government of Lesotho that:

1 it will not accept any consequences resulting from any reservation made by any country and, should reservations by other countries jeopardize its telecommunication services, reserves the right to take any action it deems fit;

2 it reserves the right to take such action as it may consider necessary to protect its interests should any other country not observe the provisions of the Constitution and Convention of ITU (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002, respectively), or the annexes and protocols attached thereto, or the Administrative Regulations, or the General Rules of conferences, assemblies and meetings of the Union.

16

Original: English

For the Republic of Poland:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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 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.

17

Original: English

For the Islamic Republic of Pakistan:

The delegation of the Islamic Republic of Pakistan reserves for its Government the right to take any action which it may consider necessary to safeguard its interest, should any member fail in any way to comply with the provisions of the instruments amending the Constitution and Convention (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002) and the annexes attached thereto, or should the reservations made by other Members of the Union directly or indirectly jeopardize the interests of its telecommunication services, its national security or its sovereignty.

18

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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), 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.

19

Original: English

For Mongolia:

The delegation of Mongolia reserves for its Government the right to make any statement or reservation when ratifying the Instruments amending the Constitution and the Convention of the International Telecommunication Union (Marrakesh, 2002) 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 Mongolia or lead to an increase in its annual contribution to defraying the expenses of the Union.

20

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 interest should any country 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002) or the annexes or protocols attached thereto, or should reservations made by other countries adversely affect the interests of Brunei Darussalam or lead to an increase in its share towards defraying the expenses of the Union.

The delegation of Brunei Darussalam further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by Brunei Darussalam of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and its amendments (Marrakesh, 2002).

21

Original: English

For the People's Republic of China:

The delegation of the People's Republic of China, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), reserves for its Government the right to take any actions as it may consider necessary to safeguard its 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or the annexes thereto, or should reservations by other countries jeopardize its interest.

22

Original: French

For France:

I

The French delegation reserves for its Government the right to take any measures 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 to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), adopted by the present Plenipotentiary Conference (Marrakesh, 2002), or should reservations made by other countries jeopardize the proper functioning of France's telecommunication services or entail an increase in its contributory share towards defraying the expenses of the Union.

II

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

23

Original: English

For Iceland, the Principality of Liechtenstein and Norway:

At the time of signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), the delegations of the above-mentioned Member States declare that they maintain the declarations and reservations made by their countries when signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998).

24

Original: English

For Iceland, the Principality of Liechtenstein and Norway:

The delegations of the above-mentioned Member States of the European Economic Area declare that the above-mentioned Member States of the European Economic Area will apply the instruments adopted by the Plenipotentiary Conference (Marrakesh, 2002) in accordance with their obligations under the Treaty establishing the European Economic Area.

25

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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), 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.

26

Original: English

For the People's Republic of Bangladesh:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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.

27

Original: Arabic/English

For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the Kingdom of Bahrain, the United Arab Emirates, the Islamic Republic of Iran, the State of Kuwait, the Socialist People's Libyan Arab Jamahiriya, Malaysia, the Sultanate of Oman, the Islamic Republic of Pakistan, the State of Qatar, the Syrian Arab Republic, Tunisia and the Republic of Yemen:

The above-mentioned delegations to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) declare that the signature and possible ratification by their respective Governments of the Final Acts of this conference, should not be valid for the Union Member under the name "Israel", and in no way whatsoever imply its recognition by these Governments.

28

Original: Spanish

For Costa Rica:

The delegation of the Republic of Costa Rica to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002):

1 states that it reserves for its Government the sovereign right:

a) to take any measures it considers necessary to safeguard its national interests and its telecommunication services, should other Member States fail to comply with the provisions of the Final Acts of this Conference (Marrakesh, 2002);

b) to enter any reservations it deems necessary prior to ratification of the Final Acts, in respect of any provisions which may contravene the Constitution of the Republic of Costa Rica or its national legislation, rules or regulations as currently in force;

2 declares that Costa Rica shall be bound by the instruments of the International Telecommunication Union, comprising the Constitution, the Convention, the Administrative Regulations and amendments or modifications thereto, only insofar as they are in compliance with the national legislation established within Costa Rican territory or pursuant to international treaties, and subject to fulfilment of the corresponding constitutional procedures.

29

Original: English

For the Republic of India:

1 In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or the Administrative Regulations.

30

Original: English

For Malaysia:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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 member fail in any other way to comply with the requirements of the instruments (Marrakesh, 2002) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998) or the annexes attached thereto, or should the consequences of reservations by other countries 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.

31

Original: English

For the Republic of Zambia:

The delegation of the Republic of Zambia to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) reserves for its Government the right to take any such action as it may consider necessary to safeguard its interests, should any Member State or Sector Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or should reservations by other Members directly or indirectly affect the operation of its telecommunication services.

32

Original: French

For the Republic of Benin:

The delegation of the Republic of Benin to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) 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 or of the annexes, additional protocols and Administrative Regulations attached thereto, 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.

33

Original: French

For Burkina Faso:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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 (Marrakesh, 2002) and 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 Burkina Faso's 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 (Marrakesh, 2002).

34

Original: Spanish

For the Republic of Guatemala:

The delegation of the Republic of Guatemala reserves for its Government the right not to accept any financial measure which may entail unjustified increases in its contribution to defraying the expenses of the International Telecommunication Union. It further reserves the right to take any action it may deem necessary to safeguard its interests should reservations by other Member States jeopardize the operation of its telecommunication systems, or should other Member States fail to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and other related instruments, as well as the right to enter reservations and declarations before the ratification and deposit of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002).

35

Original: Spanish

For the Bolivarian Republic of Venezuela:

The delegation of the Bolivarian 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 (Marrakesh, 2002) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), or the annexes or protocols thereto, or should reservations by other Members jeopardize the efficient operation of its telecommunication services.

Furthermore, it expresses its reservations with respect to all articles of the instruments (Marrakesh, 2002) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), relating to arbitration as a means of settling disputes, in conformity with the international policy of the Government of the Bolivarian Republic of Venezuela in that regard.

36

Original: English

For the Arab Republic of Egypt:

In the name of God, Most Merciful, Most Compassionate

The delegation of the Arab Republic of Egypt to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), on signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), reserves for its Government the right:

1 To take any action or any measure that it may deem necessary to safeguard its rights and interests, should any other member fail to comply with the provisions contained in the Final Acts (Marrakesh, 2002), or should any reservation by representatives of other States jeopardize telecommunication services of the Arab Republic of Egypt, its national security or its full sovereign rights or lead to an increase in its contributory share in defraying the expenses of the Union.

2 Not to be bound by any provision of the Constitution or the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002) which may directly or indirectly affect its sovereignty and be in contradiction with the constitution, laws or regulations of the Arab Republic of Egypt.

3 To make, under the Vienna Convention of the laws of treaties of 1969, any other statements or reservations to the above-mentioned Final Acts adopted by the present conference (Marrakesh, 2002) until such time as the respective instrument of ratification has been deposited.

37

Original: French

For the Republic of Burundi:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of the Republic of Burundi reserves for its Government the right:

– to take any measures it considers necessary to safeguard its interests should any Member States fail in any way to comply with the provisions of the Constitution and Convention of the International Telecommunication Union and the annexes thereto, as amended by the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), or should reservations by other Member States jeopardize the proper functioning of its telecommunication services.

38

Original: English

For Canada:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of Canada reserves for its Government the right to make additional declarations or reservations when depositing its instrument of ratification for the amendments adopted at this conference to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and the amendments thereto. Canada further reserves its position with regard to Convention provisions adopted by this conference concerning the functional privileges and immunities of persons elected to serve on the Radio Regulations Board.

39

Original: French

For Tunisia:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the Tunisian delegation makes the following declarations and reservations:

A The delegation of Tunisia reserves for its Government the right:

1) to take any measures it deems necessary to protect its interests should any Members of the Union fail in any way to comply with the provisions of the Constitution and Convention of the Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002);

2) to take any necessary measures for the protection of its interests, should reservations made or action taken by other governments jeopardize the proper functioning of its telecommunication services or lead to an increase in its contributory share in defraying the expenses of the Union;

3) to reject any provision of the said Constitution and Convention or of the annexes and protocols thereto which might directly or indirectly affect its sovereignty.

B In view of the absence from the Constitution and Convention of provisions which define the relations between a Member State and Sector Members not under its authority, in the event of a dispute between Tunisia and such Sector Members, Tunisia reserves the right, for the settlement of such dispute, to request the application of Article 56 of the Constitution vis-à-vis any Member State to which the Sector Members concerned pertain.

C The signature of this document by the delegation of Tunisia and its possible ratification by the Republic of Tunisia shall not in any way represent:

– implicit recognition of the ITU Member under the name "Israel",

– of all or parts of international agreements to which Tunisia has not expressly acceded.

40

Original: French/English

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 (Minneapolis, 1998), and that these declarations and reservations likewise apply to the instruments adopted by the Plenipotentiary Conference (Marrakesh, 2002) amending the Constitution and the Convention.

41

Original: English

For the Hashemite Kingdom of Jordan:

The delegation of the Government of the Hashemite Kingdom of Jordan, on signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), reserves for its Government the right:

1 to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Member States fail in any way to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conferences (Kyoto, 1994), (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or the annexes or the protocols and resolutions 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 Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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 Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) are ratified by this Government.

42

Original: English

For the Union of Myanmar:

The delegation of the Union of Myanmar, on signing the Final Acts of the International Telecommunication Union Plenipotentiary Conference (Marrakesh, 2002) declares for its Government the right:

1 to take any action it considers necessary to safeguard its interests should any Member fail in any way to comply with the Final Acts of the International Telecommunication Union Plenipotentiary Conference (Marrakesh, 2002);

2 to reject the consequences of any reservations made to the Final Acts of the International Telecommunication Union Plenipotentiary Conference (Marrakesh, 2002) by other governments which might give rise to an increase in its contributory share in defraying the expenses of the Union or which might jeopardize its telecommunication services;

3 to make whatever reservations it shall deem appropriate in respect of any text in the Constitution and Convention of ITU (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002) and their annexes attached thereto, which may directly or indirectly affect its sovereignty and interests.

43

Original: English

For the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania:

At the time of signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegations of the above-mentioned countries reserve for their Governments the right to take any action they consider necessary to safeguard their interests should any Member of the Union 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or the annexes or protocols attached thereto, or should reservations by any Member of the Union jeopardize their telecommunication services.

44

Original: English

For the Kingdom of Swaziland:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of the Kingdom of Swaziland declares on behalf of its Government that it 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 of the Union or should reservations by other countries jeopardize the proper operation of its telecommunication services, or affect its sovereignty, and that it accepts no consequence of the reservations made by other governments that might entail an increase in Swaziland's share in defraying the expenses of the Union.

45

Original: Spanish

For the Republic of Colombia:

On signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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 of the Plenipotentiary Conference (Marrakesh, 2002), 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 make reservations to the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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), Reservation No. 64 made at the World Radiocommunication Conference (Istanbul, 2000) and Reservation No. 50 made at the Plenipotentiary Conference (Minneapolis, 1998) with respect to the new provisions contained in the documents of the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) in particular, which amend the Constitution and Convention;

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 insofar 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 (Marrakesh, 2002) and other instruments of the Union, owing to the content and nature of such instruments.

46

Original: English

For New Zealand:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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.

47

Original: English

For the Republic of Cyprus, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, Malta, the Republic of Poland, the Slovak Republic, the Czech Republic, Romania and Turkey:

The delegations of these countries, which are candidates for future membership of the European Union, declare that the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovakia and Turkey will apply the acts adopted under the Constitution and Convention of ITU, but from the date of their accession to the European Community application will be subject to obligations under the Treaty establishing the European Economic Community.

48

Original: English/French/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 (Marrakesh, 2002) in accordance with their obligations under the Treaty establishing the European Economic Community.

49

Original: English

For the Slovak Republic:

The delegation of the Slovak Republic reserves for its Government the right to take any action which it may consider necessary, to safeguard its interests, should any Member State not share in defraying the expenses of the Union or should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto (1994), Minneapolis (1998) and Marrakesh (2002) instruments or their annexes, or the protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) 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.

50

Original: English

For the Czech Republic:

The delegation of the Czech Republic reserves for its Government the right to take any action which it may consider necessary, to safeguard its interests, should any Member State not share in defraying the expenses of the Union or should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto (1994), Minneapolis (1998) and Marrakesh (2002) instruments or their Annexes, or the Protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) 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.

51

Original: Spanish

For Mexico:

The Mexican delegation, in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) of the International Telecommunication Union, reserves for its Government the right:

To take whatever measures it considers necessary to protect and safeguard its sovereignty should any other Member State fail to comply with or fail to apply the provisions contained in the Constitution and Convention of the International Telecommunication Union and the resolutions, decisions, recommendations, annexes and protocols making up the Final Acts of this conference.

To express, in accordance with the Vienna Convention on the Law of Treaties, further reservations to these Acts at any time it may deem appropriate between the date of their signing and the date of their ratification, in accordance with the procedures established in its domestic legislation, and not to consider itself bound by any provision of these Acts which may restrict its right to express such reservations as it deems relevant.

To take any action it considers necessary to safeguard its interests regarding the use of the geostationary orbit and the use of the radio spectrum for the provision of its telecommunication services, should the procedures for the coordination, notification or registration of satellite network frequency assignments be so delayed or obstructed as to cause harm, whether *per se* or by act of other Member States, taking into account the principle of equitable access to these resources.

To reject the establishment and application of any additional financial burden arising from any increase in the contributory unit other than as approved by this conference.

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), the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), and the reservations it made upon the adoption and revision of the Administrative Regulations referred to in Article 4 of the Constitution of the International Telecommunication Union.

52

Original: French/English

For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the Arab Republic of Egypt, the Islamic Republic of Iran, the Hashemite Kingdom of Jordan, the State of Kuwait, the Kingdom of Morocco, the State of Qatar and the Republic of Yemen:

When signing the present Final Acts, the following countries: the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the Arab Republic of Egypt, the Islamic Republic of Iran, the Hashemite Kingdom of Jordan, the State of Kuwait, the Kingdom of Morocco, the State of Qatar and the Republic of Yemen declare that, due to the lack of provisions in the Constitution and the Convention defining the relationship between a Member State and Sector Members that are not under its authority, in case of a dispute between one of the undersigned Member States and Sector Members, that Member State reserves the right to apply Article 56 of the Constitution in respect to the concerned Member State to resolve the dispute.

53

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 Marrakesh (2002) instruments further amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as already amended by the Kyoto (1994) and Minneapolis (1998) instruments, or should reservations by other Member States be likely to increase the share of the Federal Republic of Germany 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 that Article 4.

54

Original: English

For the Kingdom of Tonga:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or should the acts or reservations by representatives of other States affects 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 (Marrakesh, 2002) 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.

55

Original: English

For Japan:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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.

56

Original: English

For Malta:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of Malta declares on behalf of its Government:

a) that it accepts no consequence of the reservations made by other governments which might lead to an increase in the shares they contribute to defraying the expenses 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.

57

Original: English

For Australia:

The delegation of Australia declares that it reserves for its Government the right to make any declarations or reservations when depositing its instruments of ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002).

58

Original: English

For the Republic of Korea:

The delegation of the Republic of Korea, in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), reserves for its Government the right to take any action that 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), or the annexes thereto, or should reservations by other countries jeopardize its interests in any way.

59

Original: Russian

For the Republic of Armenia, the Republic of Belarus, the Republic of Moldova, the Republic of Uzbekistan, the Kyrgyz Republic, the Russian Federation and Ukraine:

The delegations of the above-mentioned countries reserve for their respective Governments the right to make any statement or reservation when ratifying the instruments amending the Constitution and the Convention of the International Telecommunication Union (Marrakesh, 2002), 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 contributions to defraying the expenses of the Union.

60

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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), 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.

61

Original: English

For the Federative Republic of Brazil:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) the delegation of Brazil, in accordance with the provisions of the Brazilian Constitution, hereby declares that this signature is subject to ratification by the National Congress.

Furthermore, the delegation of Brazil wishes to convey its stance in respect of Resolution 106 (Marrakesh, 2002). On the one hand, Brazil fully supports the proposal to study the revision of the ITU structure and functioning, stressing the importance of such a revision, which will timely provide more efficiency and flexibility to the Sectors. On the other hand, the Brazilian Government, aware of the fact that the Working Group of the Council created to study this matter is open to all Member States and Sector Members, as specified in Resolution 106 (Marrakesh, 2002), wishes to maintain its understanding that ITU is an intergovernmental organization and only Member States delegations shall represent countries in the decisions of the Union.

62

Original: English

For the State of Israel:

1 The Government of the State of Israel hereby declares its 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 Member States;

b) to take any action 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), the Plenipotentiary Conference (Minneapolis, 1998), the Plenipotentiary Conference (Marrakesh, 2002), or the annexes and protocols attached thereto; or should reservations made by other Member States appear to be detrimental to the operation of its telecommunication services.

2 The Government of the State of Israel refers to Resolution 125 (Marrakesh, 2002) and states its position that the interpretation and application of that resolution by all concerned must be in accordance with and subject to any existing or future bilateral agreements or arrangements between Israel and the Palestinian side. Furthermore, Israel shall interpret and apply that resolution in accordance with and subject to applicable Israeli law.

3 The Government of the State of Israel reserves the right to amend the foregoing reservations and declarations and to make any further reservations and declarations it may consider necessary up to the time of depositing its instrument of ratification of the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002).

63

Original: English

For the Republic of Mozambique:

The delegation of the Republic of Mozambique hereby declares on behalf of the Government of the Republic of Mozambique 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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), 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.

64

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 (Marrakesh, 2002) reserves for its Government the right:

1 to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Member States fail in any way to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or the annexes or the protocols and Regulations attached thereto;

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

3 not to be bound by any provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), 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 (Marrakesh, 2002) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) are ratified.

65

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 the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), 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.

66

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.

67

Original: English

For the Federal Republic of Germany, the Azerbaijani Republic, Denmark, the Republic of Estonia, Finland, France, the Republic of Hungary, Ireland, Italy, the Republic of Latvia, Malta, the Kingdom of the Netherlands, Portugal, the Slovak Republic, the Czech Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden, the Confederation of Switzerland and Turkey:

At the time of signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), 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 previous treaty-making conferences of the Union as if they were made in full at this plenipotentiary conference.

68

Original: English

For Turkey:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), the delegation of the Republic of Turkey:

1 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 amended by the Plenipotentiary Conference (Minneapolis, 1998), and as further amended by the Plenipotentiary Conference (Marrakesh, 2002), 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;

2 reserves for its Government the right, if necessary, to make further reservations to the present Final Acts;

3 declares on behalf of its Government that it accepts no consequences of any reservation which would lead to an increase in the share it contributes to defraying the expenses of the Union;

4 formally declares that reservations previously made with regard to the Constitution, Convention and Administrative Regulations of the Union shall prevail unless declared otherwise.

69

Original: English

For the Azerbaijani Republic:

In signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), the delegation of Turkey, on behalf of the Azerbaijani Republic:

1 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 amended by the Plenipotentiary Conference (Minneapolis, 1998), and as further amended by the Plenipotentiary Conference (Marrakesh, 2002), 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;

2 reserves for its Government the right, if necessary, to make further reservations to the present Final Acts;

3 declares on behalf of its Government that it accepts no consequences of any reservation which would lead to an increase in the share it contributes to defraying the expenses of the Union;

4 formally declares that reservations previously made with regard to the Constitution, Convention and Administrative Regulations of the Union shall prevail unless declared otherwise.

70

Original: English

For the United States of America:

The United States of America refers to the provisions on reservations of Article 32 of the Convention of the International Telecommunication Union (Geneva, 1992), and notes that in considering the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), the United States of America may find it necessary to make additional reservations or declarations. Accordingly, the United States of America reserves the right to make additional reservations or declarations at the time of deposit of its instruments of ratification of the amendments to the Constitution and the Convention (Geneva, 1992) which are adopted by the Plenipotentiary Conference (Marrakesh, 2002).

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 does not by signature to or by any subsequent ratification of the amendments to the Constitution and Convention adopted by the Plenipotentiary Conference (Marrakesh, 2002) 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 of its consent to be bound.

71

Original: English

For the United States of America:

In regard to the privileges and immunities to be extended pursuant to ADD No. 142A of Article 10 of the Convention of the International Telecommunication Union, the United States of America shall provide members of the Radio Regulations Board with functional privileges and immunities that are equivalent to those accorded to officials of international organizations that are designated under the International Organizations Immunities Act, 22 United States Code 288 et. seq.

72

Original: Spanish

For Cuba:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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. Cuba therefore 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.

- The Government of Cuba reserves 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 (Marrakesh, 2002) amending the Constitution and Convention of the International Telecommunication union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994, and Minneapolis, 1998), with the Administrative Regulations or with the General Rules of conferences, assemblies and meetings of the Union, 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 (Marrakesh, 2002) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994, and Minneapolis, 1998).

73

Original: French

For the Republic of Mali:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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 Member States of the Union and Sector Members 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.

74

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), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), and/or any other instruments associated therewith. The declaration further affirms that the Government of the Republic of Kenya does not accept responsibility for the consequences arising out of any reservations made by other Members of the Union.

75

Original: English

For the Republic of South Africa:

The delegation of the Republic of South Africa (RSA), in signing the Final Acts, 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 (Marrakesh, 2002) amending 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 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 (RSA), 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 (Marrakesh, 2002) amending 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).

76

Original: English

For Malawi:

The delegation of the Republic of Malawi to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) reserves for its Government the right to take such action as it may consider necessary and/or appropriate to safeguard and to 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 Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), or any other instruments associated therewith. The declaration further affirms that the Government of the Republic of Malawi does not accept responsibility for the consequences arising out of any reservations made by other Members of the Union.

77

Original: Spanish

For the Dominican Republic:

The delegation of the Dominican Republic makes the following declaration on behalf of its Government:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of the Dominican Republic reserves the right to make new reservations to the Acts at any time it considers appropriate, between the date of their signature and the date of their ratification in accordance with the procedure established by the legislation of the Dominican Republic.

The Dominican Republic does not accept the establishment and application of any financial charges additional to those approved by the Plenipotentiary Conference (Marrakesh, 2002).

The delegation of the Dominican Republic reserves the right to take any measures it considers necessary in order to protect and safeguard the sovereignty of the Dominican Republic should any Member State fail to comply with or violate the provisions set forth in 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), and in the resolutions, decisions, recommendations, annexes and protocols making up the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002).

78

Original: English

For the Federated States of Micronesia:

The Federated States of Micronesia refers to the declarations and reservations contained in Conference Document 228 reserving their right to take such action as they may consider necessary to safeguard their interests with respect to application of the provisions of the Constitution and the Convention of the International Telecommunication Union (1999 Edition), and any amendments thereto. The Federated States of Micronesia reserves the right to take whatever measures it deems necessary to safeguard its interests in response to such actions.

79

Original: English

For the United States of America:

The United States of America, noting Statement 72 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.

80

Original: English

For the United States of America:

The United States of America refers to declarations made by various Member States 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.

81

Original: English

For the Republic of the Marshall Islands:

The Republic of the Marshall Islands refers to declarations made by various Member States 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 Republic of the Marshall Islands reserves the right to take whatever measures it deems necessary to safeguard its interests in response to such actions.

82

Original: English

For the Socialist Republic of Viet Nam:

Having examined the declarations and reservations contained in Document 228 of the conference, the delegation of the Socialist Republic of Viet Nam, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunications Union (Marrakesh, 2002) declares:

1 it maintains the reservations made by Viet Nam at the Plenipotentiary Conference (Nairobi, 1982) and reaffirmed at the Plenipotentiary Conferences (Nice, 1989; Geneva, 1992; Kyoto, 1994; and Minneapolis, 1998);

2 Viet Nam reserves the right to take any action deemed as necessary to safeguard its interests should any other Member State in any way fail to comply with the provisions of the Constitution, Convention or Administrative Regulations and appendices thereto of the International Telecommunication Union, or should reservations by other Member States jeopardize the sovereignty, interests and telecommunication services of the S.R. of Viet Nam;

3 it reserves the right of the Socialist Republic of Viet Nam to express additional reservations at the time of ratification of the amendments to the Constitution and the Convention made at the sixteenth ITU Plenipotentiary Conference held in Marrakesh.

83

Original: English

For the Federal Democratic Republic of Ethiopia:

Having examined the declarations and reservations contained in Document 228 of the conference, the delegation of the Federal Democratic Republic of Ethiopia, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), reserves for its Government the rights to take any action it may deem necessary to safeguard and protect its interests should certain members fail in any way to comply with the requirements of the instruments (Marrakesh, 2002) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), or the annexes attached thereto, or should the consequences of reservations by other countries jeopardize the efficient operation of its telecommunication services.

The Ethiopian delegation further reserves for the Government the right not to be bound by any provision of the Constitution or the Convention of the International Telecommunication Union (Geneva, 1992) which may affect the sovereign right and be in contradiction with the constitution, laws and regulations of the Federal Democratic Republic of Ethiopia.

84

Original: French

For the Republic of Senegal:

Having noted Document 228, the delegation of the Republic of Senegal, in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), reserves for its Government:

1 the right to take any action it deems necessary to safeguard its national interests should any Member of the Union fail to comply in whatsoever manner with the provisions of the Constitution or the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002) or the provisions, annexes and Administrative Regulations attached thereto; or should the consequences of reservations made by other Member States directly or indirectly jeopardize the telecommunication services of Senegal or impair the sovereign rights of Senegal;

2 the right not 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 thereto;

3 the right not to accept any financial measure liable to lead to an unjustified increase of its contributory share towards defraying the expenses of the Union.

85

Original: English

For the Democratic Socialist Republic of Sri Lanka:

Noting the declarations made by other Member countries, the delegation of Sri Lanka declares that the Government of the Democratic Socialist Republic of Sri Lanka reserves the right:

1 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 the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998) and the Plenipotentiary Conference (Marrakesh, 2002), and the annexes and protocols attached thereto, or should any reservation expressed by other countries of the Union jeopardize the proper operation of its telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union;

2 to take any measure it considers necessary to safeguard its national interests, should other Member States fail to comply with the provisions of the Final Acts of this conference (Marrakesh, 2002);

3 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.

86

Original: English

For the Kingdom of Bhutan:

Noting the declarations and reservations made by other Member States, the delegation of the Kingdom of Bhutan declares that, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), it reserves the right for its Government to take such action which it considers necessary to safeguard its interests should any member of the Union fail in any way to comply with the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998), and the Plenipotentiary Conference (Marrakesh, 2002), or the annexes and the protocols attached thereto, or should reservations by any member of the Union jeopardize Bhutan's telecommunication services and affect its sovereignty.

87

Original: English

For Papua New Guinea:

Having examined the declarations and reservations contained in Document 228 of the conference, the delegation of Papua New Guinea, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), reserves:

1 for its Government the right to take such measures as it might deem 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 Final Acts of the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and the annexes and protocols attached thereto, or should reservation by any Member State of the Union jeopardize Papua New Guinea's telecommunication services, affect its sovereignty or interests, or lead to an increase in its contributory share towards defraying the expenses of the Union;

2 its position with regard to the Convention provisions adopted by this conference concerning the functional privileges and immunities of persons elected to serve on the Radio Regulations Board;

3 for its Government the right to make such additional declarations or reservations as may be necessary, prior to ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002).

88

Original: English

For Romania:

The Government of Romania refers to declarations made by a number of Member States regarding reservations made at previous treaty-making conferences of the Union and formally declares that it maintains the declarations and reservations made by it when signing the Final Acts of those conferences as if they were made in full at this plenipotentiary conference.

89

Original: French

For the Republic of Cameroon:

Having noted Document 228, the Republic of Cameroon, in signing these Final Acts, reserves the right:

1 to take all necessary measures to safeguard its interests should:

- a Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and subsequent amendments thereto adopted by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002);
- reservations entered by other Member States impair those interests;

2 to enter, until the time of deposit of the instruments of ratification, any additional reservations it may deem necessary.

90

Original: English

For the State of Israel:

1 Declarations Nos. 27 and 39 (paragraph C), made by certain Member States in respect of the Final Acts, contravene the principles and purposes of the International Telecommunication Union, and are therefore devoid of legal validity.

2 The Government of the State of Israel wishes to put on record that it rejects these aforesaid declarations, which politicize and undermine the work of ITU.

3 Should any Member State that has made either of the foregoing declarations act toward Israel in a manner which violates Israel's rights as a Member State of ITU, or breaches such Member State's obligations toward Israel as such, the State of Israel reserves its right to act toward such Member State in a reciprocal fashion.

91

Original: English

For the Republic of Zimbabwe:

Having read and taken note of the declarations and reservations made at the end of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) contained in Document 228, the delegation of the Republic of Zimbabwe hereby declares, on behalf of the Government of the Republic of Zimbabwe, that it:

1 reserves the right to take action as it may consider necessary to protect its interests should any country not observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments made thereto by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), 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 action it deems fit.

92

Original: English

For the United Republic of Tanzania:

Having taken note of some of the declarations of Member States, the delegation of Tanzania, on behalf of the United Republic of Tanzania, reserves the right to take any measure it may deem necessary to safeguard its interests should any member fail to comply with provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and the annexes and protocols to those instruments, or should the reservations made by other members jeopardize its full sovereign right or the proper functioning of its telecommunication services.

93

Original: English

For the Federal Republic of Nigeria:

After having taken note of Document 228, the delegation of the Federal Republic of Nigeria to the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), 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 interest, should other Member States fail to observe the provision of the instruments (Marrakesh, 2002) amending 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 thereto, or should reservations by other Member States or any failure jeopardize the operation of the telecommunication services;

2 to make any other declaration or reservation until and up to the time that the instruments (Marrakesh, 2002) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Instruments (Kyoto, 1994 and Minneapolis, 1998), are ratified by the Federal Republic of Nigeria;

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

94

Original: Spanish

For Ecuador:

The delegation of Ecuador, in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) and having noted the declarations by other Member States, 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 impaired by failure on the part of other Member States to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), or of the annexes and protocols thereto.

95

Original: English

For the Republic of Uganda:

The delegation of Uganda, having examined the declarations and reservations contained in Document 228 of the Plenipotentiary Conference (Marrakesh, 2002) of the International Telecommunication Union (ITU), reserves for its Government the right to make reservations or declarations at the time of deposit of its instruments of ratification of the amendments to the Constitution and the Convention (Geneva, 1992) which are adopted by the Plenipotentiary Conference (Marrakesh, 2002).

96

Original: Spanish

For the Republic of Paraguay:

Having considered the declarations contained in Document 228 and in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of Paraguay, in accordance with the terms of its Constitution, declares that such signature is subject to ratification by the National Congress.

97

Original: French

For the Republic of Mali:

Having considered Document 228, the Republic of Mali reserves the right to make additional declarations or reservations when it deposits the instrument of ratification of the amendments to the Constitution and the Convention (Geneva, 1992) adopted by the Plenipotentiary Conference (Marrakesh, 2002).

98

Original: English

For Turkey:

Having examined the declarations and reservations contained in Document 228 of the conference, the delegation of the Republic of Turkey, in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) declares that it will implement the provisions of the Final Acts only to the State parties with which it has diplomatic relations.

99

Original: Arabic

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 (Marrakesh, 2002), having considered Document 228, declares that the Great Socialist People's Libyan Arab Jamahiriya reserves the right to take any 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 adopted by the conference amending the Constitution and Convention of the Union (Geneva, 1992) as amended by the Plenipotentiary Conferences (Kyoto, 1994 and Minneapolis, 1998), and the annexes to the Constitution and Convention, which might jeopardize telecommunication services in the Great Socialist People's Libyan Arab Jamahiriya or cause an increase in its contribution to the expenses of the Union.

The Great Socialist People's Libyan Arab Jamahiriya reserves the right to express reservations to any of the final documents adopted by this conference, until the date of deposit of its instruments of ratification of those documents.

100

Original: Spanish

For the Republic of Chile:

Having considered Document 228, the delegation of the Republic of Chile reserves the right for its Government to:

- adopt the measures it considers necessary to protect its interests should 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 Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and of the annexes and protocols appended thereto, or should the reservations made by other Members infringe on its sovereign rights or jeopardize the proper operation of its telecommunication services;

- to make additional reservations, by virtue of the Vienna Convention on the Law of Treaties of 1969, to the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), at any time it considers proper between the date of signature and the date of ratification of the international instruments making up the Final Acts.

101

Original: English

For the Federal Republic of Germany, Australia, Austria, the Azerbaijani Republic, Belgium, Canada, Denmark, the United States of America, Finland, France, the Republic of Hungary, Ireland, Iceland, Japan, the Republic of Latvia, the Principality of Liechtenstein, Luxembourg, Malta, Norway, New Zealand, Portugal, the Slovak Republic, the Czech Republic, Romania, the United Kingdom of Great Britain and Northern Ireland, Sweden, the Confederation of Switzerland, Turkey:

The delegations of the above-mentioned States, referring to the declaration made by the Republic of Colombia (No. 45), inasmuch 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.

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.

102

Original: English

For the Democratic Republic of Sao Tome and Principe:

The delegation of Portugal to the Plenipotentiary Conference of the International Telecommunication Union, having considered the declarations contained in Document 228 declares, on behalf of the Government of the Democratic Republic of Sao Tome and Principe, that it will reserve the right of this Government to take any action it will consider necessary should any Member State fail in any way to comply with the requirements of the Constitution and the Convention of ITU and that it will apply the acts adopted under the Constitution and the Convention of ITU insofar as they are not against its domestic law.

103

Original: English

For the State of Kuwait:

Having examined the declarations and reservations contained in Document 228 of the conference, the delegation of the State of Kuwait, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), reserves for its Government the rights to take any action it considers necessary to safeguard its interests should other countries fail to observe the provisions adopted by this conference to amend the Constitution and the Convention (Geneva, 1992) and their amendments (Kyoto, 1994 and Minneapolis, 1998) and their annexes, or should they fail to defray the expenses of the Union, or should their reservations, now or in the future, or their failure to comply with the Constitution and the Convention, jeopardize the proper operation of the telecommunication services in the State of Kuwait, or lead to an increase in its share in defraying the expenses of the Union.

104

Original: French

For Portugal:

Having considered the declarations contained in Document 228, 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 expenses 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 expenses 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 should any reservations expressed by other countries 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.

105

Original: French

For the Republic of the Niger:

Having considered Document 228 and in signing the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), the delegation of the Republic of the Niger reserves for its Government the right to question any act or resolution that may be contrary to its interests.

Niger's reservation concerns in particular any instrument that runs counter to the provisions of the Constitution of the Republic, to national sovereignty or to its fundamental interests and telecommunication services.

Niger also reserves the right to make reservations to the Final Acts of this conference until such time as the respective instrument of ratification has been deposited.

106

Original: English

For the State of Qatar:

Having examined the declarations and reservations contained in Document 228 of the conference, the delegation of the State of Qatar, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), reserves the right for its Government to take any action it considers necessary to safeguard its interest should other countries fail to observe the provisions adopted by this conference to amend the Constitution and the Convention (Geneva, 1992) and their amendments (Kyoto, 1994 and Minneapolis, 1998) and their annexes, or should they fail to defray the expenses of the Union, or their failure to comply with the Constitution and the Convention, jeopardize the proper operation of the telecommunication services in the State of Qatar or lead to an increase in its share in defraying the expenses of the Union.

107

Original: Spanish

For the Argentine Republic:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the Argentine delegation states that, having taken note of the declarations and reservations made by Member States, it reserves for its Government:

1 the right to take any action, in accordance with its domestic legislation and with international law, that it may consider necessary to safeguard its national interests should other Member States fail to comply with the provisions contained in the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002), or should the reservations made by other Member States affect the telecommunication services of the Argentine Republic or its sovereign rights;

2 the right to make reservations to the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) between the date of signature of these Final Acts and the date of possible presentation of the instruments approving these Final Acts, pursuant to the Vienna Convention on the Law of Treaties of 1969.

108

Original: French

For the Togolese Republic:

Having noted the contents of Document 228, the delegation of the Togolese Republic, in signing these Final Acts, reserves for its Government the right:

- not to be bound by any amended provisions of the Constitution and Convention of the International Telecommunication Union, as amended by the Plenipotentiary Conference (Marrakesh, 2002), which may be prejudicial to the sovereignty or the laws of the Togolese Republic;
- to take such action as may be necessary to safeguard its interests should any Member States fail to comply with the provisions of these Final Acts, the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and should reservations made by other countries jeopardize its interests; and
- to make any other reservation when ratifying the instruments amending the Constitution and the Convention of the International Telecommunication Union as adopted by the Plenipotentiary Conference (Marrakesh, 2002).

In regard specifically to the privileges and immunities to be extended pursuant to No. ADD 142 in Article 10 of the Convention of the International Telecommunication Union, the Togolese Republic will grant members of the Radio Regulations Board the functional privileges and immunities that are generally accorded to officials of international organizations under Togolese laws.

109

Original: English

For Ghana:

Having examined the declarations and reservations of the conference, the delegation of Ghana makes the following additional declarations 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 Member not contribute their share to defraying the expenditure of the Union or fail in any way 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;

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

4 that it also reserves for its Government the right to take any action which it may consider necessary to safeguard its interest, should any member fail in any way to comply with the provisions of the instruments amending the Constitution and the Convention as adopted by the Plenipotentiary Conference (Marrakesh, 2002) and the annexes attached thereto, or should the reservations made by other Members of the Union directly or indirectly jeopardize the interests of its telecommunication services, its national security or its sovereignty.

110

Original: French

For the Republic of Haiti:

Having examined Document 228, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002), the delegation of the Republic of Haiti reserves for its Government the right to take any action which it may deem necessary to safeguard its interests:

a) should a Member State of the Union fail to comply, in whatever manner, with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Plenipotentiary Conferences (Kyoto, 1994; Minneapolis, 1998; and Marrakesh, 2002), and of the annexes and protocols thereto;

b) should reservations entered by other Member States jeopardize the operation of its telecommunication systems.

The delegation of the Republic of Haiti also reserves for its Government the right to enter further declarations or reservations until the ratification of the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002).

GENERAL RULES OF CONFERENCES, ASSEMBLIES AND MEETINGS OF THE UNION

SUP

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

ADD

GENERAL RULES OF CONFERENCES, ASSEMBLIES AND MEETINGS OF THE UNION

MOD 1

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

2 (MOD RP 1A)

2 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 General Rules, the latter shall prevail.

3 (MOD RP 2)

3 These General Rules shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of the Convention.

Note by the General Secretariat – The provisions of the *General Rules of conferences, assemblies and meetings of the Union* adopted by the Plenipotentiary Conference (Marrakesh, 2002) have been numbered in sequence. The annotations below the provision number in the margin indicate the source of amended or added text. For instance, "2 (MOD RP 1A)" indicates that the provision, now numbered 2, is taken from old No. 1A of the Rules of Procedure of conferences and other meetings of ITU; "ADD* 4 (CV255)" indicates that the provision, now numbered 4, is taken from No. 255 of the ITU Convention, transferred to the General Rules.

ADD

CHAPTER I

ADD*

General Provisions Regarding Conferences and Assemblies

ADD*

1 Invitation to plenipotentiary conferences when there is an inviting government

ADD* 4 (CV 255) 1 The precise place and the exact dates of the conference shall be fixed in accordance with the provisions of Article 1 of the Convention, following consultations with the inviting government.

ADD* 5 (CV 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.

ADD* 6 (CV 257) 2) These invitations may be sent directly or through the Secretary-General or through another government.

ADD* 7 (CV 258) 3 The Secretary-General shall invite as observers the organizations, agencies and entities referred to in Article 23 of the Convention.

ADD* 8 (CV 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.

ADD* 9 (CV 264) 2) These replies may be sent directly to the inviting government or through the Secretary-General or through another government.

ADD* 10 (CV 265) 3) The replies of the organizations, agencies and entities referred to in Article 23 of the Convention must reach the Secretary-General one month before the opening date of the conference.

ADD*

2 Invitation to radiocommunication conferences when there is an inviting government

ADD* 11 (CV 270) 1 The precise place and exact dates of the conference shall be fixed in accordance with the provisions of Article 3 of the Convention, following consultations with the inviting government.

ADD* 12 (CV 271) 2 1) The provisions of Nos. 5 to 10 above shall apply to radiocommunication conferences.

ADD* 13 (CV 272) 2) Member States should inform the Sector Members of the invitation they have received to participate in a radiocommunication conference.

ADD* 14 (CV 273) 3 1) The inviting government, in agreement with or on a proposal by the Council, may notify the international organizations other than those referred to in Nos. 269A to 269E of the Convention which may be interested in sending observers to participate in the conference in an advisory capacity.

ADD* 15 (CV 274) 2) The interested international organizations referred to in No. 14 above shall send an application for admission to the inviting government within a period of two months from the date of notification.

ADD* 16 (CV 275) 3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted.

ADD* **3 Invitation to radiocommunication assemblies, world telecommunication standardization assemblies and telecommunication development conferences when there is an inviting government**

ADD* 17 (CV 283) 1 The precise place and exact dates of each assembly or conference shall be fixed in accordance with the provisions of Article 3 of the Convention, following consultations with the inviting government.

ADD* 18 (CV 284) 2 One year before the date of the opening of the assembly or conference, the Secretary-General, after consultation with the Director of the Bureau concerned, shall send an invitation to:

ADD* 19 (CV 285) *a)* the administration of each Member State;

ADD* 20 (CV 286) *b)* the Sector Members concerned;

ADD* 21 (CV 287) *c)* the organizations and agencies referred to in the relevant provisions of Article 25 of the Convention.

ADD* 22 (CV 293) 3 The replies must reach the Secretary-General at least one month before the date of opening of the assembly or conference and should, whenever possible, include full information on the composition of the delegation or representation.

ADD*

4 Procedure for convening or cancelling world conferences or assemblies at the request of Member States or on a proposal of the Council

ADD* 23 (CV 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.

ADD* 24 (CV 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.

ADD* 25 (CV 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.

ADD* 26 (CV 302) 3) If a majority of the Member States, determined in accordance with No. 47 of the 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.

ADD* 27 (CV 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.

ADD* 28 (CV 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 the 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.

ADD* 29 (CV 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 the Convention.

ADD* 30 (CV 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.

ADD* 31 (CV 307) 2) If a majority of the Member States, determined in accordance with No. 47 of the 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.

ADD* 32 (CV 308) 4 The procedures indicated in Nos. 25 to 31 above, with the exception of No. 30, shall also be applicable when the proposal to convene a second world telecommunication standardization assembly or to cancel a second world radiocommunication conference or a second radiocommunication assembly is initiated by the Council.

ADD* 33 (CV 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 the Convention.

ADD* **5 Procedure for convening regional conferences at the request of Member States or on a proposal of the Council**

ADD* 34 (CV 310) In the case of a regional conference, the procedure described in Nos. 24 to 29 above 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. 25 to 29 above shall also be applicable when the proposal to convene such a conference is initiated by the Council.

ADD* **6 Provisions for conferences and assemblies when there is no inviting government**

ADD* 35 (CV 311) When a conference or an assembly is to be held without an inviting government, the provisions of Sections 1, 2 and 3 above 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.

ADD* **7 Change in the place or dates of a conference or an assembly**

ADD* 36 (CV 312) 1 The provisions of Sections 4 and 5 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 the Convention, have pronounced in favour.

ADD* 37 (CV 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.

ADD* 38 (CV 314) 3 Where the issue arises, the Secretary-General shall indicate, in the communication referred to in No. 25 above, the probable financial consequences of a change in the place or dates, as, for example, when there has been an outlay of expenditure in preparing for the conference or assembly at the place initially chosen.

ADD*

8 Time-limits and conditions for submission of proposals and reports to conferences

ADD* 39 (CV 315) 1 The provisions of this section shall apply to the Plenipotentiary Conference, world and regional radiocommunication conferences and world conferences on international telecommunications.

ADD* 40 (CV 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.

ADD* 41 (CV 317) 3 All proposals the adoption of which will involve amendment of the text of the Constitution or the Convention or revision of the Administrative Regulations must carry references identifying by their marginal numbers those parts of the text which will require such amendment or revision. The reasons for the proposal must be given, as briefly as possible, in each case.

ADD* 42 (CV 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.

ADD* 43 (CV 319) 5 The Secretary-General shall communicate the proposals to all Member States as they are received.

ADD* 44 (CV 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, making them available by electronic means. 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 the Convention, shall not be entitled to submit proposals.

ADD* 45
(CV 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. The reports shall also be made available by electronic means.

ADD* 46
(CV 322)

8 Proposals received after the time-limit specified in No. 40 above shall be communicated to all Member States by the Secretary-General as soon as practicable, and made available by electronic means.

ADD* 47
(CV 323)

9 The provisions of this chapter shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of the Convention.

ADD

CHAPTER II

ADD

Rules of Procedure of Conferences, Assemblies and Meetings

(MOD)

9 Order of seating

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

(MOD)

10 Inauguration of the conference

49 (MOD RP 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. 53 below.

50 (MOD RP 5) 2) The chairman of the meeting of heads of delegation shall be appointed in accordance with the provisions of Nos. 51 and 52 below.

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

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

53 (MOD RP 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.

54 (MOD RP 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. 49 above.

55 (MOD RP 10) 4 The first plenary meeting shall also:

56 (MOD RP 11) *a)* elect the vice-chairmen of the conference;

57 (MOD RP 12) *b)* set up the conference committees and elect their respective chairmen and vice-chairmen;

58 (MOD RP 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.

(MOD)

11 Powers of the chairman of the conference

59 (MOD RP 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.

60 (MOD RP 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.

61 (MOD RP 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.

62 (MOD RP 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.

(MOD)

12 Setting up of committees

63 (MOD RP 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.

64 (MOD RP 19) 2 Subcommittees and working groups shall be set up when necessary.

65 (MOD RP 20) 3 Subject to the provisions of Nos. 63 and 64 above, the following committees shall be set up:

(MOD) **12.1 Steering Committee**

66 (MOD RP 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.

67 (MOD RP 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.

(MOD) **12.2 Credentials Committee**

68 (MOD RP 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.

(MOD) **12.3 Editorial Committee**

69 (MOD RP 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.

70 (MOD RP 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.

(MOD) **12.4 Budget Control Committee**

71 (MOD RP 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.

72 (MOD RP 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.

73 (MOD RP 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.

74 (MOD RP 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.

(MOD) **13 Composition of committees**

(MOD) **13.1 Plenipotentiary conferences**

75 (MOD RP 30) Committees shall be composed of the delegates of Member States and the observers referred to in Nos. 269A to 269E of the Convention who have so requested or who have been designated by the Plenary Meeting.

(MOD) **13.2 Radiocommunication conferences and world conferences on international telecommunications**

76 (MOD RP 31) 1 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.

77 (MOD RP 31A) 2 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.

(MOD) **13.3 Radiocommunication assemblies, world telecommunication standardization assemblies and telecommunication development conferences**

78 (MOD RP 32) In addition to delegates of Member States and observers referred to in Nos. 269A to 269D 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.

(MOD) **14 Chairmen and vice-chairmen of subcommittees**

79 (MOD RP 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.

(MOD) **15 Summons to meetings**

80 (MOD RP 34) Plenary meetings and meetings of committees, subcommittees and working groups shall be announced in good time in the meeting place of the conference.

(MOD) **16 Proposals presented before the opening of the conference**

81 (MOD RP 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 12 above. Nevertheless, the Plenary Meeting itself shall be entitled to deal with any proposal.

(MOD) **17 Proposals or amendments presented during the conference**

82 (MOD RP 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.

83 (MOD RP 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.

84 (MOD RP 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.

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

86 (MOD RP 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. 82 above.

87 (MOD RP 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.

88 (MOD RP 42) 3) In addition, the chairman of the conference, on receiving proposals or amendments referred to in No. 82 above, shall refer them to the appropriate committee or to the Plenary Meeting as the case may be.

89 (MOD RP 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.

(MOD) **18 Conditions required for discussion of or decision or vote on any proposal or amendment**

90 (MOD RP 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.

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

(MOD) **19 Proposals or amendments passed over or postponed**

92 (MOD RP 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.

(MOD) **20 Rules for debates in plenary meetings**

(MOD) **20.1 Quorum**

93 (MOD RP 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.

(MOD) **20.2 Order of debates**

94 (MOD RP 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.

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

(MOD) **20.3 Motions of order and points of order**

96 (MOD RP 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.

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

(MOD) **20.4 Priority of motions of order and points of order**

98 (MOD RP 52) The motions and points of order mentioned in No. 96 above shall be dealt with in the following order:

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

100 (MOD RP 54) *b)* suspension of a meeting;

101 (MOD RP 55) *c)* adjournment of a meeting;

102 (MOD RP 56) *d)* postponement of debate on the matter under discussion;

103 (MOD RP 57) *e)* closure of debate on the matter under discussion;

104 (MOD RP 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.

(MOD) **20.5 Motion for suspension or adjournment of a meeting**

105 (MOD RP 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.

(MOD) **20.6 Motion for postponement of debate**

106 (MOD RP 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.

(MOD) **20.7 Motion for closure of debate**

107 (MOD RP 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.

(MOD) **20.8 Limitation of speeches**

108 (MOD RP 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.

109 (MOD RP 63) 2) However, as regards questions of procedure, the chairman shall limit the speaking time allowed to a maximum of five minutes.

110 (MOD RP 64) 3) When a speaker has exceeded the time allowed, the chairman shall notify the meeting and request the speaker to conclude briefly.

(MOD) **20.9 Closing the list of speakers**

111 (MOD RP 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.

112 (MOD RP 66) 2) The list of speakers having been exhausted, the chairman shall declare discussion on the matter closed.

(MOD) **20.10 Questions of competence**

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

(MOD) **20.11 Withdrawal and resubmission of a motion**

114 (MOD RP 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.

(MOD) **21 Voting**

(MOD) **21.1 Definition of a majority**

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

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

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

118 (MOD RP 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.

(MOD) **21.2 Non-participation in voting**

119 (MOD RP 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. 93 above, nor as abstaining for the purpose of applying the provisions of No. 121 below.

(MOD) **21.3 Special majority**

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

(MOD) **21.4 Abstentions of more than fifty per cent**

121 (MOD RP 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.

(MOD) **21.5 Voting procedures**

122 (MOD RP 79) 1) The voting procedures are as follows:

123 (MOD RP 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;

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

125 (MOD RP 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

126 (MOD RP 83) 2 if the procedure under *a)* shows no clear majority;

127 (MOD RP 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.

128 (MOD RP 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.

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

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

(MOD) **21.6 Prohibition of interruptions once the vote has begun**

131 (MOD RP 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.

(MOD) **21.7 Reasons for votes**

132 (MOD RP 89) The chairman shall authorize any delegations which so request to give the reasons for their vote, after the vote has been taken.

(MOD) **21.8 Voting on parts of a proposal**

133 (MOD RP 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.

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

(MOD) **21.9 Order of voting on concurrent proposals**

135 (MOD RP 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.

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

(MOD) **21.10 Amendments**

137 (MOD RP 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.

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

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

(MOD) **21.11 Voting on amendments**

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

141 (MOD RP 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.

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

134 GR

(MOD) **21.12 Repetition of a vote**

143 (MOD RP 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.

144 (MOD RP 101) 2) In plenary meetings, a proposal, a part of a proposal or an amendment shall not be put to the vote again unless:

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

146 (MOD RP 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.

(MOD) **22 Rules for debates and voting procedures in committees and subcommittees**

147 (MOD RP 104) 1 The chairmen of all committees and subcommittees shall have powers similar to those conferred by Section 11 above on the chairman of the conference.

148 (MOD RP 105) 2 The provisions of Section 20 above 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.

149 (MOD RP 106) 3 The provisions of Section 21 above shall also apply to votes taken in committees and subcommittees.

MOD **23 Minutes of plenary meetings of plenipotentiary conferences, radiocommunication conferences and world conferences on international telecommunications**

150 (MOD RP 109) 1 The minutes of plenary meetings of the above-mentioned conferences 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.

151 (MOD RP 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.

152 (MOD RP 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.

153 (MOD RP 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.

154 (MOD RP 113) 4 The right accorded in No. 153 above regarding the insertion of statements in the minutes shall in all cases be used with discretion.

MOD

24 Reports of plenary meetings of radiocommunication assemblies, world telecommunication standardization assemblies, telecommunication development conferences, committees and subcommittees

SUP RP 114 to RP 116

155 MOD RP 117 2 Plenary meetings of the above-mentioned assemblies and conferences and 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.

136 GR

MOD

25 Approval of minutes of plenary meetings of plenipotentiary conferences, radiocommunication conferences and world conferences on international telecommunications, and reports

156 MOD RP 118 1 1) As a general rule, at the beginning of each plenary meeting of the above-mentioned conferences the chairman shall inquire whether there are any comments on the minutes of the previous meeting. The minutes 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.

157 MOD RP 119 2) Any interim or final report must be approved by the Plenary Meeting, committee or subcommittee concerned.

158 MOD RP 120 2 1) The minutes of the last plenary meetings of the above-mentioned conferences shall be examined and approved by the chairman.

SUP RP 121

(MOD)

26 Numbering

159 (MOD RP 122) 1 The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading in the 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.

160 (MOD RP 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.

(MOD)

27 Final approval

161 (MOD RP 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 the Plenary Meeting.

(MOD) **28 Signature**

162 (MOD RP 125) The texts of the final acts approved by the conferences referred to in No. 161 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.

(MOD) **29 Relations with the press and the public**

163 (MOD RP 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.

164 (MOD RP 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. 49 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.

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

(MOD) **30 Franking privileges**

166 (MOD RP 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.

ADD

CHAPTER III

Election Procedures

ADD 167 These election procedures shall apply to the election of the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux of the Sectors, to the election of the members of the Radio Regulations Board, and to the election of the members of the Radio Regulations Board, and to the election of the Member States which are to serve on the Council, in accordance with Articles 8 and 9 of the Constitution.

ADD

31 General rules on election procedures

ADD 168 1) At least six months prior to the opening of the conference, the Secretary-General shall invite Member States to submit candidatures.

ADD 169 2) Each candidature shall be accompanied by the curriculum vitae of the candidate, with the exception of candidatures for the election of Member States to the Council.

ADD 170 3) Candidatures must reach the Secretary-General not later than 23.59 hours (Geneva time) on the twenty-eighth day prior to the conference. That date shall be stated in the invitation sent by the Secretary-General.

ADD 171 4) Candidatures shall be published as conference documents as soon as they have been received by the Secretary-General.

ADD 172 5) Elections shall begin on the ninth calendar day of the conference.

ADD 173 6) Elections shall be held in the following order: 1) Secretary-General, Deputy Secretary-General and Directors of the Bureaux of the Sectors, 2) members of the Radio Regulations Board and 3) Member States of the Council.

ADD 174 7) Elections shall be held by secret ballot.

ADD 175 8) Elections should preferably be held using an electronic system when a suitable system is available and if the conference does not decide otherwise.

ADD 176 9) Whenever ballot papers are used, before proceeding to the vote, one teller for each region shall be designated by the chairman of the conference from among the delegations present. The chairman of the conference shall hand them the list of delegations entitled to vote and the list of candidates.

ADD 177 10) Provisions relating to the right to vote and proxy votes are given in the Convention.

ADD **32 Specific rules of procedure for the election of the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux of the Sectors**

ADD 178 1) a) Elections shall be carried out in three stages, as follows: first, the election of the Secretary-General; second, the election of the Deputy Secretary-General; and third, the election of the Directors of the Bureaux of the Sectors. The election of the Deputy Secretary-General shall only start upon completion of the election of the Secretary-General. The election of the Directors of the Bureaux shall only start upon completion of the election of the Deputy Secretary-General.

ADD 179 b) If there is only one candidate for the post of Secretary-General or for the post of Deputy Secretary-General, elections shall be carried out in two stages: first, the election of the Secretary-General and Deputy Secretary-General, and then the election of the Directors of the Bureaux of the Sectors. The second group of elections shall only start upon completion of the first group of elections.

ADD 180 2) The same candidate may not stand for election to more than one post.

ADD 181 3) Before proceeding to the elections pertaining to each stage, each delegation entitled to vote shall receive:

ADD 182 *a)* a list of the posts included in the stage, bearing the names of all candidates in French alphabetical order, together with the names of the Member States which have nominated the candidates; or

ADD 183 *b)* when ballot papers are used to hold the elections, a separate ballot paper for each of the posts included in the stage, bearing the names of all candidates in French alphabetical order, together with the names of the Member States which have nominated the candidates.

ADD 184 4) Each delegation should indicate the candidate it supports:

ADD 185 *a)* by electronic means; or

ADD 186 *b)* when ballot papers are used to hold the elections, on its ballot paper by means of an "X" in the box against the name of that candidate.

ADD 187 5) Any candidate obtaining the majority (see No. 115 above) shall be elected.

ADD 188 6) Blank ballot papers shall be considered as abstentions. Ballot papers with more than one box marked, or bearing any mark other than an "X" inside a box, or bearing any mark whatsoever outside the boxes, shall be considered as invalid and shall not be counted. In computing the majority, delegations abstaining from voting shall not be taken into account.

ADD 189 7) When the number of abstentions exceeds half the number of votes cast, the provisions of No. 121 above shall apply.

ADD 190 8) When the counting of the votes is completed, the chairman of the conference shall announce the results of the ballot in the following order:

- number of delegations entitled to vote;
- number of delegations absent;
- number of abstentions;
- number of invalid ballot papers;
- number of votes recorded;
- number of votes constituting the required majority;
- number of votes secured by each of the candidates, in ascending order of the number of votes;
- name of the elected candidate, if any.

ADD 191 9) When, in the first ballot, no candidate obtains the necessary majority of the votes, then one or – if required – two further ballots shall be held after successive intervals of at least six hours, unless the conference decides otherwise, from the announcement of the results.

ADD 192 10) When, after the third ballot, no candidate has obtained the necessary majority of votes, then, after an interval of at least twelve hours, unless the conference decides otherwise, from the announcement of the results, a fourth ballot shall be held in which the two candidates having the largest number of votes at the third ballot shall be voted upon.

ADD 193 11) If however, after the third ballot, there is a tie between several candidates so that the two candidates to be voted upon at the fourth ballot cannot be selected, then one or, if necessary, two additional ballots shall first be held, after successive intervals of at least six hours, unless the conference decides otherwise, from the announcement of the results, to decide between the candidates in question.

ADD 194 12) When there is a tie in both the additional ballots mentioned in No. 193 above, then the eldest of the candidates still in contention shall be declared elected.

ADD

33 Specific rules of procedure for the election of the members of the Radio Regulations Board

ADD 195 1) The total number of members of the Radio Regulations Board and the number of seats per region of the world shall be decided in accordance with Nos. 62 and 93A of the Constitution.

ADD 196 2) Before proceeding to the vote, each delegation entitled to vote shall receive:

ADD 197 *a)* a list bearing the names, in French alphabetical order, of the candidates, together with the names of the Member States which have nominated the candidates, grouped into the regions of the world; or

ADD 198 *b)* when ballot papers are used to hold the elections, a respective ballot paper bearing the names, in French alphabetical order, of the candidates, together with the names of the Member States which have nominated the candidates, grouped into the regions of the world.

ADD 199 3) Each delegation shall indicate the names of the candidates it supports, up to a maximum of the number of candidates per region whose election is permitted according to No. 195 above:

ADD 200 *a)* by electronic means; or

ADD 201 *b)* when ballot papers are used to hold the elections, on its ballot paper by means of an "X" in the box against each of these names.

ADD 202 4) Ballot papers bearing more than the permitted number of "X" per region shall be considered invalid and shall not be counted for the region or regions concerned. Ballot papers bearing any mark other than an "X" inside a box, or bearing any mark whatsoever outside the boxes, shall be considered invalid and shall not be counted.

ADD 203 5) After the count, a list shall be drawn up by the secretariat of the candidates in each region in decreasing order of the number of votes obtained. This list shall be handed to the chairman of the conference, after verification by the tellers in the case that ballot papers were used to hold the elections.

ADD 204 6) The candidates per region receiving the largest number of votes within the limit of the number of seats to be filled shall be elected as members of the Radio Regulations Board.

ADD 205 7) When required, a special ballot shall be held to decide between candidates for the same region having received an equal number of votes after an interval of at least six hours, unless the conference decides otherwise, from the announcement of the results.

ADD 206 8) When there is still a tie between several candidates for the same region following the special ballot, the eldest of the candidates still in contention shall be declared elected.

ADD **34 Specific rules of procedure for the election of the Member States of the Council**

ADD 207 1) The total number of Member States to be elected and the number of seats per region of the world shall be decided in accordance with No. 61 of the Constitution and No. 50A of the Convention.

ADD 208 2) Before proceeding to the vote, each delegation entitled to vote shall receive:

ADD 209 *a)* a list bearing the names, in French alphabetical order, of the Member States which are candidates, grouped into the regions of the world; or

ADD 210 *b)* when ballot papers are used to hold the elections, a single ballot paper bearing the names, in French alphabetical order, of the Member States which are candidates, grouped into the regions of the world.

ADD 211 3) Each delegation shall indicate the names of the Member States it supports, but not more Member States per region than the number of countries whose election is permitted according to No. 207 above:

ADD 212 *a)* by electronic means; or

ADD 213 *b)* when ballot papers are used to hold the elections, on its ballot paper by means of an "X" in the box against each of these names.

ADD 214 4) Ballot papers bearing more than the maximum permitted number of "X" per region shall be considered as invalid and shall not be counted for the region or regions concerned. Ballot papers bearing any mark other than an "X" inside a box, or bearing any mark whatsoever outside the boxes, shall be considered invalid and shall not be counted.

ADD 215 5) After the count, a list shall be drawn up by the secretariat of candidate Member States in each region in decreasing order of the number of votes obtained. This list shall be handed to the chairman of the conference, after verification by the tellers in the case that ballot papers were used to hold the elections.

ADD 216 6) Those Member States which obtain the highest number of votes among the candidates from their region, within the limit of the number of seats to be filled for that region, shall be elected to the Council.

ADD 217 7) If, for any region, several Member States tie for the last seat or seats, then a special ballot shall be held, after an interval of at least six hours, unless the conference decides otherwise, from the announcement of the results, to decide between the candidates.

ADD 218 8) When there is a tie after the special ballot, the Chairman of the conference shall draw lots to determine the Member State(s) which shall be declared elected.

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ADD

CHAPTER IV

ADD

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

219
ADD RP 130

1 Any Member State may propose, at a plenipotentiary conference, any amendment to these General Rules. Amendments proposed must be submitted in conformity with the relevant provisions of Chapter I above.

220
ADD RP 131

2 The quorum required for the examination of any proposed amendment to these General Rules shall be as indicated in Section 20.1 above.

221
ADD RP 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.

222
ADD RP 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 these General Rules adopted in accordance with the provisions of this chapter shall enter into force, for all conferences, assemblies and meetings of the Union, on the date of signature of the final acts of the plenipotentiary conference which adopted them.

DECISIONS

RESOLUTIONS

RECOMMENDATIONS

DECISION 5 (Rev. Marrakesh, 2002)

Income and expenditure of the Union for the period 2004 to 2007

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

the strategic plans and goals established for the Union and its Sectors for the period 2004 to 2007,

considering further

Resolution 91 (Minneapolis, 1998) of the Plenipotentiary Conference on general principles for cost recovery,

decides

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 is balanced by the anticipated income, taking into account the following limits:

1.1 the upper limit of the amount of the contributory unit of Member States for the years 2004 to 2007 shall be CHF 330 000;

1.2 for the years 2004 to 2005, the contributory unit of Member States shall not exceed CHF 315 000;

1.3 expenditure on translation and text processing in respect of the official and working languages of the Union shall not exceed CHF 85 million for the years 2004 to 2007;

1.4 when adopting the biennial budgets of the Union, the Council may decide to give the Secretary-General the possibility, in order to meet unanticipated demand, to increase the budget for products or services which are subject to cost recovery, within the limit of the income from cost recovery for that activity;

1.5 the Council shall each year control the expenditure and income in the budget as well as the different activities and the related expenditure contained therein;

2 that, if no plenipotentiary conference is held in 2006, the Council shall establish the biennial budgets of the Union for 2008 and thereafter, having first obtained approval for the budgeted annual values of the contributory unit from a majority of the Member States of the Union;

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

4 that the Council shall 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 5 below;

5 that the Council may exceed the limit established in *decides* 1.2 above for the years 2004-2005 by up to 1 per cent, in order to meet expenditure on unforeseen and urgent activities which are in the interests of the Union; within the upper limit established in *decides* 1.1 above, the Council may exceed the limit of CHF 315 000 by more than 1 per cent only with the approval of a majority of the Member States of the Union, after they have been duly consulted, within the upper limit of CHF 330 000; they shall be presented with a full statement of the facts justifying this step;

6 that, in determining the value of the contributory unit in any budgetary period, 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 period to period;

7 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;

8 that the Council, in determining the amount of withdrawals from or allocations to the Reserve Account, should aim under normal circumstances at keeping the Reserve Account (after integration of unused appropriations) at a level above 3 per cent of the total budget,

instructs the Secretary-General

to provide to the Council, no less than five weeks before its ordinary 2003 and 2005 sessions, complete and accurate data as needed for the development, consideration and establishment of the biennial budget.

DECISION 6 (Marrakesh, 2002)

Financial Plan of the Union for the period 2004 to 2007

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that, in the consideration of the draft Financial Plan of the Union for the period 2004-2007, the gap between income and expenditure was substantial;

b) that this conference has reviewed many options for reducing that gap,

noting

that this conference established the following guidelines in the application of the expenditure reductions outlined in the Financial Plan:

a) the internal audit function of the Union should be maintained at a strong and effective level;

b) there should be no expenditure reductions which would affect cost-recovery income;

c) fixed costs such as those related to the reimbursement of loans or after-service health insurance should not be subject to expenditure reductions;

d) there should be no expenditure reductions in regular maintenance costs for ITU buildings which would affect the security or the health of staff;

e) the information services function in the Union should be maintained at an effective level;

f) the Reserve Account should be maintained at a level not less than 3 per cent of the budget;

noting further

that this conference revised Resolution 48 (Rev. Minneapolis, 1998) and established guidelines for human resources management and development,

decides

to approve, pursuant to No. 161G of the ITU Constitution, the Financial Plan of the Union for the period 2004 to 2007 as outlined in the annex hereto,

instructs the Secretary-General, with the assistance of the Coordination Committee

1 to prepare the draft biennial budgets for the years 2004-2005, as well as 2006-2007, on the basis of the Financial Plan and the associated guidelines in *noting* above;

2 to elaborate a cost-reduction programme, including a possible staff reduction;

3 to implement the cost-reduction programme as soon as possible,

instructs the Council

1 to review and approve the biennial budgets for 2004-2005 and 2006-2007, giving due consideration to the Financial Plan and the associated guidelines in *noting* above;

2 to ensure that, in each biennial budget, the income and expenditure are balanced;

3 to consider further appropriations in the event that additional sources of revenue are identified or savings are achieved;

4 to examine the cost- and staff-reduction programme prepared by the Secretary-General;

5 in so doing, to take account of the social constraints that could result from the implementation of the Financial Plan for the staff of the Union.

ANNEX TO DECISION 6 (Marrakesh, 2002)

Financial Plan of the Union for the Period 2004-2007
Table A – Income estimates

In thousands of Swiss francs

	Source	Actual 2000-2001 plus Budget 2002-2003	Estimates 2004-2007
A	Assessed contributions[1]	544 963	531 923
A.1	Member States' contributions (335 13/16 units at CHF 315 000 per annum)	450 705	423 124
A.2	Sector Members' contributions (CHF 63 000 per annum)	93 046	88 484
	– *Radiocommunication Sector (127 units)*	*30 861*	*32 004*
	– *Telecommunication Standardization Sector (191 ½ units)*	*53 342*	*48 258*
	– *Telecommunication Development Sector (32 5/8 units)*	*8 843*	*8 222*
A.3	Associates (CHF 10 500 per annum)	294	2 520
	– *Radiocommunication Sector (10 units)*	*36*	*420*
	– *Telecommunication Standardization Sector (50 units)*	*258*	*2 100*
	– *Telecommunication Development Sector (0 units)*	–	
A.4	Member States' contributions to regional radiocommunication conferences	918	17 796
B	Cost recovery	94 782	107 862
B.1	Project support cost income	13 748	11 400
B.2	Sales of publications	52 977	51 850
B.3	Products and services under cost recovery	28 057	44 612
	– *UIFN*	*3 252*	*3 480*
	– *UIPRN/UISCN and AESA*	*417*	*600*
	– *GMPCS-MoUs*	*1 409*	*1 410*
	– TELECOM[2]	*6 362*	*9 122*
	– *Satellite network filing*	*16 206*	*30 000*
	– *Other cost-recovery income*	*411*	–

Table A – Income estimates (*cont.*)

In thousands of Swiss francs

Source	Actual 2000-2001 plus Budget 2002-2003	Estimates 2004-2007
C Income from interest	13 119	9 600
D Other income	5 498	4 000
Subtotal	658 363	653 385
Net withdrawals from the ITU Reserve Account for programme activities	14 977	–
Total	673 340	653 385

[1] Number of contributory units known at 15 October 2002 (*Ref.* Article 28, No. 161G of the Constitution).

[2] Income estimate based on methodology applied in 2002-2003 approved budget.

Table B – Basis for the elaboration of the Financial Plan

In thousands of Swiss francs

	2000-2003 at 1.1.02 rates	2004-2007 Estimates
1 BASE ESTIMATES BY SECTOR AFTER REDUCTIONS		
General Secretariat (agreed reductions and 5% cut) excluding RRC	361 618	331 983
Radiocommunication Sector (agreed changes and 2% cut) including one WRC and excluding RRC expenditure	139 587	137 208
Telecommunication Standardization Sector (1% cut)	55 575	55 019
Telecommunication Development Sector (1% cut)	133 724	132 387
Subtotal 1	690 504	656 597
2 ADDITIONAL PROGRAMMES		
Document 71, Annex B		
(item 3) WTDC resolutions (ITU-D)		5 000
(item 5) Additional Council working group (GS)		280
(item 7) Information and communication technology (GS)		3 500
(item 8) Buildings management (GS)		3 000
Document 192, Res. 7		
Languages increase (GS)		6 100
Subtotal 2		17 880
3 SALARY INCREASE AND EXCHANGE RATE EFFECT		
UN system salary increases and inflation (All)		30 204
Exchange rate effect (projected at USD = CHF 1.50) (All)		–13 859
Subtotal 3		16 345
4 ADDITIONAL REDUCTIONS OVER ITEM 1 ABOVE		
Staffing		
Across-the-board staff cost reduction by 5% in addition to the reduced base estimates above (excluding cost recovery activities) (All)		24 901
Document 71, Annex C		
(item 1) Reduction of PP length to 3 weeks (GS)		535
(item 5) Restrict Councillor travel costs: LDCs-ticket + DSA, developing countries – ticket only (GS)		1 300

Table B – Basis for the elaboration of the Financial Plan (*cont.*)

In thousands of Swiss francs

		2000-2003 at 1.1.02 rates	2004-2007 Estimates
	(item 9) 50% of reduction of all meetings by 1 day except for RRC (All)		659
	(item 11) Abolish summary records (except for plenary meetings of treaty conferences and RRB) (All)		1 795
	(item 12) Implementation of "print on demand" technique for Recommendations in paper format (GS)		1 829
	(item 14) Apply standard UN practice on travel (9 hr. rule and business class for elected officials) (All)		1 080
	(item 15) Reduce 20% of travel expenditure on HQ staff official missions (All)		1 140
	Other reductions decided by Committee 6		
	Policy Forum – no appropriation (GS)		491
	Radio Regulations Board – reduction over the proposed 04-07amount (ITU-R)		500
	Subtotal 4		34 230
5	**TOTAL EXPENDITURE EXCLUDING RRC = 1 + 2 + 3 – 4**	**690 504**	**656 592**
6	Income estimates (Total under Table A *minus* income in respect of regional radiocommunication conference amounting to CHF 17 796 000)		635 589
7	Balance [3] (Item 5 – Item 6 above)		–21 003

[3] Negative balance of CHF 21 million due to decrease in number of contributory units.

Table C – Financial Plan (Expenditure) for the period 2004-2007

In thousands of Swiss francs

	2000-2003 at 1.1.02 rates	2004-2007
GENERAL SECRETARIAT		
Plenipotentiary Conference	3 318	1 952
Policy Forum	491	0
World Summit on the Information Society	433	1 194
Council	4 043	3 763
Secretary-General's Office and departments	353 128	328 287
Publications	205	205
Subtotal		335 401
Additional reduction (21 million × 33.3%) in the SG's Office and departments		–7 000
Total	361 618	**328 401**
RADIOCOMMUNICATION SECTOR		
Expenditure for Sector		134 770
Additional reduction (21 million × 28.2%)		–5 922
Total	139 587	**128 848**
TELECOMMUNICATION STANDARDIZATION SECTOR		
Expenditure for Sector		53 374
Additional reduction (21 million × 11.3%)		–2 380
Total	55 575	**50 994**
TELECOMMUNICATION DEVELOPMENT SECTOR		
Expenditure for Sector		133 044
Additional reduction (21 million × 27.1%)		–5 698
Total	133 724	**127 346**
Grand total	**690 504**	**635 589**

DECISION 7 (Marrakesh, 2002)

Review of the management of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that, in 1991, the High Level Committee recommended decentralization of the ITU budgets and greater delegation of responsibility;

b) that Resolution 39 (Kyoto, 1994) of the Plenipotentiary Conference endorsed the examination of options for strengthening the financial base of the Union, including reducing costs, and the more effective allocation of resources;

c) that, in 2001, the United Nations Joint Inspection Unit reviewed the management and administration of ITU and reported to the Council (Document C01/37);

d) that, also in 2001, with limited progress on the implementation of greater delegation of authority, the Council Working Group on ITU Reform, in its Recommendation R14, recommended that a study should be conducted on the feasibility of replacing ITU's current centralized financial management system with a system of budgets managed by the Sectors, with the involvement of the Sector advisory groups, and that the feasibility analysis should also include the implications of allocating a limited budget resource to the Sector advisory groups,

considering further

a) that, in 2002, given the constraints of the world economic situation, there will be a decline in the resources that Member States and Sector Members can commit to fund the activities of ITU in the financial period 2004-2007;

b) that the constraints of the world economic situation also serve to increase further the growing demands placed on the activities of the Union and to highlight the limited resources available to fund them;

c) that, in the resulting financial crisis facing ITU, there is an urgent need to seek innovative ways to rationalize internal costs, optimize resources and improve efficiency;

d) that a method for making more effective and efficient use of resources is to empower individuals to manage resources for the achievement of results by delegating to them authority for financial and human resources;

e) that the limited decentralization of appropriations to the Sectors in the budget structure of the Union has not achieved the objectives targeted under *considering a)*,

recognizing

a) that greater delegation of authority to managers will require appropriate accountability and control mechanisms;

b) that delegation of authority for the management of part of the Sector budgets to the Directors of the Bureaux will give them more effective control over the organization of the work of their Sectors and that therefore they will need to consult their Sector advisory groups in the application of this delegated authority,

decides

1 that, since significant benefits in terms of effectiveness and efficiency can be expected from carefully planned further decentralization of the Union's resources, this decentralization shall be implemented and reviewed by the Council based on the work of a group of experts;

2 that, in order to improve effectiveness and efficiency, the Secretary-General shall delegate authority to the Directors of the Bureaux for the management of their Sector budgets once the control mechanisms identified in the management review are in place,

decides further

that *decides* 2 will give the Directors of the Bureaux much greater control over the Sector operational plans and that the delegation of authority for the Sector budgets should be exercised following advice from the Sector advisory groups,

instructs the extraordinary session of the Council to be held during this conference

1 to establish a group of specialists, one from each administrative region, to undertake as a matter of urgency the work described in the annex to this decision, in consultation with the Secretary-General, the Directors of the Bureaux and the Sector advisory groups;

2 to request the group of specialists to report to the 2003 session of the Council in order that this decision may be fully implemented by that time and may be used in conjunction with the examination of the draft budget 2004-2005,

instructs the Council

1 to review the proposed measures and take appropriate action to enforce implementation;

2 to monitor the implementation of this decision at each subsequent session of the Council and to report to the next plenipotentiary conference on the implementation of this decision and any consequential amendments that may be necessary to the ITU Constitution and the Convention,

instructs the Secretary-General

1 to identify, in consultation with the Coordination Committee, areas of the budget where further decentralization of appropriations can be implemented, including transfers between budget appropriations;

2 to make the annual report of the internal auditor of the Union available to the Council;

3 to make the minutes of Coordination Committee meetings available on the Council website, excluding confidential staff matters.

ANNEX TO DECISION 7 (Marrakesh, 2002)

Group of specialists to review the management of the Union

The purpose of the Group of Specialists to review the management of the Union shall be to undertake, as a matter of urgency, studies on the overall management of the Union, in order that the results of the studies are implemented in time for the 2004-2005 biennial budget. The experts serving on the group shall be provided by administrations, at their own cost.

Terms of reference

To identify and evaluate options, with supporting pros and cons, relating to the effectiveness, efficiency and economy of the management and administration of the Union as a whole, considering all elements that would contribute to efficient and effective fulfilment of the functions and duties of ITU, and in particular to review:

1) the organization of the Union's financial management, including:

   i) performing a thorough examination of ITU, including the system of budgets managed by the Sectors, so as to identify all opportunities for savings and ensure maximum economic use of the Union's resources;

   ii) identifying the necessary control mechanisms to ensure appropriate accountability and control, including any role the Deputy Secretary-General might take in financial approval;

   iii) recommending appropriate changes to the Financial Regulations;

2) various functions, to see how they could further support the activities of the Union and in the light of the changes in priorities of the membership (e.g. the library and the Strategy and Policy Unit (SPU));

3) the present distribution of tasks related to documentation and publications among the relevant departments of the General Secretariat and the Bureaux, identifying situations which give rise to problems of quality control, and clarifying the assignment of responsibilities and accountability;

4) interpretation and translation staffing and systems, including partial outsourcing (see Document PP02/115);

5) the provision of financial information to Member States;

6) better use of the centralized support services of the General Secretariat in order to achieve cost reduction in relation to TELECOM activities;

7) common administrative functions of each Sector, including their consolidation into the General Secretariat;

8) simplification of internal procedures.

DECISION 8 (Marrakesh, 2002)

ITU input to the declaration of principles and plan of action of the World Summit on the Information Society and the information document on ITU activities related to the Summit

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) Resolution 113 (Marrakesh, 2002) of this conference inviting the Working Group of the Council on the World Summit on the Information Society (WSIS) to ensure that ITU makes a contribution to the WSIS Preparatory Committee (PrepCom);

b) that the Council Working Group on WSIS is invited to continue its work up to the 2006 plenipotentiary conference, with the full cooperation of the Secretary-General and the Directors of the Bureaux, and to continue providing periodically updated ITU inputs to the WSIS preparatory process, as appropriate,

considering further

a) that the ITU contribution is to comprise a substantive input, including to the WSIS declaration of principles and plan of action, taking account of the themes under discussion in PrepCom;

b) that the resolution also invites the Secretary-General to submit to PrepCom an information document on ITU activities related to WSIS,

decides

to forward to the Council Working Group on WSIS the framework contained in Annex 1 to this decision, as a guideline for further elaboration of ITU's substantive input to the WSIS declaration of principles and plan of action,

instructs the Secretary-General

1 to submit to the second meeting of PrepCom the information document contained in Annex 2 to this decision;

2 to circulate these documents to Member States and Sector Members for discussion.

Annexes: 2[1]

[1] These annexes form an integral part of this decision, and will be published in, but not considered as part of, the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002).

ANNEX 1 TO DECISION 8 (Marrakesh, 2002)

Guidelines for ITU input to the declaration of principles and plan of action of the World Summit on the Information Society

Introduction

1 ITU has a pivotal role in providing a global perspective in regard to the information society. With its wealth of expertise and experience in the development of telecommunications and its experience in addressing the needs of developing countries, it is therefore important that ITU should become a more active and relevant contributor to the World Summit on the Information Society (WSIS) and use this unique opportunity to contribute to building the global information society in all areas of its core competencies.

2 This contribution is made within the context of the WSIS preparatory process that has already been initiated, and takes into account the outcome of PrepCom-1 on content and themes.

Framework

3 In this spirit, a framework is proposed that reflects the core competencies of ITU and provides a tool for elaborating ITU's input to the WSIS declaration of principles and plan of action.

4 This input will require further development of the concepts, implementation and deliverables associated with specific proposals that will be part of ITU's input with a view to offering the WSIS process a meaningful, practical and action-oriented contribution.

5 To this end, the following three broad objectives have been identified to structure the ITU input to the WSIS declaration of principles and plan of action:

i) providing access to information and communication technologies (ICTs) for all;

ii) ICTs as a tool for economic and social development – and meeting the Millennium Development Goals;

iii) Confidence and security in the use of ICTs.

6 These objectives were selected having regard to the core competencies of ITU and represent areas where ITU could play an important role in efforts aimed at overcoming the digital divide and creating digital opportunities, especially for developing countries, by building upon existing efforts and activities. These objectives may be modified or extended, as appropriate, to structure the ITU input to any further declaration or plan of action to be elaborated in the WSIS process.

7 In developing ITU contributions to WSIS, the following criteria should be used as a guide in the consideration, identification and elaboration of each proposal:

a) track the core competencies of the Union;

b) be demand-driven;

c) be global in scope with enough flexibility to respond to national and regional conditions;

d) be particularly responsive to the needs of developing countries;

e) take fully into account, and where possible build upon, the activities carried out in other relevant international and regional forums so as to avoid duplication and create added value;

f) be practical, setting realistic and measurable objectives and identifying tangible results;

g) identify with national governments the potential for partnerships, as appropriate, and explore these opportunities with potential partners.

Contribution to the declaration of principles

8 The ITU Plenipotentiary Conference (Marrakesh, 2002) is convinced that WSIS can contribute to the achievement of the UN Millennium Development Goals as reflected in the UN Millennium Declaration. The principles identified below are relevant to ITU competencies, including areas of shared competencies with other organizations.

9 The information society offers great potential in promoting sustainable development. To that end, guiding principles could include, but not be limited to:

a) securing the right to information and knowledge;

b) promoting universal access at affordable cost;

c) strengthening international cooperation;

d) establishing an enabling environment;

e) developing human capacity;

f) promoting linguistic diversity and cultural identity;

g) strengthening information and communication network security;

h) improving market access, especially for products and services from developing countries;

i) addressing global challenges.

Furthermore, each country's special needs should be respected and a "users' needs" approach should be followed.

10 In order to ensure that ICTs are widely available, and that all the world's inhabitants share the benefits they bring, the foundations of an information society could be supportive of, but not limited to, the following as fundamental objectives:

I Providing access to ICTs for all

11 Everyone, everywhere should have the opportunity to participate in the global information society and no one should be excluded from the benefits it offers. Access to ICT infrastructure and services should constitute one of the primary objectives of the Summit.

12 The provision of universal and affordable access to ICTs and the development of ICT applications and services, especially in underserved urban, rural and remote areas, remains one of the biggest challenges for bridging the digital divide.

13 Connectivity is therefore not only critical, but also central as an enabling agent in building a global information society in which all citizens can participate on an equal footing. Of particular importance is the imperative need to address the special needs of developing countries, countries with economies in transition, small island developing states and least developed countries.

14 In order to attain fully the objectives of universal and affordable access to ICTs, there is a need for the development of enabling and transparent legal, policy and regulatory frameworks.

II ICTs as a tool for economic and social development – and meeting the Millennium Development Goals

15 ICTs are central to the creation of the global knowledge economy and can therefore play an important role in promoting sustainable development and eradicating poverty.

16 The potential of ICTs to empower people is enormous. This is particularly the case for people with disabilities, women, youth and indigenous peoples. ICTs can help to build capacities and skills, create more employment opportunities, assist small and medium-sized enterprises, and increase participation and informed decision-making at all levels, notably through enhanced education and training, especially when accompanied by full respect for cultural and linguistic diversity.

17 Technological innovation can contribute substantially to providing better access to health services, education, information and knowledge, as well as offering a wider variety of means by which people can communicate, thus contributing to promoting greater understanding and improving the quality of life of the world's citizens.

III Confidence and security in the use of ICTs

18 The benefits of ICTs can only be fully harnessed if there is confidence that these technologies and networks are reliable and secure, and are not misused. The development of a compatible, stable and globally recognized framework of standards constitutes an essential element for constructing the information society, and would constitute an important confidence-building measure.

19 This confidence is also based on the existence of policy, regulatory and legal frameworks that, notably, address issues such as cybercrime, information and communication network security, protection of privacy, legal aspects of electronic commerce and protection of intellectual property rights. These issues should be tackled on an international basis with the active participation of all stakeholders.

20 The presence of computer pirates and viruses requires the development of effective information and communication network security systems. For this, international cooperation by governments, the private sector and civil society is required so as to enable actions to be coordinated and legal provisions to be established that protect and provide security for the infrastructure, systems and services being developed in the framework of the global information society.

Contribution to the plan of action of WSIS

21 The following identifies areas of action relevant to ITU competencies, including areas of shared competencies with other organizations.

I Providing access to ICTs for all

A Infrastructure development and affordable access to ICT services

22 In the development of telecommunication infrastructure, which includes urban, trunk and long-distance networks, priority and emphasis must be given to rural networks and those serving remote and isolated areas. In this respect, ICTs (for example wireless communications, including radio and satellite services) could offer opportune and economical solutions.

23 The development and integration of the Internet is another key element which, in conjunction with telecommunications, forms the dual basis for the integration and development of the infrastructure for the information society.

24 In order to facilitate broader access to ICTs for all, a key requirement is the availability of content that is relevant and of interest to users, and is in a language that they can understand. Initiatives in the development of such content have to be largely taken at national level, but for the developing and least developed countries a programme of assistance with technical and financial inputs from appropriate forums in the United Nations system should be considered.

25 Affordable and accessible terminal equipment for end-users is an essential part of the infrastructure of the information society and is essential to overcoming the digital divide. Widespread adoption of international standards (including ITU Recommendations) would favour broader deployment of ICT infrastructure.

26 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) A global programme with the objective of providing sustainable connectivity to every village, within the context of national development policies and programmes, under the guidance of the competent national authorities and, in partnership with the private sector and civil society, using the most appropriate and affordable technologies.

b) Global, regional and national actions and mechanisms to enable the provision of a wider range of ICT services, with higher performance and at affordable costs.

c) Concrete actions required for the establishment of national network access points (NAPs), linked to the global Internet.

d) Higher priority for resource allocation to be considered by all agencies responsible for development aid and assistance, including the International Bank for Reconstruction and Development (IBRD), the United Nations Development Programme (UNDP), and donor and recipient Member States of the Union. Strategies for attracting resources, financial support, investment incentives and projects required in order to motivate and promote investment for development of the information society and the establishment of relevant infrastructure, systems and services in rural areas and in remote and isolated communities.

e) Concrete actions required to address the challenges of convergence.

f) A special initiative highlighting and raising awareness of the importance of developing technical standards for the global information society and also addressing overlapping work in this area.

B Policy and regulatory frameworks

27 Policy and regulatory frameworks are particularly critical for creating an environment that is conducive to investment.

28 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) Enhanced programmes of assistance, for ICT policy-making and to agencies regulating telecommunications.

b) The creation of forums for the exchange of experience, along the lines of the ITU Global Symposium for Regulators.

C Assessment of the digital divide

29 There is a need for definitions and programmes to describe and quantify the extent of the digital divide and keep it under regular assessment, with a view to measuring progress made in bridging the gap, and tracking global progress in the use of ICTs to achieve the UN Millennium Development Goals. This should help in enhancing scientific and technical performance across countries over time, so as to ensure consistent, effective and significant international cooperation for overcoming the digital divide.

30 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) Development of mechanisms that describe and quantify the digital divide. These mechanisms should contribute towards:

   1) regular assessment of the digital divide in order to evaluate performances across developing countries over time;

   2) provision of data allowing for enhancement of the actions and programmes implemented to bridge the digital divide;

3) measuring the effectiveness of international cooperation for bridging the digital divide.

b) Development of a number of qualitative and quantitative benchmarks and indicators covering the various dimensions of e-strategies such as infrastructure, legal and regulatory framework, capacity to use and develop content and applications, including e-government, e-education, e-health and e-commerce.

c) The need to identify barriers that hinder countries in overcoming the digital divide and to propose measures required at the international level, including financial assistance, to overcome these barriers.

D Participation in research and development in the field of ICTs

31 In order to bridge the digital divide, there is a need for more participation of developing countries in research and development in the field of ICTs, for developing technical and scientific self-reliance.

32 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) Joint public/private initiatives aimed at helping developing countries to master the most recent technological developments in the field of ICTs.

b) Adoption of appropriate measures in order to establish new partnership mechanisms in this area among different countries, especially between developed and developing countries.

c) Development and implementation of South-South cooperation approaches in this area.

II ICTs as a tool for economic and social development – and meeting the Millennium Development Goals

E Human resource development

33 Human resource development, education, training, knowledge and expertise transfer are essential in order to assist developing countries in strengthening their human, institutional and organizational capacity, with a view to increasing awareness of access to and use of ICTs. Specific long-term capacity-building and training programmes need to be established.

34 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) A global training programme, including for developing-country government officials, covering the main elements of ICT development such as the development and implementation of national e-strategies (e.g. e-government, e-health, e-education, e-commerce, etc.), strengthening of regulatory capabilities and elaboration of universal access plans.

b) Development of an online database of training opportunities available worldwide.

F Community access to ICTs

35 Community information centres, such as post offices, libraries, schools and so forth, are a "seed" which can initiate or increase the participation of community inhabitants in the information society, particularly in remote and rural areas, helping them to form an equal and integral part of the evolving information society culture.

36 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) Development of community connectivity indicators, with the goal of accelerating access of the population to ICT services.

b) Dissemination of success stories in the application of ICTs for development.

G Special actions for developing countries, least developed countries, underprivileged populations and isolated and remote communities

37 Many developing countries are establishing more competitive ICT markets, and there is a need to mobilize investment, both from home and abroad, to meet the rising demand for services. Furthermore, there are countries, such as the least developed countries, small island developing states and others, that face particular challenges in the information society and deserve special attention from the international community to ensure that they are not excluded from the global information economy and society.

38 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) Proposals for the implementation of global and regional initiatives for the least developed countries, small island developing states and others that face particular challenges in the information society.

b) Establishing sustainable telecommunity centres in developing countries, especially in least developed countries and small island developing states.

III Confidence and security in the use of ICTs

39 The development of the information society must occur in an environment of trust, for all stakeholders. The development of technical standards can contribute to this goal.

40 There is concern that information and communication technologies can potentially be used for purposes that are inconsistent with the objectives of maintaining international stability and security and may adversely affect the security of states in both civil and military fields.

41 It is considered necessary to prevent the use of information resources or technologies for criminal or terrorist purposes.

42 Actions that could be submitted to the WSIS preparatory process for consideration may include:

a) Setting up appropriate mechanisms aimed at raising awareness of the importance of information and communication network security and of the resources available to the international community on this subject.

b) Consideration of existing and potential threats in the sphere of information and communication network security, including the presence of computer pirates and viruses on the Internet, as well as methods and means of repelling them.

c) Improving the exchange of technical information and international cooperation in information and communication network security.

d) Contribution, bearing in mind ITU core competencies, to efforts within the UN system aimed at:

    1) assessing information security, including harmful interference with, or misuse of, information and telecommunication systems and information resources;

    2) establishing methods and organizations for emergency security incident response, sharing information and technologies on incident response;

    3) considering the elaboration in the long term of an international convention on information and communication network security.

ANNEX 2 TO DECISION 8 (Marrakesh, 2002)

Information document for World Summit on the Information Society on the activities of ITU[2]

Introduction

1 The International Telecommunication Union (ITU) is the United Nations specialized agency within which governments and the private sector work together to coordinate the operation of telecommunication networks and services and advance the development of communications technology. Founded in 1865, ITU is based on a unique public/private partnership, with 189 Member States and over 650 Sector Members. Every time someone, somewhere, picks up a telephone and dials a number, answers a call on a mobile phone, sends a fax or receives an e-mail, takes a plane or a ship, listens to the radio, watches a favourite television programme or helps a small child master the latest radio-controlled toy, they benefit from the work of ITU. The role of ITU is thus central to the creation of the information society.

2 ITU is an intergovernmental organization based on the principle of national sovereignty. It has stewardship of four major international treaties: the Radio Regulations, the International Telecommunication Regulations, and the ITU Constitution and Convention. The supreme authority of the Union is the Plenipotentiary Conference, a meeting composed of delegations from the Union's Member States, held every four years; the next will be held in 2006.

3 The purposes of the Union are set out in its Constitution and Convention. They include commitments, *inter alia*:

– "to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants";

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2 This information document was reviewed and revised at the ITU Plenipotentiary Conference, Marrakesh, 23 September – 18 October 2002.

– "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 organizations and those non-governmental organizations concerned with telecommunications".

4 The original idea for a World Summit on the Information Society came from ITU Resolution 73 (Minneapolis, 1998) adopted at the Plenipotentiary Conference (Minneapolis, 1998). Originally proposed by Tunisia, Resolution 73 (Minneapolis, 1998) instructed the Secretary-General to place the question of holding a world summit on the agenda of the United Nations. In December 2001, the UN General Assembly passed Resolution 56/183, which invites ITU to assume the leading managerial role in the executive secretariat of the Summit and its preparatory process.

Council

5 The ITU Council has passed a number of resolutions and a decision relating to WSIS, notably, Resolution 1158 adopted at the 2000 session, Resolution 1179 adopted at the 2001 session and Resolution 1196 (which established the terms of reference of the Council Working Group on WSIS (WG-WSIS)) and Decision 509 adopted at the 2002 session. In addition, the Council decided at its 2002 session to convert its WSIS liaison committee into a full working group of the Council, open to all the membership.

ITU Council Working Group on WSIS

6 The Council Working Group on WSIS, under the chairmanship of Mr Yuri G. Grin (Russia), held its first meeting on 21 September 2002 in Marrakesh. The working group coordinated the drafting of this information document and the provision of a detailed framework for the substantive contribution of ITU to the Summit. This framework was discussed and revised at the Plenipotentiary Conference (Marrakesh, 2002) (PP-02). Information on the work of the working group is available at: http://www.itu.int/council/wsis/wsis_WG.html.

7 A report of its work Document (PP-02/78) was transmitted by the Council to PP-02 (http://www.itu.int/plenipotentiary/documents.asp). Subsequently, an ad hoc group met during PP-02 to work further on ITU's contribution to the WSIS declaration of principles and action plan and a resolution of the Plenipotentiary Conference on WSIS.

The Strategic Plan of the Union

8 The purposes of the Union are further elaborated through the adoption of a four-year strategic plan. The Plenipotentiary Conference (Marrakesh, 2002) adopted a strategic plan for the period 2004-07. The plan sets out six main objectives of the Union, several of which are directly relevant to the information society:

Goal 1 – Maintain and extend international cooperation among all Member States and with appropriate regional organizations for the improvement and rational use of telecommunications of all kinds, taking the leading role in United Nations system initiatives on information and communication technologies.

Goal 2 – Assist in bridging the international digital divide in information and communication technologies (ICT), by facilitating development of fully interconnected and interoperable networks and services to promote global connectivity and by taking a leading role in the preparations for, and taking due account of the relevant results of the World Summit on the Information Society (WSIS).

Goal 3 – Widen the Union's membership, extend and facilitate cooperative participation with an increasing number of administrations and organizations.

Goal 4 – Develop tools, based on contributions from the membership, to safeguard the integrity and interoperability of networks.

Goal 5 – Continue to improve the efficiency and effectiveness of ITU's structures and services and their relevance to the membership.

Goal 6 – Disseminate information and know-how to provide the membership, particularly developing countries, with capabilities to respond to the challenges of privatization, competition, globalization and technological change.

The Sectors of the Union

9 The work of the Union is implemented through three Sectors: Radiocommunication Sector (ITU-R), Telecommunication Standardization Sector (ITU-T) and Telecommunication Development Sector (ITU-D). Each of these will make a key contribution to the success of the Summit. Their activities are described below. In addition, the work of the three Sectors is supported by the General Secretariat. Its activities relevant to the Summit are also described briefly.

Radiocommunication Sector (see www.itu.int/ITU-R/)

10 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.

11 ITU-R plays a vital role in the management of the radio-frequency spectrum and satellite orbits, finite natural resources which are increasingly in demand from a large number of services such as fixed, mobile, broadcasting, amateur, space research, meteorology, global positioning systems, environmental monitoring and, last but not least, those communications services that ensure safety of life at sea and in the skies.

12 There are numerous examples of the contribution of the work of ITU-R to the achievement of the information society. These include:

- facilitating timely coordination between various systems in both space and terrestrial environments and developing spectrum regulation initiatives to better harmonize frequency allocations and the use of satellite orbits;

- facilitating the introduction of modern radio systems in rural areas, with special attention to developing countries, and giving assistance to Member States in spectrum management activities, e.g. through training, information meetings, seminars, the development of handbooks, and the provision of tools for automated spectrum management;

- accommodating new and expanded spectrum requirements through efficient management of the radio-frequency spectrum, free from harmful interference, while ensuring that the Radio Regulations and the rights of Member States are respected;

- improving international spectrum management techniques.

Telecommunication Standardization Sector (see www.itu.int/ITU-T/)

13 The mission of the ITU Telecommunication Standardization Sector is to be the unique worldwide venue for industry and government to work together in developing, adopting, providing and promoting global consensus-based telecommunication Recommendations, or standards, for the information society. The Sector's key attribute is the ability to bring together all players in a global environment to develop Recommendations in areas where the membership recognizes that ITU-T has the necessary competence.

14 The major output of the Sector is some 70 000 pages of technical Recommendations that ensure the smooth functioning of the world's information and communication networks and services. One of the goals of ITU-T, as stated in the ITU Strategic Plan, is to "identify areas where Recommendations should be developed for the information society". Other goals include to "facilitate the interoperability of networks and services", to "be able to develop recommendations that may have regulatory or policy implications" and to "give appropriate consideration to the particular needs of developing countries".

15 As a contribution to the work of WG-WSIS, the Director of TSB has put forward a set of proposals, including for the holding of a side-event during the Summit with a working title "Enable access, remove barriers: The key role of international standards". The TSB contribution also stresses the fruitful experience of ITU in forging working partnerships between Member States and Sector Members, and the critical importance of global telecommunication standards to facilitate the global information economy and society. The full TSB contribution is available on the ITU website at: http://www.itu.int/council/wsis/004e.doc.

Telecommunication Development Sector (see www.itu.int/ITU-D/)

16 The mission of the Telecommunication Development Sector is to achieve its objectives based on the right to communicate of all the inhabitants of the world through access to infrastructure and information and communications services. In this regard, the mission is:

- to assist developing countries in the field of information and communication technologies (ICTs), in facilitating the mobilization of technical, human and financial resources needed for their implementation, as well as in promoting access to ICTs;

- to promote the extension of the benefits of ICTs to all the world's inhabitants;

- to promote and participate in actions that contribute towards narrowing the digital divide;

- to develop and manage programmes that facilitate information flow geared to the needs of developing countries, with a focus on those with special needs, including the disabled and disadvantaged.

17 The major programmes of ITU-D are the six strands of the Istanbul Action Plan (see Box 1), which charts a course for developing countries to transform the digital divide into digital opportunities, covering: regulatory reform, telecommunication network development, e-strategies and e-services, economics and finance, human capacity building, and a special programme for least developed countries. In addition, underlying this work is a programme of information-sharing, notably through the joint publication, with the Strategy and Policy Unit, of the World Telecommunication Development Report, Trends in Telecom Reform, and other publications and databases.

18 The Telecommunication Development Bureau (BDT) has submitted a contribution explaining the work of ITU-D in relation to the World Summit and the information society. It is available on the ITU website at: http://www.itu.int/council/wsis/004e.doc. In particular, the contribution explains the different components of the Istanbul Action Plan (IsAP) and Resolution 30 (Istanbul, 2002) of the World Telecommunication Development Conference (WTDC-02), on the role of ITU-D in WSIS. Actions being implemented with reference to Resolution 30 (Istanbul, 2002) to support WSIS include, among others:

- the Istanbul Action Plan, focusing on ways and means to foster the development of ICTs, including basic infrastructure, with priority given to the development of infrastructure for least served countries;

- support to the Istanbul Action Plan through an information and statistics activity for the assessment of ICT development worldwide;

- presentation of the Istanbul Action Plan to the first meeting of the WSIS PrepCom in order to show the mechanisms by which IsAP includes external initiatives on ICT development conducted by other bodies;

- support for WSIS regional preparatory meetings;

- global and regional development initiatives carried out within the framework of the Istanbul Action Plan.

19 The contribution also contains a number of proposals and recommendations for the development of the Summit action plan. Some of the BDT actions of most relevance to the information society include the work on e-strategies/e-applications, the country case studies on Internet diffusion and the work of the Sector Reform Unit on assisting developing countries in developing enabling regulatory frameworks. In addition, the Telecommunication Data and Statistics Unit produces a number of publications that attempt to measure the diffusion of ICTs.

Box 1 – Istanbul Action Plan

The Istanbul Action Plan charts a course for developing countries to transform the digital divide into digital opportunities. Bridging the digital divide means providing access to telecommunications and information and communication technologies (ICT) and promoting their use so that all segments of society can harness the opportunities of the information society. Digital opportunities not only serve as an engine for economic growth, they enable social, educational and medical progress. These goals hinge upon the rollout of ICT networks and services.

The Istanbul Action Plan is a comprehensive package that will enable developing countries to promote the equitable and sustainable deployment of affordable ICT networks and services. The core of the Istanbul Action Plan is a series of six programmes:

1) the **Regulatory Reform** programme focuses on practical tools and resources for regulatory bodies to engage in reform the most effectively to meet their national ICT development, access and use goals, creating safe investment opportunities and ensuring universal access to ICTs;

2) the **Technologies and Telecommunication Network Development** programme assists developing countries in the migration to new-generation technologies, including mobile, broadcasting, spectrum management, Internet protocol and multimedia to maximize utilization of appropriate new technologies in the development of ICT networks;

3) the **E-strategies and E-services/applications** programme fosters the implementation of value-added applications and Internet Protocol (networks and applications) in government, health, education, business, agriculture and other sectors, extending the social and economic benefits of ICTs to all segments of society;

4) the **Economics and Finance** including Cost and Tariff programme assists developing countries to ready themselves in a competitive environment where the focus has shifted from state funding of infrastructure and services to private sector investment, developing guidelines on economic analysis, financing policies and strategies that encourage lower costs for end users;

5) the **Human Capacity Building** programme assists developing countries to strengthen their human, institutional and organizational capacity through human resource management and development, expanding its reach to include the very policy-makers and regulators that are at the cutting edge of designing and implementing policies to increase access and use of ICTs.

6) The **Special Programme for the least developed countries** (LDCs) will be valued for its quality and timely service aimed at integrating LDCs into the world economy through telecommunication development and its ability to positively impact the delivery of assistance to LDCs.

The work of the six programmes will be complemented and enhanced by initiatives that foster digital participation, targeting the ICT needs of special groups including women, youth and indigenous peoples, which takes into consideration the impact of ICTs on these special groups.

Statistics and analysis explaining trends in ICT development are crucial for benchmarking countries, evaluating e-readiness and making informed national policy, legislation and regulation choices for ICT development. Statistics and analysis form the basis for objective and measurable indicators on the state of the global information economy and society. The Istanbul Action Plan will expand and enhance ITU's current information collection and dissemination activities to assist countries in evaluating their level of e-readiness.

For more information, see: http://www.itu.int/ITU-D/isap/index.html.

General Secretariat (see www.itu.int/osg)

20 The mission of the General Secretariat is to provide high-quality and efficient services to the membership of the Union, notably in the Plenipotentiary Conference, the Council, other conferences and meetings, TELECOM exhibitions and other events, as well as the dissemination of information – for example, through publications and on the ITU website. The General Secretariat also provides services and staff on detachment to the WSIS Executive Secretariat, which is located on ITU premises in Geneva.

21 There are a number of General Secretariat activities that are directly relevant to the Summit. These include:

- The ITU New Initiatives Programme, launched in 1999, which provides high-quality research and strategic workshops on issues of high current policy and regulatory relevance for ITU members. Recent topics covered include creating trust in critical network infrastructures, Internet diffusion, multilingual domain names, 3G licensing, broadband, etc. (see www.itu.int/ni).

- The ITU News, a specialist telecommunication journal published since 1869, which included a special issue on WSIS in December 2001 (see www.itu.int/itunews/).

- A new report, published in September 2002 by the Strategy and Policy Unit, on the mobile Internet, which includes analysis of the impact of mobile and wireless communication technologies in the new information society (see www.itu.int/spu).

- World telecommunication policy forums, which have been held most recently in 1998 (on trade in telecommunications) and 2001 (on IP telephony).

- World TELECOM-2003, a trade exhibition and forum which will take place in Geneva, 12-18 October 2003, just a few weeks before the first phase of WSIS.

- Studies relating to IMT-2000 continue to be carried out by the Sectors of the Union.

Conclusion

22 The specialized work of ITU in the fields of spectrum management, numbering, assistance to developing countries, standards development, international cooperation and the dissemination of information, is central to the creation of the information society, and vice versa. ITU is playing the leading managerial role in the preparatory process for the Summit. The unique structure of ITU, as a public/private partnership, provides valuable experience in bringing together the different stakeholders to work together towards common goals. ITU is not just talking about creating the information society, it is doing it.

RESOLUTION 2 (Rev. Marrakesh, 2002)

World telecommunication policy forum

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

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 previous world telecommunication policy forums,

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 and has the necessary experience to provide a forum for the coordination of, exchange of information on , discussion of and harmonization of national, regional and international telecommunication strategies and policies;

c) that the world telecommunication policy forum, which was established by the Plenipotentiary Conference (Kyoto, 1994) and successfully convened in 1996, 1998 and 2001, has provided a venue for discussion of global and cross-sectoral issues by high-level participants, thus contributing to the advance of world telecommunications, as well as to the establishment of procedures for the conduct of the forum itself,

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 exchanging views and information and thereby 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 (Kyoto, 1994) of the Plenipotentiary Conference 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 the world telecommunication policy forum should be convened within existing budgetary resources and 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;

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

7 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;

8 that, in order to ensure that they are well focused, 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;

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 on the duration, date, venue, agenda and themes of any future world telecommunication policy forum;

2 to adopt a procedure for 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 any necessary action.

RESOLUTION 11 (Rev. Marrakesh, 2002)

World and regional telecommunication exhibitions and forums

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that telecommunication exhibitions and associated forums (TELECOMs) 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;

f) the commitments made by the countries which have signed the Convention on the Privileges and Immunities of the Specialized Agencies,

noting

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

b) that many developing countries have moved significantly forward in the development of their telecommunication sector;

c) that some of these countries now have the capability and are willing to host and stage regional TELECOMs;

d) that ITU has been successfully organizing world and regional TELECOMs for many years;

e) that the principles governing ITU's activities in this field have proved to be extraordinarily useful for the membership of the Union and the wider telecommunication community;

f) that the operational flexibility which the TELECOM management needs in order to meet all the challenges in its field of activity and compete in its semi-commercial environment has proved to be useful,

resolves

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

2 that the Union should give due consideration to balancing the need for generating surplus income from telecommunication exhibitions and forums with the capability and willingness of countries, and developing countries in particular, to host and stage regional TELECOMs;

3 that the Secretary-General is fully accountable for TELECOM activities (including planning, organization and finance), as a part of the permanent activities of the Union;

4 that decisions of the Secretary-General on the venues of world and regional TELECOMs shall be made on the basis of an open and transparent decision-making process based on objective criteria (specification of terms and conditions and call for candidatures);

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

6 that the audit of TELECOM accounts shall be carried out by the external auditor of the Union;

7 that a significant part of any surplus income over expenditure derived from TELECOM activities 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 appropriate management of all TELECOM activities in line with the regulations of the Union and in particular with this resolution;

2 to consider measures that will enable and assist Member States which are capable and willing, particularly developing countries, to host and stage regional TELECOMs;

3 in respect of these measures, to take into account the following:

- flexibility in implementing ITU requirements for regional telecommunication exhibitions and forums, i.e. space requirements, pricing regimes for exhibition, forum and office space;
- establishing a rotation system in deciding the venue of regional TELECOMs which will give due consideration to countries which have not had the opportunity to host such an event but are willing and capable of doing so;

4 to take advice from the TELECOM Board, the mandate and the principles governing the composition of which are approved by the Council on the proposal of the Secretary-General;

5 to ensure the transparency of TELECOM activities and report on them in a separate annual report to the Council, including on:

- all TELECOM business activities;
- all activities of the TELECOM Board;

- the reasons for the selection of venues for future world and regional TELECOM exhibitions and forums;

- future events and their financial implications, the future strategy and risks to be considered;

- action taken with respect to the use of surplus income;

6 to ensure the internal control and internal and external audits of the accounts for the different TELECOM activities,

instructs the Council

1 to review the annual report on TELECOM activities as described under *instructs the Secretary-General* 5 and give guidance on future trends for those activities;

2 to review and approve the TELECOM accounts, after having examined the report of the external auditor of the Union;

3 to review and approve the use of TELECOM surplus funds and to decide annually on the amount to be transferred to the Special Fund for Technical Cooperation;

4 to review and approve proposals of the Secretary-General on the principles for a transparent decision-making process on the venues of world and regional TELECOMs, including the criteria which serve as a basis of that process; such criteria shall include cost elements as well as, in the case of regional events, the rotation system 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;

5 to review and approve proposals of the Secretary-General on the mandate and on the principles governing the composition of the TELECOM Board.

RESOLUTION 21 (Rev. Marrakesh, 2002)

Special measures concerning alternative calling procedures on international telecommunication networks

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

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,

considering

a) that the use of alternative calling procedures may adversely affect the economies of developing countries and may seriously hamper the efforts made by those countries to ensure the sound development of their telecommunication networks and services;

b) that some forms of alternative calling procedures may have an impact on traffic management and network planning and degrade the quality and performance of the public switched telephone network (PSTN);

c) that, in some cases, the use of alternative calling procedures may contribute to competition in the interests of consumers;

d) that a number of relevant Telecommunication Standardization Sector (ITU-T) Recommendations specifically address, from several points of view, including technical and financial, the effects of alternative calling procedures (including call-back and refile) on the performance and development of telecommunication networks,

recalling

a) Resolution 21 (Kyoto, 1994) of the Plenipotentiary Conference, on alternative calling procedures on telecommunication networks, as referred to by Resolution 21 (Rev. Minneapolis, 1998), 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 ITU-T to accelerate its studies with a view to developing appropriate solutions and recommendations;

b) Resolution 1099, adopted by the Council at its 1996 session, on alternative calling procedures on international telecommunication networks, which urged ITU-T to develop, as soon as possible, appropriate recommendations on alternative calling procedures;

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 (Rev. Minneapolis, 1998) of the Plenipotentiary Conference on the apportionment of revenues in providing international telecommunication services, which:

- urged ITU-T to expedite studies relating to accounting rate reform, taking account of the cost of providing service;

- invited administrations to contribute to the work of ITU-T 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,

aware

a) that, as at October 2002, 106 Member States had notified the Telecommunication Standardization Bureau that call-back is prohibited on their territory;

b) that ITU-T Study Group 3 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

1 to encourage administrations and international telecommunication operators to implement the ITU-T Recommendations referred to in *considering d)* in order to limit the negative effects that, in some cases, alternative calling procedures have on developing countries;

2 to request administrations and international operators which permit the use of alternative calling procedures on their territory in accordance with their national regulations to pay due regard to the decisions of other administrations and international operators whose regulations do not permit such services,

instructs the Directors of the Telecommunication Development Bureau and the Telecommunication Standardization Bureau

1 to collaborate in the effective implementation of this resolution;

2 to collaborate so as to avoid overlap and duplication of effort in studying the issue of refile.

RESOLUTION 25 (Rev. Marrakesh, 2002)

Strengthening the regional presence

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

a) Resolution 25 (Kyoto, 1994) of the Plenipotentiary Conference, which defined the general functions of the regional presence;

b) Resolution 25 (Rev. Minneapolis, 1998) of the Plenipotentiary Conference, which instructed the Director of the Telecommunication Development Bureau (BDT), in close consultation with the Secretary-General and the Directors of the Radiocommunication Bureau (BR) and the Telecommunication Standardization Bureau (TSB), to strengthen gradually the regional presence;

c) Resolutions 1143 and 1183 adopted by the Council at its 1999 and 2001 sessions, respectively, specifying a series of measures to be taken by the Director of BDT;

d) the annual reports submitted to the Council by the Secretary-General and the Directors of BDT, BR and TSB on progress made in implementing the said resolutions;

e) that at its 2002 session the Council approved a plan of action for the implementation of Resolution 1183;

f) that the ITU Strategic Plan for 2004-2007 recommends strengthening communication channels among BDT, the Member States and the Sector Members and Associates of the Telecommunication Development Sector (ITU-D), and ensuring effective and cooperative communication and coordination between BDT – both headquarters and the regional offices – and the General Secretariat, the Radiocommunication Sector (ITU-R) and the Telecommunication Standardization Sector (ITU-T);

g) the instruction given in the relevant Council resolutions to the Director of BDT, in collaboration with the Secretary-General and the Directors of TSB and 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,

reaffirming

a) the importance of the regional presence in enabling ITU to work as closely as possible with its Member States and Sector Members, improve the dissemination of information on its activities and develop closer ties with regional and subregional organizations;

b) the importance of continuing to strengthen coordination between BDT, the other Bureaux and the General Secretariat,

considering

a) that many changes have taken place in the information and communication technology (ICT) environment since the 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 should remain a leading intergovernmental organization in which the Member States, Sector Members and Associates work together to foster the growth and sustained development of telecommunication and information networks and facilitate universal access, so that everyone, everywhere may participate in and benefit from the world information economy and society;

e) that means have to be established to enable the regional presence to respond effectively and tangibly to the crucial needs of the developing countries, which in the end will benefit the developed world as well.

f) 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) of the Plenipotentiary Conference;

c) the decision by the World Radiocommunication Conference, in its Resolution 72 (WRC-97), 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, through its Resolutions 21 (Valletta, 1998) and 32 (Istanbul, 2002), to highlight the need for 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 online access between headquarters and the field offices would enhance technical cooperation activities significantly;

j) that all relevant electronic information available at headquarters should also be available to regional offices,

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 Plenipotentiary Conference and the Council have endorsed the principle that regional offices should be entrusted with clear and specific functions;

c) that there should be even greater between among BDT, the other Bureaux and the General Secretariat in order to encourage participation by the regional offices in their respective spheres;

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

resolves

1 that, within the existing resources of the Union, the regional presence shall be further strengthened and kept under review in the interests of meeting the continually 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 2004-2007, in order to achieve a better balance of work between headquarters and the regional offices;

4 that priority shall be given to implementing all elements of the ITU Strategic Plan 2004-2007 with a view to strengthening the regional presence, in particular:

a) to expand and strengthen the regional offices by identifying functions which could be decentralized and implementing them as soon as possible;

b) to review the internal administrative procedures pertaining to the work of the regional offices, with a view to their simplification and transparency and enhancement of work efficiency;

c) to establish clear procedures for consulting Member States on their priorities for regional development projects and keeping them informed on project selection and funding;

d) to provide the regional offices with greater autonomy in terms both of decision-making and of addressing the crucial needs of the Member States in the region, including but not limited to:

- functions relating to the dissemination of information, provision of expert advice and hosting of meetings, courses and seminars;

- any functions that may be delegated to them relating to the preparation and implementation of their own budgets;

- ensuring their effective participation in discussions on the future of Union and on strategic issues concerning the telecommunication sector;

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

6 that regional meetings should be organized in the various regions by the relevant Sectors, particularly ITU-D, in order to improve the participation in and effectiveness of the corresponding global meetings;

7 that substantial resources have to be made available in order for BDT to be able to operate effectively in the interests of narrowing the telecommunication gap between the developing and developed countries, thereby supporting endeavours towards bridging the digital divide; accordingly the regional offices should, in coordination with ITU headquarters, take measures with a view to:

- supporting pilot projects for the implementation of e-services/applications, analysing and disseminating their results and managing their further adaptation and development within the region;

- creating a mechanism for the purpose:

  i) developing a suitable and sustainable business model that will result in private-sector participation (companies and academic communities);

  ii) assisting in the determination of an appropriate technology to meet the needs and requirements of rural populations;

  iii) formulating a rural deployment strategy that takes account of the ICT literacy of rural populations and is relevant to their conditions and needs;

- actively assisting Member States in the area of funds-in-trust projects,

instructs the Council

1 to continue 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;

2 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 Telecommunication Development Bureau, in close consultation with the Secretary-General and the Directors of the Radiocommunciation Bureau and the Telecommunication Standardization Bureau

1 to take the necessary measures for further strengthening of 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, 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 take the necessary measures to improve the circulation of information between headquarters and field offices;

7 to strengthen the human resource capabilities and provide the regional and area offices with a measure of flexibility in terms of the recruitment of professional staff as well as support staff;

8 to take the necessary measures to ensure the effective incorporation of BR and TSB activities in the regional offices,

instructs the Directors of the Radiocommunication Bureau and the Telecommunication Standardization Bureau

to continue cooperating 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 31 (Rev. Marrakesh, 2002)

Telecommunication infrastructure and information and communication technologies for socio-economic and cultural development

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recognizing

that the 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,

considering

a) that telecommunication facilities and services are not only the consequence of economic growth, but a prerequisite for overall development;

b) that telecommunications are an integral part of the national and international development process;

c) that recent spectacular progress, and particularly the convergence of telecommunication and computer technologies and services, referred to as information and communication technologies (ICT), are an agent of change for the information age;

d) that the Union is taking a leading managerial role in the preparation of the World Summit on the Information Society (WSIS), which will be promoting the importance of ICTs and will be striving to ensure that all the peoples of the world will be able to take advantage of their benefits,

stressing

the important participatory, and not merely infrastructural, role played by telecommunications in the development of e-government, labour, agriculture, health, education, transport, industry, human rights, environmental protection, trade and transfer of information for social welfare, and in the general economic and social progress of developing countries,

recalling

a) that the Union's World Telecommunication Development Report has highlighted the unacceptable imbalance in the distribution of telecommunications and the imperative and urgent need to remedy that imbalance;

b) that in this context the World Telecommunication Development Conference (Buenos Aires, 1994), *inter alia,* called on governments, international agencies and all other parties concerned to accord, particularly in the developing countries, an appropriate higher priority to investment and other related actions for the development of telecommunications;

c) that the World Telecommunication Development Conference (Istanbul, 2002) established the study group work programmes and approved resolutions aimed at promoting digital opportunities, highlighting the role of the use of ICTs in tele-education and telehealth programmes, and that specific principles, objectives and goals are set forth in the Istanbul Action Plan,

recognizing

a) that given the constraints of the world economic situation, there is a continuing decline in resources available in most developing countries for investment in various development sectors;

b) that, in this situation, doubts continue to arise as to the interrelated priorities for resource allocation among the various sectors to guide national decisions;

c) that it was therefore necessary to provide decision-makers with relevant and timely information on the role and overall contribution of ICTs to the totality of planned development;

d) that past studies undertaken at the initiative of the Union for assessing the benefits of telecommunications have had a salutary effect,

appreciating

the various studies that have been carried out as part of the programme of technical cooperation and assistance activities of the Union,

resolves

1 that the Union should continue to organize, conduct or sponsor necessary studies to bring out, in a different and changing context, the contribution of ICTs to overall development;

2 that the Union should continue to act as a clearing house for the exchange of information and, within the framework of the Istanbul Action Plan and in partnership with other appropriate organizations, implement programmes and projects aimed at promoting access to telecommunications and ICTs,

invites

the administrations and governments of Member States, agencies and organizations of the United Nations system, non-governmental and intergovernmental organizations, financial institutions and providers of telecommunication equipment and services and other ICTs to extend their support for the satisfactory implementation of this resolution,

urges

all agencies responsible for development aid and assistance, including the International Bank for Reconstruction and Development (IBRD), the United Nations Development Programme (UNDP), as well as donor and recipient Member States of the Union, to attach greater importance to ICTs in the development process and to accord an appropriate higher priority for resource allocation to this sector,

instructs the Secretary-General

1 to bring this resolution to the attention of all interested parties, including, in particular, UNDP, IBRD, regional development banks and national development funds for cooperation;

2 to organize studies as necessary, within the available credits;

3 to report annually to the Council on the progress made in the implementation of this resolution;

4 to arrange for the wide dissemination of the findings of the studies carried out in accordance with this resolution,

instructs the Council

1 to review the Secretary-General's reports and take appropriate measures to ensure the implementation of this resolution;

2 to report on the matter to the next plenipotentiary conference.

RESOLUTION 33 (Rev. Marrakesh, 2002)

Assistance and support to Bosnia and Herzegovina for rebuilding its telecommunication network

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

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 the ITU Constitution,

noting

a) with appreciation the efforts deployed by the Secretary-General and the Director of the Telecommunication Development Bureau (BDT) towards the implementation of previous versions of this resolution;

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

c) with appreciation that the mobile monitoring and direction-finding station offered by ITU using TELECOM surplus funds has been very useful for starting the implementation of a radiomonitoring system,

recognizing

a) that considerable progress has been made in the implementation of previous versions of this resolution since its initial 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 Conferences (Kyoto, 1994 and Minneapolis, 1998) 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 and to its Telecommunication Regulatory Authority,

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 Director of the Telecommunication Development Bureau

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 next plenipotentiary conference.

RESOLUTION 36 (Rev. Marrakesh, 2002)

Telecommunications in the service of humanitarian assistance

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

endorsing

a) Resolution 644 (Rev. WRC-2000) of the World Radiocommunication Conference (Istanbul, 2000) on telecommunication resources for disaster mitigation and relief operations;

b) Resolution 34 (Istanbul, 2002) of the World Telecommunication Development Conference on telecommunication resources in the service of humanitarian assistance,

considering

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

b) that the second Tampere Conference on Disaster Communications (Tampere, 2001) invited ITU to study the use of public mobile networks for early warning and the dissemination of emergency information, and the operational aspects of emergency telecommunications such as call prioritization,

noting

that activities are being undertaken at the international, regional and national levels within ITU and other relevant organizations to establish internationally agreed means for the operation of systems for public protection and disaster relief on a harmonized and coordinated basis,

recognizing

a) the seriousness and magnitude of potential disasters that may cause dramatic human suffering;

b) that the recent tragic events in the world clearly demonstrate the need for high-quality communications services to assist public safety and disaster relief agencies in minimizing risk to human life and to cover the necessary general public information and communication needs in such situations,

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

1 to work closely with the United Nations Emergency Relief Coordinator to support Member States which so request in their work towards their national adherence to the Tampere Convention,

2 upon entry into force of the Tampere Convention, and in close collaboration with the United Nations Emergency Relief Coordinator, to assist Member States which so request with the development of their practical arrangements for its implementation,

urges Member States

to work towards signature of the Tampere Convention prior to the deadline of 21 June 2003 and, as a matter of priority, ratification, acceptance, approval or accession to the Convention,

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. Marrakesh, 2002)

Arrears and special arrears accounts

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

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,

having noted

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 a repayment schedule to the Secretary-General, and to agree on such a schedule with the Secretary-General, and that their special account has accordingly been cancelled,

urges

all Member States in arrears, especially those for which special arrears accounts have been cancelled, as well as Sector Members in arrears, to submit a repayment schedule to the Secretary-General, and to agree on such a schedule with the Secretary-General,

confirms the decision

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,

resolves

that the amounts due shall not be taken into account when applying No. 169 of the ITU Constitution provided that the Member States concerned have submitted their repayment schedules to the Secretary-General, and agreed on those schedules with the Secretary-General, 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 cancellation of the special arrears account,

instructs the Council

to review, if necessary, the guidelines for repayment schedules, including a maximum duration, and appropriate additional measures such as, for example, temporary reduction in class of contribution, in particular for least developed countries, 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 cancelled, 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 or cancelled special arrears accounts of this resolution and to report to the Council on the measures taken and progress made towards the settlement of debts in respect of special arrears accounts or cancelled special arrears accounts, 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 48 (Rev. Marrakesh, 2002)

Human resources management and development

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

a) Resolution 48 (Rev. Minneapolis, 1998) of the Plenipotentiary Conference on human resources management and development;

b) No. 154 of the ITU Constitution,

noting

a) the report concerning human resources management and development adopted by the Council at its 1998 session;

b) the strategic plan for the Union as described in Resolution 71 (Rev. Marrakesh, 2002) of this conference;

c) the report submitted to the 2002 session of the Council (Document C02/27) on effective human resources management in the Union;

d) Resolution 1195, adopted by the Council at its 2002 session, on effective human resources management in the Union which establishes an ad hoc group of the Standing Committee on staff matters;

e) the Standards of Conduct for the International Civil Service established by the International Civil Service Commission (ICSC) and implemented by ITU in July 2002,

recognizing

a) the value of the human resources of the Union to the fulfilment of its goals;

b) that a reduction in staffing levels from their present levels will almost certainly be required during the period up to the next plenipotentiary conference,

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 more women in 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;

e) that it is likely that the definitive upper limit of the contributory unit approved by this conference for the years 2004-2007 will affect the amount spent on human resources in the Union;

f) that there are a number of factors that will affect the finances of the Union which cannot be accurately predicted up to the end of 2007, such as the fluctuations in the rate of exchange between the US dollar and the Swiss franc, and actual income that will be generated from cost recovery,

resolves

1 that the management and development of ITU's human resources should be compatible with the goals and activities of the Union and with the United Nations common system;

2 that ICSC recommendations approved by the United Nations General Assembly should be applied;

3 that, with immediate effect and within available financial resources, recruitment of new staff, including temporary staff, should be limited and, to the extent practicable, vacancies should be filled through greater mobility of existing staff;

4 that internal mobility should, to the extent practicable, be coupled with training so that staff can be used where they are most needed;

5 that internal mobility should be applied, to the extent feasible, to cover needs when staff retire or leave ITU in order to reduce staffing levels without terminating contracts,

resolves further

1 that appointed staff in the Professional and higher categories shall continue to be recruited on an international basis and that, for posts identified for external recruitment, 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, with the assistance of the Coordination Committee, 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, as appropriate within the available financial resources, and taking into account geographical distribution and balance between female and male staff, specialists who are starting their careers at the P.1/ P.2 level;

6 with a view to further training in order to enhance professional competence in the Union, to examine and report to the Council how a programme of training for both managers and their staff could be implemented within the available financial resources throughout the Union;

7 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, representing, to the extent practicable, 3 per cent 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 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,

invites Member States

to participate in the ad hoc group established by Council Resolution 1195, whose participation includes ITU management and staff representatives in accordance with Resolution 51 (Rev. Minneapolis, 1998), in order to develop recommendations based on best practices used in governments and industry for improving human resources management in ITU under the terms of reference set out in that resolution.

RESOLUTION 70 (Rev. Marrakesh, 2002)

Gender mainstreaming in ITU

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

a) the initiative taken by the Telecommunication Development Sector (ITU-D) at the World Telecommunication Development Conference in adopting Resolution 7 (Valletta, 1998), transmitted to the Plenipotentiary Conference (Minneapolis, 1998), which resolved that a task force on gender issues be established;

b) the endorsement of that resolution by the Plenipotentiary Conference in its Resolution 70 (Minneapolis, 1998), in which the conference resolved, *inter alia*, to incorporate a gender perspective in the implementation of all programmes and plans of ITU;

c) Resolution 44 (Istanbul, 2002) of the World Telecommunication Development Conference (WTDC-02) converting the task force on gender issues into a permanent Working Group on Gender Issues;

d) Resolution 1187 adopted by the Council at its 2001 session, on gender perspective[1] in ITU human resources management, policy and practice, in which the Council requested the Secretary-General to allocate appropriate resources, within existing budgetary limits, to establish a gender perspective full-time dedicated staff;

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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).

e) Resolution E/2001/L.29 (July 2001) of the United Nations Economic and Social Council (ECOSOC) entitled "Social and human rights questions: advancement of women", in which ECOSOC decided to establish, under the regular agenda item "Coordination, programme and other questions", the regular sub-item "Mainstreaming a gender perspective into all policies and programmes of the United Nations system" in order to, *inter alia*, monitor and evaluate achievements made and obstacles encountered by the United Nations system, and to consider further measures to strengthen the implementation and monitoring of gender mainstreaming within the United Nations system,

recognizing

a) that society as a whole, particularly in the context of the information and knowledge society now evolving, will benefit from equal participation of women and men in policy-making and decision-making and equal access to communication services for both women and men;

b) that making better use of human resources, including the skills of women, is essential in order to build the foundation for the new information society and ensure that humanity as a whole benefits from the fruits thereof;

c) that women constitute a substantial, as yet largely unexplored, consumer market for information and communication technologies;

d) that the recent start of the World Summit on the Information Society (WSIS) process is only a beginning in the expansion of reflections on the concept of the information society and that continued efforts must be undertaken in this context to bridge the gender digital divide,

recognizing further

a) the impetus and interest in gender issues in the information and communication technologies (ICT) sector generated over the past four years since the appointment of a focal point on gender issues and the establishment of the task force on gender issues;

b) the progress achieved in raising awareness, both within ITU and among Member States, of the importance of integrating a gender perspective in all ITU work programmes and of increasing the number of women professionals in ITU, especially at senior management level, while at the same time working towards the equal access of men and women to posts in the General Service category;

c) considerable recognition given to the work of ITU in gender and ICT within the UN family of organizations,

noting

a) that there is a need for ITU to investigate, analyse and further understand the impact of telecommunication technologies on women and men;

b) that ITU should take the lead in establishing gender-relevant indicators for the telecommunication sector;

c) that more work needs to be done to ensure that the gender perspective is included in all ITU policies, work programmes, information dissemination activities, publications, study groups, seminars, workshops and conferences,

welcomes

the initiative taken by Norway to provide a Senior Gender Adviser to the Telecommunication Development Bureau (BDT) in an effort to assist ITU in carrying out its mandate for gender mainstreaming in ITU-D,

encourages Member States and Sector Members

1 to 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 to 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;

3 to review their policies related to the information society to ensure the inclusion of a gender perspective in all activities, especially WSIS,

resolves

1 to endorse WTDC-02 Resolution 44 (Istanbul, 2002) on mainstreaming gender in ITU-D programmes;

2 to continue the work being done in BDT to mainstream and advance the gender perspective through ICT programmes that improve socio-economic conditions for women, particularly in developing countries;

3 to accord high priority to the incorporation of gender policies in the management, staffing and operation of ITU and to consider the establishment of a gender unit;

4 to incorporate the gender perspective in the implementation of the ITU strategic plan and financial plan for 2004-2007 as well as in the operational plans of the Bureaux and the General Secretariat,

instructs the Council

1 to continue and expand on the initiatives carried out over the past four years and to accelerate the gender mainstreaming process in ITU as a whole so as to ensure capacity building, continuity and sustainability;

2 to consider creating, within the available financial resources, a gender unit in the ITU General Secretariat,

instructs the Secretary-General

1 to take immediate steps to implement a gender plan and report to the Council on progress made;

2 to ensure that the gender perspective is incorporated in the work programmes, management approaches and human resource development activities of ITU, and to submit an annual written report to the Council on progress made on gender mainstreaming in ITU, including statistics on gender by grade of ITU staff and participation of women and men in ITU conferences and meetings;

3 to take immediate steps to ensure the inclusion of a gender perspective in all ITU contributions to WSIS;

4 to give particular attention to gender balance for posts at the professional and particularly the higher levels in ITU and, when choosing between candidates who have equal qualifications for a post, taking into account geographical distribution (No. 154 of the ITU Constitution) and the balance between female and male staff, to give appropriate priority to gender balance;

5 to report to the next plenipotentiary conference on the results and progress made on the inclusion of a gender perspective in the work of ITU, and on the implementation of this resolution;

6 to make efforts to mobilize voluntary contributions from Member States, Sector Members and others for this purpose;

7 to encourage administrations to give equal opportunities to male and female candidatures for elected official posts and for membership of the Radio Regulations Board,

invites Member States

to make voluntary contributions to ITU to facilitate the implementation of this resolution to the fullest extent possible.

RESOLUTION 71 (Rev. Marrakesh, 2002)

Strategic plan for the Union 2004-2007

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) the provisions of the ITU Constitution and Convention relating to strategic policies and plans;

b) Article 19 of the Convention on the participation of Sector Members in the Union's activities,

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 2004-2007 and in the following period,

resolves

1 to adopt the strategic plan for 2004-2007, contained in the annex to this resolution, based on the overall goals outlined in section 3.3 thereof;

2 to complement this strategic plan with the goals, strategies and priorities for the three Sectors and for the secretariat, in line with their overall missions set out in sections 4.1, 5.1, 6.1 and 7.1 of the strategic plan;

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 2004-2007, including recommendations to adjust the plan in light of changes in the telecommunication environment, based on proposals by the competent Sector advisory groups, 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 the 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 2004-2007 in the annex 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 2004-2007 to the next plenipotentiary conference, along with a proposed strategic plan for the period 2008-2011,

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;

- 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: Strategic Plan for the Union 2004-2007

ANNEX TO RESOLUTION 71 (Rev. Marrakesh, 2002)

Strategic Plan for the Union 2004-2007

PART I – The Union and its membership

1 The mission and nature of the Union

1.1 Article 2 of the ITU Constitution states that the International Telecommunication Union is an intergovernmental organization in which Member States, and Sector Members, having well defined rights and obligations, and having due regard to the principle of universality and the desirability of universal participation, shall cooperate for the fulfilment of the purposes of the Union, as set out in Article 1 of the Constitution.

1.2 No. 70 of the Constitution tasks the ITU Council with preparing a report on the policy and strategic planning recommended for the Union, together with their financial implications, in keeping with the guidelines given by the Plenipotentiary Conference to ensure that the Union's policies and strategies fully respond to the constantly changing telecommunication environment.

2 The telecommunication environment and its implications for the Union

2.1 In recent years, a number of developments have occurred in the broader information and communication technologies (ICT) environment that have significant implications for ITU as a whole. The environment includes (not listed in any special order):

2.1.1 significant shortages, both in telecommunication infrastructures and in capability to access information, resulting from several factors, including the associated costs;

2.1.2 the expansion and diversification of telecommunication and radiocommunication networks and the challenge of securing and maintaining interoperability among telecommunication services, and between radio-based and fixed-line services;

2.1.3 the convergence of technological platforms for telecommunication, information and computing;

2.1.4 digitization of broadcasting and increasing interactivity, new technologies, broadband applications, and new uses for existing technologies;

2.1.5 further moves towards market liberalization, including the opening of markets to competition, greater private sector participation, and the growing role of regional organizations;

2.1.6 a market need for appropriate, high-quality, global standards which are developed rapidly, including those which ensure global connectivity and reliability of telecommunication networks;

2.1.7 increased awareness of the role of telecommunications as a tool for the overall development of society;

2.1.8 a need for increased use of the six working languages of the Union to facilitate effective participation in its work by all countries;

2.1.9 continued development of mobile communications, which is one of the fastest-growing segments in the history of telecommunications;

2.1.10 continued growth of the Internet, and the creation and development of applications attached to its use, with a corresponding increase in IP access and in IP backbone networks;

2.1.11 continued separation of operational and regulatory functions, and the creation of many new independent telecommunication regulatory bodies;

2.1.12 limitations on the financial and human resources available to support the Union's activities.

3 Strategic orientations and goals

3.1 A continuing challenge facing the Union in the 2003-2007 time-frame is to remain a pre-eminent intergovernmental organization where Member States, Sector Members and Associates work together to enable the growth and sustained development of telecommunications and information networks, and to facilitate universal access so that people everywhere can participate in, and benefit from, the global information economy and society – thus advancing the "right to communicate".

3.2 The general goals, strategies and priorities of the Union are achieved through the activities of the Plenipotentiary Conference, the Council and its three Sectors, supported by the General Secretariat, through the Sector conferences and assemblies, and through general activities. One of the Union's more important activities is its contribution to the holding of the World Summit on the Information Society (WSIS). The purposes of the Union, as set out in Article 1 of the Constitution, apply to the Union as a whole, so its organizational units share in a number of strategic orientations and goals for the 2004-2007 period.

3.3 The Union will undertake priority actions to achieve the following goals (not listed in any special order), with linkage in each of the Sectors' priorities to the relevant goal:

Goal 1: Maintain and extend international cooperation among all Member States and with appropriate regional organizations for the improvement and rational use of telecommunications of all kinds, taking the leading role in United Nations system initiatives on information and communication technologies (ICT).

Goal 2: Assist in bridging the international digital divide in information and communication technologies (ICT), by facilitating development of fully interconnected and interoperable networks and services to promote global connectivity and by taking a leading role in the preparations for, and taking due account of the relevant results of, the World Summit on the Information Society (WSIS).

Goal 3: Widen the Union's membership, extend and facilitate cooperative participation of an increasing number of administrations and organizations.

Goal 4: Develop tools, based on contributions from the membership, to safeguard the integrity and interoperability of networks.

Goal 5: Continue to improve the efficiency and effectiveness of ITU's structures and services and their relevance to the membership.

Goal 6: Disseminate information and know-how to provide the membership, particularly developing countries, with capabilities to respond to the challenges of privatization, competition, globalization and technological change.

PART II – The Sectors

4 Radiocommunication Sector (ITU-R)

4.1 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.

4.2 This mission is to be undertaken within the environment identified in Part I, section 2 above for the Union as a whole, and specifically characterized in ITU-R by:

4.2.1 a growing recognition of the economic value of the frequency spectrum, which has implications for the development of new technologies and the demand for spectrum and orbit access;

4.2.2 ever-increasing demand for the limited radio-frequency spectrum for space and terrestrial radiocommunication systems, which has led to proliferation of frequency assignment notices and overfiling at ITU, some of which are speculative;

4.2.3 increasing convergence among many radio services, integration with wired telecommunication services, and the convergence of terrestrial and satellite applications, all of which increasingly call for the identification of frequency allocations for specific purposes, thus having an impact on spectrum management, and on the service definitions and working methods of ITU-R;

4.2.4 growing demand from developing countries, including with respect to:

a) equitable access to the radio-frequency spectrum and to satellite orbits in support of their national requirements;

b) worldwide radiocommunication system standards to achieve interoperability and overall system economy;

c) relevant handbooks and training.

4.2.5 the rapid technological development and widespread application of broadband digital techniques to most space and terrestrial systems, including mobile communications and new television and sound broadcasting systems;

4.2.6 increasingly complex and lengthy agendas for world radiocommunication conferences (WRC).

4.3 Within its overall mission, the priorities of the Radiocommunication Sector for 2004-2007, in addition to those that may be identified by future conferences, are indicated below, in three categories, where Category A represents the highest priority. Each priority is linked to the specific relevant goal enumerated in Part I, section 3.3 above:

Category A

4.3.1 To facilitate timely coordination between various systems in both the space and terrestrial environments and to develop spectrum regulation initiatives in order to better harmonize frequency allocations and the use of satellite orbits, while continuing work to improve inter-service and intra-service frequency coordination for space and terrestrial systems in planned and non-planned frequency bands through appropriate measures at world radiocommunication conferences (Goals 4 and 5).

4.3.2 To collaborate as needed with the Telecommunication Standardization (ITU-T) and Telecommunication Development (ITU-D) Sectors and the General Secretariat to ensure that studies are appropriately coordinated and that no duplication of work occurs (Goal 5).

4.3.3 To facilitate the introduction of modern radio systems in rural areas, with special attention to developing countries, and give assistance to Member States in spectrum management activities, e.g. through training, information meetings, seminars, the development of handbooks and the provision of tools for automated spectrum management (Goals 2 and 6).

4.3.4 To reduce the satellite network filing backlog so as to comply with the time-limits specified in the Radio Regulations by the end of the current plenipotentiary cycle in 2006 (Goal 5).

Category B

4.3.5 To ensure that world and regional radiocommunication conferences and other relevant activities within the Sector are effective and efficient; that WRC agendas do not unduly burden Member States and Sector Members, and consequently secretariat resources, by appropriately reviewing operations and working methods (Goal 5); and that resolutions and decisions are not adopted which would give rise to expenditure in excess of the limits laid down by the Plenipotentiary Conference.

4.3.6 To accommodate spectrum requirements through efficient management of the radio-frequency spectrum, free from harmful interference, through appropriate consideration at WRCs and by issuing appropriate recommendations on the characteristics and performance of radio systems to facilitate their development and implementation, while ensuring that the Radio Regulations and the rights of Member States are respected (Goals 1, 2, 4, and 5).

4.3.7 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 (Goal 2).

4.3.8 To ensure that the Radio Regulations Board (RRB) discharges its functions concerning the application of the Radio Regulations, in a manner which is fully consistent with the Constitution, Convention and Radio Regulations and maintains the confidence of Member States (Goals 1 and 5).

Category C

4.3.9 To improve international spectrum management techniques (Goals 1 and 5).

4.3.10 To improve the working methods of the Sector, particularly to strive for:

a) greater use of more timely-developed and user-friendly software, document exchange capabilities, etc. (Goal 5);

b) 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) (Goals 5 and 6);

c) increased use of information technology for the notification and processing of frequency assignment notices (Goals 5 and 6);

d) a flexible organizational structure in the Radiocommunication Bureau (BR), with special attention to the training and development of the Bureau's staff, incorporating the gender and youth perspectives (Goal 5).

e) periodic reviews of study group work programmes, and review of linkage between financial, strategic and operational planning, to re-establish priorities and improve effectiveness (Goal 5).

4.3.11 To monitor, through the Radiocommunication Advisory Group (RAG), the performance of the relevant activities of the Sector against identified milestones and to propose adjustments to the strategic plan as needed (Goal 5).

4.3.12 To encourage greater participation by Member States, Sector Members, Associates and other organizations in ITU-R activities by, *inter alia*, concluding formal and informal task-oriented cooperation arrangements so as to facilitate the production of better global radiocommunication standards and recommendations (Goals 1, 3, and 4).

5 Telecommunication Standardization Sector (ITU-T)

5.1 The mission of the ITU Telecommunication Standardization Sector is to be the unique worldwide venue for industry and government to work together in developing, adopting, providing and promoting global consensus-based telecommunication recommendations (standards) for the information society. The Sector's key attribute is the ability to bring together all players in a global environment to develop recommendations in areas where the membership recognizes that ITU-T has the necessary competence.

5.2 This mission is to be undertaken within the environment identified in Part I, section 2 above for the Union as a whole. Attempts to quantify and qualify anticipated changes in such a dynamic telecommunication environment cannot succeed, and are likely to produce language that is obsolescent upon adoption. Accordingly, the environment can be specifically characterized in ITU-T by:

5.2.1 the competition faced by ITU-T, as differentiated from other parts of the Union, from various standards development organizations, consortia, and forums, which means that ITU-T must be able to show the advantages it offers for activities it considers as being its core competencies;

5.2.2 the ongoing transformation of telecommunication activities, from being regulatory-driven into a service and demand-driven sphere, and thus into a globally competitive business;

5.2.3 growth in the fixed-line network which continues at a steady rate while mobile networks grow at a faster rate;

5.2.4 continued growth of electronic commerce;

5.2.5 voice communications over IP-based networks.

5.3 Within its overall mission, the priorities of the Telecommunication Standardization Sector for 2004-2007, in addition to those that may be identified by future conferences, are indicated below. Each priority is linked to the specific relevant goal enumerated in Part I, section 3.3 above:

5.3.1 To offer an organization that is attractive to industry entities as a place to do their standards development work (Goals 2, 3 and 5).

5.3.2 To create an environment in which interested parties can work effectively and efficiently together in partnership (Goals 1, 3 and 5).

5.3.3 To develop and execute a proactive plan, in collaboration with the secretariat, in order to promote the value of ITU-T in the face of competition from other standards bodies and continue to enhance efforts in this regard (Goal 3).

5.3.4 To stimulate active participation of existing membership and attract new participants by convincing them of the benefits of working in, or with, ITU-T, stressing its global recognition and credibility and the high quality of its recommendations, as well as its willingness to change (Goals 3, 5 and 6).

5.3.5 To identify areas where recommendations should be developed for the information society (Goals 2 and 4).

5.3.6 To develop high-quality, global, consensus-based recommendations in its core competency areas efficiently, on a market-driven and timely basis (Goals 1, 2, 4 and 5).

5.3.7 To facilitate the interoperability of networks and services (Goals 2 and 4).

5.3.8 To be able to develop recommendations that may have regulatory or policy implications (Goals 1, 2, 4 and 6).

5.3.9 To give appropriate consideration to the particular needs of developing countries (Goal 6).

5.3.10 To utilize a bottom-up (rather than top-down) mode of operation and production of (Goals 4 and 5).

5.3.11 To utilize clear and transparent working methods and processes, in order to encourage transparency, inclusiveness, and representation of a broad range of participants and views, particularly incorporating a gender and youth perspective (Goals 1, 4 and 5).

5.3.12 To be flexible and constantly look for ways to improve (Goal 5).

5.3.13 To define and establish formal relationships with the broadest practicable range of relevant bodies. In this regard, ITU-T should:

a) foster awareness within ITU-T of the work done by other bodies (such as standards development organizations, forums and consortia) (Goal 1);

b) coordinate and cooperate with such groups in order to reduce duplication, avoid inconsistencies, and ensure that ITU-T work creates added value (Goals 1, 2, 4 and 5);

c) continue to participate in appropriate coordinating bodies (Goals 1 and 5).

5.3.14 To be flexible in responding to market demands (Goals 2, 4, 5 and 6).

5.3.15 To coordinate and cooperate with the Radiocommunication (ITU-R) and Telecommunication Development (ITU-D) Sectors and with the General Secretariat (Goal 5).

5.3.16 To work with ITU-D, with special attention to telecommunication development in developing countries, including supporting ITU-D's efforts to improve access to the information society in developing countries, and developing handbooks as appropriate (Goals 5 and 6).

5.3.17 To develop and strengthen the linkage between financial, strategic, and operational planning (Goal 5).

5.3.18 To monitor, through the Telecommunication Standardization Advisory Group (TSAG), the performance of the Sector against identified milestones and to propose adjustments to the strategic plan as needed (Goal 5).

6 Telecommunication Development Sector (ITU-D)

6.1 The mission of the Telecommunication Development Sector (ITU-D) is to achieve its objectives based on the right to communicate of all the inhabitants of the world through access to infrastructure and information and communication services. In this regard, the mission is:

6.1.1 to assist developing countries in the field of information and communication technologies (ICT), in facilitating the mobilization of technical, human and financial resources needed for their implementation, as well as in promoting access to ICTs;

6.1.2 to promote the extension of the benefits of ICTs to all the world's inhabitants;

6.1.3 to promote and participate in actions that contribute towards narrowing the digital divide;

6.1.4 to develop and manage programmes that facilitate information flow geared to the needs of developing countries, with a focus on populations with special needs, including the disabled and disadvantaged.

6.2 This mission should complement that of other organizations and entities seeking to improve access to communication technologies and services in the developing world.

6.3 The mission encompasses ITU's dual responsibility as a United Nations specialized agency and an executing agency for implementing projects under the United Nations Development Programme or other funding arrangements.

6.4 The mission is to be undertaken within the environment identified in Part I, section 2 above for the Union as a whole, and specifically characterized in ITU-D by increased partnership with other international, regional and other entities in actions to promote the development of telecommunications and narrow the digital divide.

6.5 Within its overall mission, the priorities of the Telecommunication Development Sector for 2004-2007, in addition to those that may be identified by future conferences, are shown below. Each priority is linked to the specific, relevant goal enumerated in Part I, section 3.3 above:

6.5.1 To promote the development, expansion, operation and increased efficiency of ICT networks and services, particularly in the developing countries (Goal 2).

6.5.2 To promote access to ICT networks and services for all, with particular emphasis on the disabled and disadvantaged (Goal 2).

6.5.3 To provide assistance and tools to Member States in creating regulatory and policy environments, institutional and organizational resources, and development activities that promote priorities 6.5.1 and 6.5.2 above (Goals 1, 2 and 6).

6.5.4 To provide assistance and tools for Sector Members seeking to provide ICTs and other services in developing countries (Goal 2).

6.5.5 To collect, analyse and make available information, data and statistics on ICTs in order to assist Member States and Sector Members in making informed policy and development decisions (Goal 6).

6.5.6 To strengthen communication channels and establish the necessary coordination and cooperation between the Telecommunication Development Bureau (BDT) and the ITU-D membership, and ensure cooperative and effective communications and coordination between BDT, both at headquarters and at the regional offices, and the other ITU Sectors and the ITU secretariat (Goals 5 and 6).

6.5.7 To improve communication channels and establish the necessary coordination and cooperation with other international, regional and subregional organizations, and other entities involved in the development of ICTs and services, in order to create the appropriate framework for the application and development of services, ensuring that ITU's and ITU-D's role and mission are understood (Goals 1, 2 and 3).

6.5.8 To ensure that the ITU Member States and ITU-D Sector Members and Associates derive maximum benefits from ITU's role as a specialized agency of the United Nations and an executing agency for implementing projects under the United Nations development system or other funding arrangements (Goals 1 and 5).

6.5.9 To develop and strengthen the linkage between financial, strategic and operational planning (Goal 5).

6.5.10 To monitor, through the Telecommunication Development Advisory Group (TDAG), the performance of the Sector against identified milestones and to propose adjustments to the strategic plan as needed (Goal 5).

6.5.11 To ensure incorporation of a gender perspective in its programmes and activities and provide for its implementation as far as possible (Goal 5).

6.5.12 To emphasize the needs and capabilities of youth in telecommunication development (Goal 5).

6.5.13 To contribute, as appropriate, to preparation of the World Summit on the Information Society (WSIS) (Goals 2 and 6).

6.5.14 To ensure that developing countries' experiences in the ICT field are taken into account for the establishment of partnerships in this field (Goals 2 and 6).

PART III – The secretariat

7.1 The mission of the secretariat is to provide high-quality and efficient services to the membership of the Union, notably in the Plenipotentiary Conference, the Council, conferences, assemblies, meetings, policy forums, TELECOM exhibitions and other events, as well as the dissemination of information.

7.2 The secretariat performs specific tasks and duties identified in the Constitution and Convention and/or discharges other duties and responsibilities handed down in resolutions and decisions of the Plenipotentiary Conference, the Council, conferences and assemblies.

7.3 The mission of the secretariat is to be undertaken within the environment identified in Part I, section 2 above for the Union as a whole, and specifically characterized in the secretariat by:

a) a membership that has a wide range of requirements;

b) a membership that is continuing to face growing demands on its time and requires the provision of flexible, innovative and reliable support services.

7.4 Within its overall mission, the objectives of the secretariat for 2004-2007, in addition to those that may be identified by future conferences and assemblies, shall be (not listed in any special order):

7.4.1 To provide the Council with clear, accurate and transparent information as the basis for informed decisions when performing its tasks.

7.4.2 To improve financial accountability in respect of ITU activities by more clearly linking costs with the related activity through appropriate operational plans, financial plans and budgets.

7.4.3 To account for income and expenditure for products and services provided under cost recovery in an open and transparent manner, as defined in Resolution 91 (Minneapolis, 1998).

7.4.4 To identify sources of funding.

7.4.5 To develop a flexible management structure, with greater levels of delegation of responsibility.

7.4.6 To improve the efficiency and effectiveness of secretariat structures, activities and processes, and specifically to decrease costs.

7.4.7 To embrace new technologies and other innovations, including outsourcing when appropriate, in service of the needs, requirements and the sharply focused and targeted efforts and initiatives of the membership, and budget accordingly.

7.4.8 To maintain an agile and responsive secretariat that is receptive to flexibility and innovation.

7.4.9 To provide early information to the membership on problems in achieving established objectives and priorities.

7.4.10 To adopt a more flexible recruitment policy, in particular in reducing recruitment delays.

7.4.11 To compete to attract and retain highly qualified staff for ITU, in order to be responsive to the membership, which generally operates at a high level of technological sophistication.

7.4.12 To maximize the quality and effectiveness of Union's human resources, with due regard to geographical and gender representation, youth and the observance of merit and fitness-to-serve.

7.4.13 To develop, where agreed by the membership, innovative mechanisms for international cooperation outside the formal structures defined in the Constitution and Convention.

7.4.14 To improve the promotion of the activities and value of ITU in order to enhance its membership and to increase use of its products and services.

7.4.15 To serve as the depositary of cooperative international arrangements consistent with the purposes of ITU.

7.5 The ITU secretariat should become more active in United Nations activities related to the mission of ITU, specifically in its responsiveness to the World Summit on the Information Society (WSIS).

PART IV – The financial base of the Union and linkages

8.1 The finances of the Union are governed by the provisions of Article 28 of the Constitution and Article 33 of the Convention. The financial plan establishes the framework within which expenditure limits are established (as well as the value of the contributory unit). Within that framework, two biennial budgets are established which provide a linkage to the specific activities undertaken by the Union (activities-based budgeting), and which in turn provide linkages to the strategic plan on the one hand, and the operational plans on the other hand.

8.2 The membership and secretariat should together continue the ongoing efforts to strengthen the Union's financial foundation, understanding that the resources available to the Union are not likely to increase and may be reduced. The description of the environment noted above has natural and necessary consequences on the financial base of the Union, and requires careful, fair, appropriate and innovative responses. Consequently there will be a continuing need to improve transparency and accountability in the financial systems and practices of ITU, and the establishment of and reliance on a close and rational relationship between the strategic, financial and operational planning functions of the Union.

8.3 Financial support shall be defined for implementation of the use of the six working languages of the Union on an equal footing, in order to promote effective participation by developing countries in ITU activities.

8.4 The primary sources of finance for the Union, as reflected in part in Article 6, Article 19 and Annex 2 (voluntary contributions and trust funds) of the Financial Regulations and Resolution 11 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference comprise:

a) contributory units paid by Member States, Sector Members and Associates;

b) voluntary contributions;

c) income from the sale of publications;

d) cost recovery for the provision of services requested by the membership, for instance in the processing of satellite network filings;

e) project execution;

f) surplus income from TELECOM exhibitions, a significant proportion of which is used for development purposes;

g) other sources of income, including interest.

RESOLUTION 72 (Rev. Marrakesh, 2002)

Linking strategic, financial and operational planning in ITU

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

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

b) that, in the strategic plan for the Union 2004-2007, as one of the priorities of ITU, operational planning was extended to the three Sectors and the General Secretariat as a mechanism for increasing accountability and transparency and enhancing the linkage between this management tool and 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 four-year period;

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 in order 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, that 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 groups, 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 2006 plenipotentiary conference.

ANNEX TO RESOLUTION 72 (Rev. Marrakesh, 2002)

Elements associated with operational planning

- Detailed specification of activities to be undertaken during any given four-year period, 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 sub-objectives 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 groups.

RESOLUTION 77 (Rev. Marrakesh, 2002)

Future conferences and assemblies of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

having considered

a) Document PP-02/33 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 World Telecommunication Standardization Assembly (WTSA-04): Brazil, October 2004;

1.2 Regional Radiocommunication Conference, first part (RRC-04): Geneva, 10-28 May 2004;

1.3 Regional Radiocommunication Conference, second part (RRC): Geneva, at the earliest in late 2005[1];

1.4 World Telecommunication Development Conference (WTDC): at the earliest in early 2006[2]

1.5 Plenipotentiary Conference (PP-06): second half of 2006[2];

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[1] Place and dates to be decided by the Council after the first part of RRC.

[2] Place and dates to be decided by the Council at its 2004 session.

1.6 World Radiocommunication Conference (WRC-07): first half of 2007[2];

2 that the Council shall take a decision on the need for a radiocommunication assembly in 2007;

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;

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.

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2 Place and dates to be decided by the Council at its 2004 session.

RESOLUTION 80 (Rev. Marrakesh, 2002)

World radiocommunication conference process

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the agenda for the 2003 World Radiocommunication Conference (WRC-03) was amended and approved by the Council at its 2001 session;

b) that the radiocommunication sector has experienced rapid technological growth, and demand for new services is increasing rapidly in an environment that requires timely and efficient action,

considering further

a) that, for the World Radiocommunication Conference (Geneva, 1997) (WRC-97) and the World Radiocommunication Conference (Istanbul, 2000) (WRC-2000), many administrations submitted common regional proposals, which greatly assisted in the efficiency of the conference proceedings;

b) that informal groups and general liaison between regions played an important role in smoothing the work of those conferences;

c) that, by Resolution 72 (Rev. WRC-2000), WRC-2000 encourages both formal and informal collaboration in order to resolve differences,

noting

a) that this conference has adopted many of the recommendations of the Working Group on ITU Reform aimed at increasing the effectiveness of ITU in a rapidly changing environment;

b) that, in accordance with Nos. 118 and 126 of the ITU Convention, the general scope of a world radiocommunication conference (WRC) 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;

d) that No. 126 of the Convention requires a WRC to estimate the financial implications of its proposed agenda,

resolves

1 that world radiocommunication conference preparations and administration, including budgetary appropriations, should be planned on the basis of two consecutive world radiocommunication conferences: a WRC shall propose the draft agenda of the next WRC and a provisional agenda for the second WRC;

2 to support the regional harmonization of common proposals, as stated in Resolution 72 (Rev. WRC-2000), 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;

4 that administrations, when proposing specific agenda items for WRC, should to the extent possible include some indication of the possible financial and resource implications (preparatory studies and decision implementation), to which effect they may request the assistance of the Radiocommunication Bureau,

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 WRC,

further instructs the Director of the Radiocommunication Bureau

1 to consult with Member States and regional and subregional telecommunication organizations on the means by which assistance can be provided in support of their preparations for future WRCs;

2 on the basis of such consultations and in collaboration with the Telecommunication Development Bureau, to assist Member States and regional and subregional telecommunication organizations in the organization of information sessions, and of formal and informal regional and interregional preparatory meetings in their respective regions and at conference venues;

3 to submit to the Council a report on the application of *further instructs the Director of the Radicommunication Bureau* 2 above,

instructs the Secretary-General

to encourage the participation of all Member States and Sector Members in addressing this issue.

RESOLUTION 86 (Rev. Marrakesh, 2002)

Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the Voluntary Group of Experts (VGE) created to study allocation and improved use of the radio-frequency spectrum and the simplification of the Radio Regulations 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) of the Plenipotentiary Conference instructed the Director of the Radiocommunication Bureau (BR) to initiate a review of some issues concerning international satellite network coordination;

c) that the World Radiocommunication Conference (Geneva, 1997) adopted changes to the Radio Regulations that entered into force 1 January 1999;

d) that the coordination and notification procedures for satellite networks are the foundation for discharging the ITU's role and mandate in space telecommunication matters;

e) that the scope of application of this resolution has already been extended beyond its intended objectives;

f) that there are no criteria for how this resolution is to be applied in order to properly achieve the objectives set forth therein,

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 BR,

noting

a) that all matters relating to administrative due diligence are covered in Resolution 85 (Minneapolis, 1998) of the Plenipotentiary Conference and Resolution 49 (Rev. WRC-2000) of the World Radiocommunication Conference;

b) Resolution 80 (Rev. WRC-2000) of the World Radiocommunication Conference, regarding due diligence in applying the principles embodied in the ITU Constitution,

resolves to request the 2003 and subsequent world radiocommunication conferences

to review and update the advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks, including the associated technical characteristics, and the related appendices of the Radio Regulations, so as to:

i) facilitate, in accordance with Article 44 of the Constitution, the rational, efficient, and economical use of radio frequencies and any associated orbits, including the geostationary-satellite orbit, 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;

ii) ensure that these procedures, characteristics and appendices reflect the latest technologies;

iii) achieve simplification and cost savings for BR and administrations,

further resolves to request the 2003 World Radiocommunication Conference

to determine the scope and the criteria to be used for the implementation of this resolution.

RESOLUTION 88 (Rev. Marrakesh, 2002)

Processing charges for satellite network filings and administrative procedures

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the Plenipotentiary Conference adopted Resolution 88 (Minneapolis, 1998) dealing with processing charges for satellite network filings, requesting the Council to adopt the methodology and schedule of charges at its 1999 session;

b) that, at its 1999 session, the Council adopted Decision 482 setting out the methodology and schedule of fees, based on a flat-fee component and a variable-fee component (depending on the number of pages of the publication), with payment falling due after the publication of the filing;

c) that the World Radiocommunication Conference (Istanbul, 2000) (WRC-2000) dealt with the consequences of non-payment of such processing fees with the adoption of provisions in the Radio Regulations, and adopted Resolution 83 (WRC-2000) recommending that this conference consider the extent to which the provisions identified by WRC-2000 satisfy the purpose of Resolution 88 (Minneapolis, 1998) of the Plenipotentiary Conference and consider the date at which they shall enter into force;

d) that, at its 2001 session, the Council modified Decision 482 so that, for filings submitted after 1 January 2002, the flat-fee component would be invoiced upon receipt of the filing;

e) that, by Decision 510 adopted at its 2002 session, the Council established in an ad hoc group to consider an alternative basis for charges that does not depend on the number of pages, as well as the practical implications of applying cost attribution to activities associated with the processing of satellite network filings towards the application of full cost recovery,

considering further

a) 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 (BR) and may have financial implications;

b) that any decision in this matter must ensure the protection of the rights acquired by Member States in applying the relevant procedures of the Radio Regulations,

recognizing

a) that the provisions adopted by WRC-2000 and referred to in *considering c)* above established a linkage between the rights acquired by Member States in applying the relevant procedures of the Radio Regulations after 7 November 1998 and the payment of the fees for cost recovery for satellite network filings, and that this linkage satisfies the requirement referred to in *considering further b)* above;

b) that the decisions taken by WRC-2000 satisfy the intent in the instruction given to WRC-2000 by Resolution 88 (Minneapolis, 1998) of the Plenipotentiary Conference for consequences in case of non-payment,

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) of the Plenipotentiary Conference;

2 that all filings in accordance with Council Decision 482, as modified, for the production of the special sections of the BR IFIC for space radiocommunication services concerning advance publication, and their associated requests for coordination or agreement (former Articles 11 and 14, plus Resolution 33 (Rev. WRC-97) and former Resolution 46 (WRC-97), or Article 9 of the Radio Regulations) and requests for modification of the space service plans and lists 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;

3 that the date of entry into force of the provisions of the Radio Regulations referred to in *considering c)* shall be 1 August 2003,

instructs the extraordinary session of the Council to be held during this conference

to establish a group, open to all Member States and Sector Members, in order to make recommendations to the 2003 session of the Council on:

i) modifications to Decision 482 to give effect to *resolves* 1 and 2 above;

ii) extension of the implementation of processing charges for satellite filings, received by BR as of a date to be set by the Council and not already covered in *resolves* 2 above, to include identifiable and auditable costs incurred directly in the processing of satellite network filings;

iii) clarification of the meaning of the term "actual costs" referred to in *resolves* 4 i) of Resolution 91 (Minneapolis, 1998) of the Plenipotentiary Conference;

further instructs the Council at its 2003 session

taking into account the recommendations of the group, as appropriate, to consider further modification of Decision 482,

instructs the Director of the Radiocommunication Bureau

to send a reminder 60 days before the date referred to in *resolves* 3 above,

recommends the 2003 World Radiocommunication Conference

to implement *resolves* 3 above,

instructs the Secretary-General

to submit a report to the next plenipotentiary conference on the implementation of this resolution and on the operation of cost recovery for processing charges for satellite network filings.

RESOLUTION 94 (Rev. Marrakesh, 2002)

Auditing of the accounts of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

that the external auditor appointed by the Government of the Swiss Confederation audited the Union's accounts for the years 1998 to 2001 most carefully, competently and accurately,

resolves to express

its warmest thanks and deepest gratitude to the Government of the Swiss Confederation and its hope 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 102 (Rev. Marrakesh, 2002)

Management of Internet domain names and addresses

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

aware

that the purposes of the Union are, *inter alia,* to promote, at the international level, the adoption of a broad approach to the issues of telecommunications in the global information economy and society, to promote the extension of the benefits of 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 of crucial importance as an important engine for growth in the world economy in the twenty-first century;

b) that the private sector is playing a very important role in the expansion and development of the Internet, for example through investments in infrastructures and services;

c) that the development of the Internet is essentially market-led and driven by private and government initiatives;

d) that the 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;

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;

h) that the expanding use of the Internet is expected to lead to the need for an increased capacity of IP addresses;

i) that Member States represent the interests of the population of the country or territory for which a country code top-level domain (ccTLD) has been delegated;

j) that Member States should play an active role in coordinating the resolution of management and administrative constraints arising with respect to their ccTLDs,

recognizing

a) that ITU is dealing with issues related to IP-based networks in general and the Internet in particular;

b) that ITU performs worldwide coordination of a number of name and address allocation systems and acts as a forum for policy discussion in this area;

c) that ITU can play a positive role by offering a platform for encouraging discussions, and for the dissemination of information, particularly to developing country governments, on the management of Internet domain names and addresses;

d) that through international cooperation, ITU should contribute to policy development related to the management of Internet domain names and addresses,

emphasizing

a) that the management of Internet domain names and addresses includes:

- technical and coordination tasks, for which technical private bodies can be responsible;

– public interest matters (for example, stability, security, freedom of use, protection of individual rights, sovereignty, competition rules and equal access for all), for which governments or intergovernmental organizations are responsible and to which qualified international organizations contribute;

b) that the methods of allocation of global and essential resources such as Internet domain names and addresses are of interest to both governments and the private sector;

c) 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 public interests in the management of Internet domain names and addresses;

d) that it is in the public interest that the system that manages Internet domain names and addresses has transparent rules and procedures, including dispute resolution procedures to facilitate the protection of intellectual property rights;

e) that governments are expected to promote, as appropriate, a fair competitive environment among companies or organizations responsible for Internet resource allocation,

resolves to instruct the Secretary-General

1 to take a significant role in international discussions and initiatives on the management of Internet domain names and addresses, taking into account associated developments and the purposes of the Union;

2 to encourage all Member States to participate in the discussions on international management of Internet domain names and addresses, so that worldwide representation in the debates can be ensured;

3 to liaise and to cooperate, in conjunction with the Bureaux, with the regional telecommunication organizations pursuant to this resolution;

4 to provide assistance, in conjunction with the Bureaux, to Member States, if so requested, in order to achieve their stated policy objectives with respect to the management of Internet domain names and addresses;

5 to report annually to the Council on the activities undertaken on this subject,

instructs the Director of the Telecommunication Standardization Bureau

1 to continue to liaise and to cooperate with appropriate entities on relevant Internet domain name and address management issues, such as the transition to IP Version 6 (IPv6), ENUM, and internationalized domain names (IDN);

2 to work with Member States and Sector Members, recognizing the activities of other appropriate entities, to review Member States' ccTLD and other related experiences;

3 to work with Member States and Sector Members, recognizing the activities of other appropriate entities, to develop a recommendation to clarify the management of the domain ".int";

4 to report annually to the Council on the activities undertaken on this subject,

instructs the Director of the Telecommunication Development Bureau

1 to organize international and regional forums, in conjunction with appropriate entities, for the period 2002-2006, to discuss policy, operational and technical issues on the Internet in general and the management of Internet domain names and addresses in particular for the benefit of Member States, especially for least developed countries;

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 international discussions and initiatives related to the management of Internet domain names and addresses,

invites Member States

1 to participate actively in the discussions on the management of Internet domain names and addresses and notably on progress being made in pursuit of their policy objectives;

2 to participate in and follow the policy, operational and technical developments of the management of Internet domain names and addresses;

3 to increase awareness at national level among all appropriate entities, and to encourage their participation in the management of Internet domain names and addresses.

RESOLUTION 106 (Marrakesh, 2002)

Review of the ITU structure

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

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 transborder services increasingly adapted to their needs;

b) that the changes in the telecommunication environment have prompted more than two-thirds of Member States to restructure their telecommunication sector, by separating the regulatory and operating functions and gradually liberalizing services to cover the requirements of the increasing number of new players in this area;

c) that the matters dealt with by ITU have increased in number and complexity, resulting in an increasing number of treaty-making conferences and of other meetings;

d) that some of the constituents of the Union continue to be defined on the basis of the conditions prevailing several decades ago which no longer correspond to the reality of the market;

e) that the national structures adopted by Member States as indicated in *considering b)* above have created two new types of players, namely, on the one hand, entities regulating telecommunications, with a status varying from one country to another and, on the other, operators of different sizes and with different functions, having in many cases transborder links with operators in other countries,

considering further

a) that major restructuring of ITU instruments should only be agreed to after having given careful consideration to the potential advantages and disadvantages, and having determined that there is not only a substantial need for the changes, but also that the advantages of the changes outweigh the disadvantages;

b) that sufficient time is necessary to revise the instruments of the Union properly,

recognizing

a) that there has been extensive study of the issue of reform of ITU by several working groups created by the Plenipotentiary Conference (Kyoto, 1994) and most recently by the Council, at its 1999 session, pursuant to Resolution 74 (Minneapolis, 1998) of the Plenipotentiary Conference;

b) that several proposals that have been submitted to this conference, if adopted, would result in major revisions to the texts of the IUT Constitution and Convention;

c) that this conference has taken action to provide some flexibility in order to meet the challenges described above,

resolves to instruct the Council

to establish, during its next ordinary session, a group open to Member States and Sector Members – however, when considering its conclusions and recommendations, the meetings of the group shall be limited to Member States – with the following terms of reference:

"on the basis of the annex to this resolution and contributions by Member States and Sector Members:

a) review the functions of the three ITU Sectors in the light of the changes that have occurred in the operation and regulation of the telecommunication sector at the national level, and define the respective roles of the ITU constituents;

b) consider the obligations of Sector Members that are not authorized operating agencies and recommend appropriate measures;

c) study the current structure, working methods and procedures of the ITU Sectors and make recommendations as appropriate;

d) submit a report to the Council containing in particular draft texts of the related modifications to the Constitution and the Convention that may be used by Member States in preparing their proposals to the next plenipotentiary conference",

instructs the Secretary-General

1 to distribute the report of the group to Member States and Sector Members, collect their comments and submit them to the Council;

2 to organize periodically, with the assistance of the Director of the Telecommunication Development Bureau, and taking into account financial limitations, meetings allowing an exchange of views on experience in regulatory matters;

3 to facilitate, within budgetary limitations, the participation of the developing countries in the activities of the group,

further instructs the Secretary-General

to invite contributions from Member States and Sector Members to the work of the group,

further instructs the Council

to consider implementing as soon as possible changes that are within the Council's mandate and that do not require modifications to the Constitution, the Convention, the Administrative Regulations and the General Rules of conferences, assemblies and meetings of the Union.

ANNEX TO RESOLUTION 106 (Marrakesh, 2002)

a) ITU is an intergovernmental organization.

b) The role of Sector Members is of growing importance for some of the activities of the Union.

c) Proposals for revisions to the functions and structure of the Sectors should be based on the current three-Sector structure of the Union, supported by the General Secretariat.

d) Consideration should be given to providing further flexibility to the Sectors to manage their own internal structures and working methods in the interests of all Member States and Sector Members, having regard to the different functions and requirements of each Sector.

e) The instruments of the Union allow for both treaty-based and non-treaty-based activities, recognizing that some work may require aspects of both types of activity. Treaty-based activities are the responsibility of Member States while non-treaty activities could be carried out in accordance with the Constitution and the Convention by Member States and Sector Members.

f) It is essential to uphold the principles of solidarity and complementarity between Member States and Sector Members and between the Sectors, in order to fulfil the purposes of ITU.

RESOLUTION 107 (Marrakesh, 2002)

Improvements to the management and functioning of ITU

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) the rapid changes in the telecommunication environment amid accelerated advances in telecommunication technologies, the emergence of new services, the liberalization of global communication markets and the trend toward privatization;

b) the need for ITU to continue to meet the expanding needs of its membership while responding appropriately to changes in the environment;

c) the urgent need to ensure efficient ITU operations within the constraints of limited human and financial resources,

recognizing

a) the report of the United Nations Joint Inspection Unit presented to the 2001 session of the Council, which contained a series of recommendations on improvement to the management and functioning of ITU, including the need for a more harmonized planning structure and format derived from an agreed interpretation of the elements identified in Resolution 72 (Minneapolis, 1998) of the Plenipotentiary Conference on the linkage between strategic, financial and operational planning;

b) the provisions of that resolution, which indicate that the strategic, financial and operational plans for ITU should clearly delineate the activities of the Union, the objectives of those activities and the associated resources, and that the capacity of the membership to evaluate, by means of performance indicators, progress in the achievement of those objectives should be enhanced,

recognizing further

that, in specifying the objectives and priorities for each Sector of the Union and the General Secretariat, it would be appropriate to include measures designed to achieve the objectives, together with mechanisms allowing easy monitoring and evaluation of progress in their implementation, such as those shown in the annex to this resolution, which sets out each objective of the Strategic Plan, together with the strategic outlines, the courses of action and the indicators for measuring progress towards achieving the objectives,

emphasizing

the need to apply a consistent and comprehensive approach throughout ITU in order to facilitate cross-sectoral comparisons and improve monitoring and evaluation,

taking into account

best practices and lessons learned in planning and management practices in the United Nations system, including the application of the concept of results-based budgeting,

resolves

to progressively refine and improve the elements associated with application of the planning framework in ITU by enhancing, in particular, the methodology for prioritizing ITU activities and by implementing evaluation mechanisms, such as the methodology outlined in the Annex to this resolution,

instructs the Secretary-General and the Directors of the Bureaux

to identify such mechanisms, including those associated with results-based budgeting, taking into account the recommendations of the Joint Inspection Unit, the views of Member States, the advice of the Sector advisory groups, and the experience of the United Nations system organizations, and to report to the Council,

instructs the Council

to review the report of the Secretary-General and the Directors of the Bureaux and, with due regard to the limited resources of the Union, to consider establishing a working group of the Council open to all Member States to examine mechanisms for enhancing the process by which priorities in ITU activities are established, and for evaluating the achievement of objectives as part of the strategic and operational planning functions.

ANNEX TO RESOLUTION 107 (Marrakesh, 2002)

Summary table of strategic outlines, courses of action and indicators of the Strategic Plan for the Union 2004-2007

Goal	
Strategic outlines	
Courses of action	

Indicators

Course of action	Indicator	Objectives			
		2004	2005	2006	2007

RESOLUTION 108 (Marrakesh, 2002)

Improvement of the functioning of the Coordination Committee, including the tasks of the Deputy Secretary-General and the role of the other elected officials

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the Working Group on ITU Reform has produced a number of recommendations on the management of the Union, among them Recommendations R36 and R37;

b) that those recommendations were approved by the Council at its 2001 session and transmitted to this conference;

c) that in 2001 the United Nations Joint Inspection Unit, having examined the management and administration of the Union, noted, *inter alia*, a certain inertia "at the highest levels of management in the Union, ... which appears to affect, in varying degrees, all levels of management and administration in the secretariat";

d) that the tasks and functions of the Deputy Secretary-General are not at present enumerated in the ITU Constitution or Convention;

e) the need to strengthen and improve the functioning and efficiency of the Coordination Committee,

recalling

the relevant provisions of the Constitution and Convention in this regard,

recognizing

a) that some proposals* have been submitted to this conference with a view to improving the functioning and efficiency of the Coordination Committee, the tasks of the Deputy Secretary-General and the role of the other elected officials;

b) that those proposals have implications for the management and functions of the governing bodies of the Union and accordingly deserve thorough study;

c) that it is important that the members of the Coordination Committee provide the relevant and necessary information to facilitate the proper functioning of the Coordination Committee,

recognizing further

that it is imperative for the provisions of No. 109 of the Convention to be strictly applied,

resolves to instruct the Council

1 to establish, at its next ordinary session, a group open to participation by Member States, charged with:

i) examining the functioning of the Coordination Committee, including the tasks of the Deputy Secretary-General and the role of the other elected officials;

ii) submitting to the Council a report containing, in particular, the draft texts that could be necessary in the event of modification of the Constitution or the Convention and which could be used by Member States in preparing their proposals in that regard to the next plenipotentiary conference,

instructs the Secretary-General

to communicate the group's report to the Member States with a view to their preparations for the next plenipotentiary conference,

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* See Documents PP02/10, 12 (Rev.1), 18 (Rev.1), 43 and 101.

further instructs the Council

to envisage implementing as soon as possible such improvements as it deems necessary which do not require amendment of the Constitution, the Convention or the General Rules of conferences, assemblies and meetings of the Union.

RESOLUTION 109 (Marrakesh, 2002)

Review and consolidation of provisions regarding observers

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the concept of observer at ITU is dealt with in several provisions of the ITU Convention, *inter alia*, Nos. 1002 of the Annex (definition), 258 to 262A (observers at plenipotentiary conferences), 278 to 280 and 282 (observers at radiocommunication conferences), 297 (observers at radiocommunication assemblies, telecommunication standardization assemblies and telecommunication development conferences) and 60A (observer sent to the Council by a non-Council Member State), and in No. 76 of the General Rules of conferences, assemblies and meetings of the Union;

b) that the conditions under which observers are admitted to conferences, assemblies and meetings, and their rights and obligations as regards participation in the work of the conferences, assemblies and meetings are not clearly defined and seem in contradiction;

c) that the Rules of Procedure of the Council permit all Member States to submit contributions to the Council,

noting

the report of the Council Group of Experts to prepare work on ITU reform for this conference, in particular its comments on Recommendation R29 of the Working Group on ITU Reform,

recognizing

that it would be advisable to study all the provisions relating to observers in order to arrive at a clear understanding of their respective rights and obligations and to consolidate these provisions as appropriate,

noting further

a) the need expressed by ITU Member States for enhanced transparency;

b) that some Member States have expressed the need for an enhanced Member State observer role in the Council while taking account of the importance of ensuring accountability of the ITU Council to the Member States of the Union,

taking into account

Recommendation R29 of the Working Group on ITU Reform which recommends, in particular, that Sector Members be given observer status in the meetings of the Council and that the advisory groups should develop criteria for the selection of Sector Member representatives,

resolves

to create a group of Member States, open to all Member States, which could conduct its work by electronic means, to review all the relevant provisions of the basic texts of the Union concerning observers and to prepare a report for consideration by the 2004 session of the Council, including recommendations regarding the status of Sector Member observers to the Council to be implemented by the Council on a provisional basis,

instructs the Council

to examine the recommendations of the Group of Member States referred to in *resolves* above and to prepare a report to the next plenipotentiary conference, including recommendations, together with draft texts to amend the basic texts of the Union,

further instructs the Council

1 to allow Member States that have the status of observers at the Council to submit contributions in accordance with the Rules of Procedure of the Council and, on a provisional basis, to address the meeting when invited to do so by the Chairman of the Council;

2 to implement, on a provisional basis, the recommendations of the Group of Member States regarding the admission of Sector Members as observers at meetings of the Council, in accordance with conditions established by the Council;

3 to report to the next plenipotentiary conference on the implementation of these provisional measures, including recommendations on any action that may be necessary.

RESOLUTION 110 (Marrakesh, 2002)

Review of the contribution of Sector Members towards defraying the expenses of the International Telecommunication Union

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

a) Resolutions 15 and 39 (Kyoto, 1994) of the Plenipotentiary Conference 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;

b) Resolution 90 (Minneapolis, 1998) of the Plenipotentiary Conference concerning a review of the contribution of Sector Members towards defraying the expenses of the International Telecommunication Union,

noting

that the Working Group on ITU Reform did not make any specific recommendation concerning the 1/5 ratio between the amount of the Member State contributory unit and that of the Sector Member contributory unit,

noting further

that, while the number of Sector Members has increased, under the system of free choice of classes of contribution, the trend in choice of class of contribution by individual Sector Member is towards a lower level,

having examined

the proposals made and the opinions expressed by Member States during this conference with respect to the contributions of Sector Members towards defraying the finances of the Union,

recognizing

a) that it is essential to retain and attract more Sector Members and Associates, having regard to their inestimable contribution to the work of the Union;

b) the need to broaden the financial base of the Union and ensure a fair balance between the contributions made by Member States and Sector Members,

resolves to invite the Council

1 to establish, within existing resources of the Union, a working group open to all Member States and all Sector Members to study the system whereby Sector Members and Associates contribute 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;

2 to establish the terms of reference for the working group, including a requirement for the group to make a final report to the Council by its 2005 session at the latest;

3 to encourage Member States and Sector Members to participate in the study;

4 to draw up a report and submit it, together with its recommendations, to the next plenipotentiary conference,

instructs the Secretary-General

1 pursuant to *resolves* 3 above, to invite Member States and Sector Members to submit proposals and participate in the working group;

2 to take all necessary measures to implement *resolves* 1 and 3 above,

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* In this connection, the working group will take account of the proposals formulated in Documents 20 (Add.1) (Rev.1), 52, 61 (Rev.1) and 101 (Add.1).

instructs the Directors of the Bureaux

to give the support of their respective Bureaux to the study initiated by this resolution.

RESOLUTION 111 (Marrakesh, 2002)

Scheduling of ITU conferences and assemblies

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

having considered

a) the importance of mutual respect for the religious and spiritual requirements of delegates to ITU conferences and assemblies;

b) the importance of including all delegates in the crucial work of ITU conferences and assemblies and of not precluding such participation;

c) the scheduling and invitation process for ITU conferences and assemblies as set out in the ITU Convention,

resolves

1 that the Union and its Member States should make every effort, as far as practicable, in order that the final two days of any ITU conference or assembly not be scheduled on any day which is considered a major religious holy day by a Member State;

2 that the inviting government for a given ITU conference or assembly or, in the absence of an inviting government, the Secretary-General, shall be responsible for verifying with Member States that the final two days of that conference or assembly do not coincide with a major religious holy day.

RESOLUTION 112 (Marrakesh, 2002)

Regional preparations for plenipotentiary conferences

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that many regional telecommunication organizations have coordinated their preparations for this plenipotentiary conference;

b) that many common proposals have been submitted to this conference from administrations having participated in the preparatory work of regional telecommunication organizations;

c) that this consolidation of views at regional level, together with the opportunity for interregional discussions prior to the conference, has eased the task of reaching a consensus during the conference;

d) that the burden of preparation for future conferences is likely to increase;

e) that the coordination of preparatory work at regional level is consequently of great benefit to the Member States;

f) that greater efficiency of regional coordination and interaction at interregional level prior to future conferences will help to ensure their success;

g) that some regional organizations lack the necessary resources to organize adequately and participate in such preparations;

h) that there is a need for overall coordination of the interregional consultations,

recognizing

a) the benefits of regional coordination as already experienced in the preparation of world radiocommunication conferences and of the World Telecommunication Development Conference (Istanbul, 2002);

b) that not all Member States of the Union are members of regional or subregional telecommunication organizations,

recognizing further

Recommendation R20 of the Working Group on ITU Reform to the effect that this conference should adopt a resolution relating to the importance of interregional consultative meetings and instructing the Secretary-General to organize such meetings,

taking into account

the efficiency benefits that a plenipotentiary conference could gain from an increased amount and level of preparation by the Member States prior to the conference,

noting

a) that many regional telecommunication organizations have expressed the need for the Union to cooperate more closely with regional telecommunication organizations;

b) that, consequently, the Plenipotentiary Conference (Kyoto, 1994) resolved that the Union should develop stronger relations with regional telecommunication organizations,

noting further

that the relationship between ITU regional offices and regional telecommunication organizations has proved to be of great benefit,

resolves to instruct the Secretary-General

1 to consult with Member States and regional and subregional telecommunication organizations on the means by which assistance can be provided in support of their preparations for future plenipotentiary conferences;

2 on the basis of such consultations, and ensuring that all the Member States are associated with this process, to assist Member States and regional and subregional telecommunication organizations, in particular those of developing countries, in such areas as:

- the organization of formal and informal preparatory meetings at the regional and interregional levels;
- the organization of information sessions;
- the development of coordination methods;

3 to submit to the Council a report on the application of this resolution,

invites Member States

to participate actively in the implementation of this resolution.

RESOLUTION 113 (Marrakesh, 2002)

World Summit on the Information Society

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

Resolution 73 (Minneapolis, 1998) of the Plenipotentiary Conference on the role of ITU in facilitating the implementation of the World Summit on the Information Society (WSIS), as well as Resolution 1158 adopted by the Council at its 2000 session, Resolution 1179 adopted by the Council at its 2001 session and Resolution 1196 and Decision 509 adopted by the Council at its 2002 session on the same subject, and Resolutions 30 and 37 (Istanbul, 2002) of the World Telecommunication Development Conference (WTDC-02),

considering

a) that the United Nations General Assembly, taking note of the action plan approved by the Council at its 2000 session and presented by the Secretary-General of ITU to the Administrative Committee on Coordination in December 2001, adopted Resolution 56/183 concerning WSIS implementation;

b) that the United Nations General Assembly resolution considers that the Summit is to be convened under the patronage of the Secretary-General of the United Nations, and invites ITU to assume the leading managerial role in the executive secretariat of the Summit and its preparatory process, in cooperation with interested United Nations organizations, including international and regional institutions, non-governmental organizations as well as with civil society, the private sector and the host countries;

c) that the United Nations General Assembly recommends that the preparation for the Summit take place through an open-ended intergovernmental preparatory committee (PrepCom), which would define the agenda of the Summit, finalize both the draft declaration and the draft plan of action, and decide on the modalities of the participation of other stakeholders in the Summit;

d) that the United Nations Administrative Committee on Coordination created a High-Level Summit Organizing Committee (HLSOC), which is chaired by the Secretary-General of ITU and consists of the heads of those United Nations and other international organizations interested in participating in the process leading to the Summit, on the basis of the action plan presented by the ITU Secretary-General,

noting

a) that PrepCom held its first meeting in July 2002, and is scheduled to hold its second meeting from 17 to 28 February 2003, at which time the themes and content of the Summit will be considered, and that a third meeting will be held in September 2003;

b) that the WSIS preparatory process has entered its critical phase and that it is important that at its second meeting PrepCom moves forward on the themes of the Summit and on the first draft of its final documents,

further noting

that the Council, at its 2002 session, established a working group of the Council on WSIS, open to all Member States and Sector Members,

bearing in mind

that the Council Working Group on WSIS unanimously recognized that the Summit is a crucial issue for ITU which may have significant impact on the future work of the Union,

recognizing

a) that ITU is the organization best able to seek appropriate ways to provide for development of the telecommunication sector in a manner that facilitates 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 nexus between issues of telecommunication development and those of economic, social and cultural development, as well as its impact on social and economic structures in all Member States,

taking into account

a) the United Nations Millennium Development Goals;

b) ITU initiatives, in particular the Istanbul Action Plan and other relevant resolutions adopted at WTDC-02;

c) the results of other relevant initiatives, such as Asia-Pacific Economic Cooperation (APEC), the Bamako Declaration (2002), the Bishkek-Moscow Conference (2002), the Connectivity Agenda of the Americas from the 2001 Summit and Quito Action Plan, DOT-Force, the Kananaskis Declaration (2002), the Marrakesh Declaration (2002), the New Partnership for Africa's Development (NEPAD), the Okinawa Declaration (2000), etc., on the information society,

resolves to instruct the Secretary-General

1 to coordinate with ITU Member States and Sector Members as part of the ITU preparations for the Summit, taking into account the results already achieved and the information available;

2 to submit to the second meeting of PrepCom those documents considered by this conference on the basis of the decision of the extraordinary session of the Council;

3 to make every effort to perform the leading managerial role of ITU and to strengthen cooperation with other UN organizations as well as UN projects in the WSIS preparatory process, within available financial resources;

4 to ensure effective allocation of the financial resources for the preparations for the Summit according to Decision 509 adopted by the Council at its 2002 session and decisions taken by this conference, and to report on a regular basis to the Council Working Group on WSIS and to the Council itself on the financial aspects of WSIS;

5 to ensure the necessary support for the work of the Council Working Group on WSIS throughout the entire WSIS preparatory process of ITU, within available financial resources,

encourages the Secretary-General, in his capacity as chairman of HLSOC

1 to work to strengthen cooperation with the other bodies of the United Nations family, within the framework of the WSIS preparatory process;

2 to ensure the necessary support for the WSIS Executive Secretariat, taking into account available resources contributed for this purpose;

3 to make every effort to mobilize voluntary financial contributions in the WSIS preparatory process;

4 to continue to engage in fundraising efforts, by inviting financial contributions to the Special Trust Fund from:

– all relevant United Nations bodies;

– other intergovernmental organizations, including international and regional institutions;

– Member States and Sector Members (voluntary contributions);

– non-governmental organizations;

– civil society;

– the private sector,

5 to promote participation at the highest level in both phases of the Summit,

instructs the Directors of the Bureaux

to participate actively in the Council Working Group on WSIS and to contribute to ITU involvement in WSIS, in their areas of expertise,

invites the Council Working Group on WSIS

1 to see to it that ITU makes a contribution to the second meeting of PrepCom, scheduled for February 2003, and to ensure that the contribution comprises proposals for ITU substantive input, including to the declaration and plan of action, guided by Decision 8 (Marrakesh, 2002) of this conference, taking account of the themes under discussion in PrepCom;

2 to continue its work up to the 2006 plenipotentiary conference, with the full cooperation of the Secretary-General and the Directors of the Bureaux, and to continue providing periodically updated ITU inputs to the WSIS preparatory process, as appropriate, within available financial resources,

instructs the Council

1 to review the activities of the Council Working Group on WSIS and, if required, to review its mandate taking into account changing developments in the WSIS preparatory process;

2 to report on the results of the WSIS to the next plenipotentiary conference;

invites Member States

to undertake national consultations with all stakeholders in their countries, in particular with their ITU Sector Members, the private sector and civil society, on the WSIS preparatory process.

further invites Member States and Sector Members

1 to participate actively in the preparation for WSIS;

2 to assist in the mobilization of additional resources with a view to ensuring a successful Summit.

RESOLUTION 114 (Marrakesh, 2002)

Interpretation of No. 224 of the ITU Constitution and No. 519 of the ITU Convention with regard to deadlines for submitting proposals for amendments

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

No. 224 of the ITU Constitution and No. 519 of the ITU Convention, specifying the deadlines for submitting proposals by Member States with respect to amendments to the Constitution and Convention, respectively,

noting

a) that, given the time between two plenipotentiary conferences (four years) and the need for preparatory meetings between two conferences, it is difficult for some Member States to submit their proposals within the specified time-limit;

b) that, in order for Member States to prepare adequately for a plenipotentiary conference, proposals should be received well in advance of such conference,

noting further

the manner in which the Plenipotentiary Conference (Minneapolis, 1998) addressed this issue (see Document PP-98/341),

resolves

to endorse the view expressed by the Plenipotentiary Conference (Minneapolis, 1998) in the aforementioned document to the effect that No. 224 of the Constitution should be interpreted as "intended to encourage Member States to submit their proposals as early as possible and, preferably, eight months before the opening of the conference", and that the same applies to No. 519 of the Convention.

RESOLUTION 115 (Marrakesh, 2002)

Use of the six official and working languages of the Union on an equal footing

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

bearing in mind

the importance of making widespread use of the official and working languages in all of the Union's spheres of activity in order to permit as many Member States and Sector Members as possible to participate more actively and effectively in the work of the Union,

considering

Resolution 103 (Minneapolis, 1998) of the Plenipotentiary Conference, laying down the principles for use on an equal footing of the six official and working languages of the Union, while putting in place interim limitations on the use of some languages on financial grounds,

noting

the positive experience acquired since the Plenipotentiary Conference (Nairobi, 1982) and the acceleration, introduced by Resolution 62 (Kyoto, 1994) of the Plenipotentiary Conference, in the progressive lifting of limitations on the use of languages for translation of documents and interpretation of debates in the six languages of the Union, and particularly the translation of documents for the 2000, 2001 and 2002 sessions of the Council and the World Telecommunication Development Conference (Istanbul, 2002) in all six languages of the Union,

noting further

Recommendation 17 of the Working Group on ITU Reform to the effect that, on the basis of an analysis of the first stages of the transition to full-scale use of the six official and working languages, it should be proposed to consider a possible time-frame for such a transition with a view to taking a final decision at this conference, and that 1 January 2005 could be set as a tentative date for such a transition,

recognizing

the need to move forward in lifting the limitations on the use of languages and establishing a plan for the transition to use of all six official and working languages on an equal footing in all of the Union's spheres of activity,

resolves

1 to set 1 January 2005 as the date by which all ITU work* will be carried out in the six official and working languages of the Union on an equal footing;

2 to abrogate Resolutions 62 (Kyoto, 1994) and 103 (Minneapolis, 1998) of the Plenipotentiary Conference with effect from 1 January 2005.

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* However, some work in ITU (for example working groups, study groups, regional conferences) might not require the use of all six languages.

RESOLUTION 116 (Marrakesh, 2002)

Approval of the accounts of the Union for the years 1998 to 2001

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) the provisions of No. 53 of the ITU Constitution;

b) the report of the Council to the Plenipotentiary Conference in Document PP-02/38 relating to the financial management of the Union during the years 1998 to 2001,

resolves

to give its final approval of the accounts of the Union for the years 1998 to 2001.

RESOLUTION 117 (Marrakesh, 2002)

Determination of the planning area for terrestrial television and sound broadcasting in the VHF and UHF bands at the regional radiocommunication conference

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the Council, following the result of the consultation of the Member States of the European Broadcasting Area to convene a regional radiocommunication conference to revise the Regional Agreement for the European Broadcasting Area (Stockholm, 1961) in the frequency bands 174-230 MHz and 470-862 MHz, hereinafter referred to as the Stockholm 1961 Agreement, adopted, at its 2001 session, Resolution 1185 relating to the regional radiocommunication conference to revise the Stockholm 1961 Agreement;

b) that, at the 2001 Council session, Member States pertaining to the planning area of the Regional Agreement relating to the Planning of VHF/UHF Television Broadcasting in the African Broadcasting Area and Neighbouring Countries (Geneva, 1989), hereinafter referred to as the Geneva 1989 Agreement[1], expressed the wish to convene a regional radiocommunication conference to revise the Geneva 1989 Agreement for the same purposes as those of Resolution 1185 and to combine it with the conference referred to in Resolution 1185;

c) that during the same session of the Council, several Member States expressed the wish to extend the planning area to countries not covered or only partially covered by the agreements referred to in *considering a)* and *b)* above;

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[1] The planning area of the Geneva 1989 Agreement is defined in Article 1, paragraph 1.8 of the Agreement.

d) that, for the reasons given in *considering b)* and *c)* above, the Council, at its 2001 session, adopted Resolution 1180 on the consultation of Member States on the planning of terrestrial broadcasting in the VHF and UHF bands;

e) that, however, due to insufficient participation in the consultation process pursuant to Resolution 1180, the consultation was unsuccessful with regard to the wish of the countries referred to in *considering c)* above,

noting

a) that the combination of the planning areas of the Stockholm 1961 and the Geneva 1989 Agreements is not subject to the application of Resolution 7 (Kyoto, 1994) of the Plenipotentiary Conference;

b) that, from a technical as well as economic viewpoint, it will be beneficial to all Member States belonging to the combined planning area to undertake the planning process simultaneously,

aware

of the need to define the area or areas for the regional radiocommunication conference relating to the planning of terrestrial digital television and sound broadcasting in the VHF and UHF bands,

resolves

that the planning area for the regional radiocommunication conference relating to the planning of terrestrial digital television and sound broadcasting in the VHF and UHF bands, pursuant to ITU Council Resolution 1185, should cover the planning areas of the Stockholm 1961 and Geneva 1989 Agreements, and the following countries previously not covered or only partially covered: Republic of Armenia, Azerbaijani Republic, Georgia, Republic of Kazakstan, Republic of Uzbekistan, Kyrgyz Republic, Russian Federation (territory west of 170° E), Republic of Tajikistan, Turkmenistan.

RESOLUTION 118 (Marrakesh, 2002)

Use of spectrum at frequencies above 3 000 GHz

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that No. 78 of the ITU Constitution and No. 1005 of the Annex to the ITU Convention allow study groups of the ITU Radiocommunication Sector (ITU-R) to study questions and adopt recommendations dealing with frequency bands without limit in frequency;

b) that studies are being carried out within ITU-R study groups that consider technology operating above 3 000 GHz;

c) that the frequencies that can be regulated in the Radio Regulations are limited to those below 3 000 GHz by the definition of "radiocommunication" in No. 1005 of the Annex to the Convention;

d) that radiocommunication technologies have demonstrated the ability to use electromagnetic waves in space without artificial guide above 3 000 GHz, and that some Member States are of the opinion that the 3 000 GHz limit should be removed in order to allow competent world radiocommunication conferences to introduce, if needed, provisions in the Radio Regulations;

e) that frequency bands above 3 000 GHz have been used for a long time, especially in the infrared and visible bands, by systems/applications regulated by national and non-ITU provisions, and that some Member States are of the opinion that the relationship between those provisions and ITU provisions should be thoroughly considered before changing the definition contained in the Convention,

invites the Radiocommunication Assembly

to include, in its programme of work, studies of the possibility and relevance of including in the Radio Regulations frequency bands above 3 000 GHz,

instructs the Director of the Radiocommunication Bureau

to report to world radiocommunication conferences on the progress of ITU-R studies concerning the use of frequencies above 3 000 GHz,

resolves

that world radiocommunication conferences can include in agendas for future conferences, items relevant to spectrum regulation of frequencies above 3 000 GHz and take any appropriate measures, including revision of the relevant parts of the Radio Regulations[1],

urges Member States

to continue participating in the work taking place in ITU-R on the use of spectrum above 3 000 GHz.

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[1] Entry into force of such new regulations would depend on consequential changes to No. 1005 of the Annex to the Convention at the following plenipotentiary conference.

RESOLUTION 119 (Marrakesh, 2002)

Methods to improve the efficiency and effectiveness of the Radio Regulations Board

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that Resolution 84 (Minneapolis, 1998) of the Plenipotentiary Conference established a requirement to review and develop appropriate changes to working methods of the Radio Regulations Board;

b) that the World Radiocommunication Conference (Istanbul, 2000) considered improvements to working methods and that further improvements are both possible and necessary;

c) the importance of efficient and effective working methods of the Radio Regulations Board in meeting the requirements of the Radio Regulations and in preserving the rights of Member States;

d) the concerns expressed by some Member States at this conference in regard to transparency and efficiency of the working methods of the Radio Regulations Board;

e) that, since the Radio Regulations Board has a role to consider appeals by Member States as prescribed in the Radio Regulations, appropriate facilities and resources are necessary for it to discharge its responsibilities expeditiously,

noting

that section 4.4 of the Report by the Satellite Backlog Action Group to the 2002 session of the Council relates to the role of the Radiocommunication Bureau and the Radio Regulations Board,

recognizing

the importance that the Union attaches to the activities of the Radio Regulations Board,

resolves to instruct the Radio Regulations Board

1 to review periodically its working methods and internal processes and develop appropriate changes in order to further increase the transparency of its methods and decision-making processes and their overall effectiveness, and report the results to the next world radiocommunication conference through the Director of the Radiocommunication Bureau;

2 to include in the summary of its decisions (No. 13.18 of the Radio Regulations) the reasons for each decision taken by the Board, including those relating to comments received from administrations on the Rules of Procedure; this summary of decisions, including the associated reasons, shall be published by circular letter and on the Radio Regulations Board website;

3 to give advice to the world radiocommunication conference or regional radiocommunication conference, at an appropriate time, on difficulties in the application of any regulatory provision in force as well as those under discussion at the conference,

instructs the Director of the Radiocommunication Bureau

to provide to the Radio Regulations Board:

- detailed explanations from the Radiocommunication Bureau on matters to be considered at Board meetings;

- relevant information from appropriate experts within the Radiocommunication Bureau,

calls upon each Member State nominating a member of the Radio Regulations Board

to provide the necessary logistical support, such as computer hardware and software, to the member of the Radio Regulations Board it has nominated, except that, in the case of developing countries where such logistical support is not available from Member States, it shall be provided by the Union,

calls upon all Member States

to provide all necessary assistance and support to members of the Radio Regulations Board individually, and the Board as a whole, in carrying out their functions,

invites the 2003 world radiocommunication conference

to consider establishing principles to be applied by the Radio Regulations Board in the preparation of Rules of Procedure,

instructs the Secretary-General

1 to make available the necessary facilities and resources for the members of the Radio Regulations Board in conducting their meetings;

2 to facilitate the recognition of the status of the members of the Radio Regulations Board pursuant to No. 142A of the ITU Convention,

further instructs the Secretary-General

to report to the 2004 session of the Council, to subsequent sessions of Council and to the next plenipotentiary conference on actions taken pursuant to this resolution and the results thereof.

RESOLUTION 120 (Marrakesh, 2002)

Radiocommunication Assembly (RA-03) and World Radiocommunication Conference (WRC-03)

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

noting

a) that, in accordance with Resolution 77 (Minneapolis, 1998) of the Plenipotentiary Conference and No. 42 of the ITU Convention, the Council established that a radiocommunication assembly (RA-03) and a world radiocommunication conference (WRC-03) shall be held in Caracas, Venezuela from 2 to 6 June 2003 and 9 June to 4 July 2003, respectively;

b) that, at its 2002 session, the Council, in Resolution 1156 (modified), established the agenda for the WRC-03,

considering

a) that the Bolivarian Republic of Venezuela has notified the Secretary-General that, for reasons of *force majeure*, it has withdrawn its invitation to host RA-03 and WRC-03;

b) that the necessary facilities are available to conduct the above assembly and conference at the headquarters of the Union during the same dates as previously determined,

resolves

that the Radiocommunication Assembly (RA-03) and the World Radiocommunication Conference (WRC-03) shall be held in Geneva, Switzerland from 2 to 6 June 2003 and 9 June to 4 July 2003, respectively.

RESOLUTION 121 (Marrakesh, 2002)

Review of the International Telecommunication Regulations

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the International Telecommunication Regulations (ITRs) were last amended in Melbourne in 1988, and have since become less and less relevant on account of the pace and effects of change in the telecommunication industry;

b) that Resolution 79 (Minneapolis, 1998) of the Plenipotentiary Conference instructed the Secretary-General, in consultation with the Director of the Telecommunication Standardization Bureau and a balanced group of appropriate experts (the Expert Group), to advise the Council on any action that the Union should take in relation to the ITRs, on which the Council would report to the next plenipotentiary conference;

c) that no consensus was reached during the review by the Expert Group, but four options were put forward for further consideration:

- possible termination of the existing ITRs, to be achieved by integrating the relevant provisions in the Constitution, Convention or other instruments of ITU such as Recommendations (which could include descriptions of alternative approaches), resolutions, memoranda of understanding or other texts;

- modification of the ITRs, with a detailed update of the existing provisions, thus keeping the ITRs as a treaty-level text;

- detailed proposals explaining why there is a need to defer decisions on whether to review and modify the ITRs;

- proposals for new areas of regulation to allow further development and determination of which areas are really appropriate for an intergovernmental treaty-level regulatory agreement;

d) that the report of the Expert Group of the Council established in application of Resolution 79 (Minneapolis, 1998) did not cover all the items contained in that resolution and it was not possible for the Council to reach a consensus on recommended action;

e) that Resolution 79 (Minneapolis, 1998) also invited this conference to "consider convening, at an appropriate date, a competent conference to revise the International Telecommunication Regulations";

f) that the ITU strategic plan for 1999-2002 proposed that action be taken to decide on the need to review the ITRs in order to take account of developments in the telecommunication environment,

believing

a) that, in order for ITU to maintain its pre-eminent role in global telecommunications, the Union must continue to demonstrate its capacity to respond adequately to the rapidly changing telecommunication environment;

b) that it is important to ensure that the ITRs are revised and updated in a timely manner in order to facilitate cooperation and coordination among Member States and to reflect accurately the relations between Member States, Sector Members, administrations and recognized operating agencies,

noting

that, in accordance with Article 8 of the Constitution, the 2006 plenipotentiary conference may review any matters,

resolves

1 that the Union should continue a process of reviewing the ITRs;

2 that a world conference on international telecommunications be convened at the seat of the Union in 2007 or 2008, on the basis of the recommendations arising from this process of review,

instructs the extraordinary session of the Council to be held during this conference

to establish a working group of the Council open to all Member States, whose delegations may include appropriate legal, regulatory and technical experts, with the following terms of reference:

1) to take into account the results of the work carried out under Resolution 79 (Minneapolis, 1998) and all contributions to this conference on the issue as baseline reference documents;

2) to study the ITRs and prepare recommendations on which provisions, if any, should be terminated, retained in the ITRs, transferred to the Constitution or Convention, or embodied in ITU Recommendations;

3) to prepare recommendations of required draft texts for amending the Constitution and Convention, if deemed appropriate;

4) to consider whether there is a need for new provisions in the ITRs, which should be dealt with at a world conference on international telecommunications;

5) to identify new issues, if any, that may be the subject of ITU Recommendations;

6) to report to the Council annually on its progress with respect to the issues referred to above, including those conclusions of the group that could form the basis for the Recommendations of the three ITU Sectors;

7) to prepare a final report, at the latest by the 2005 session of the Council, for transmission to the 2006 plenipotentiary conference,

instructs the Council

1 to consider the final report prepared by the Council Working Group and make any comments it considers appropriate before the final report and comments are transmitted to the Member States and to the 2006 plenipotentiary conference, including recommendations on any appropriate treaty changes, and whether there is a need to convene a world conference on international telecommunications;

2 to make available the annual and final reports of the Council Working Group to the Member States and the Sector Members by posting them on the website established for ITR review activities;

3 to forward to the relevant ITU study groups as soon as possible those conclusions of the Council Working Group that it considers appropriate for study,

further instructs the Council

to make available to the Council Working Group all means available, within the budgetary limits, in order to permit it to address the specific regional requirements regarding this revision process, including the provision of fellowships, the organization of regional meetings, fostering work through the existing regional tariff groups of ITU-T Study Group 3 and/or facilitating close liaison with regional organizations*,

invites the Secretary-General and the Directors of the three Bureaux

to make available to the Working Group of the Council the means necessary to implement *instructs the extraordinary session of the Council* above,

instructs the Secretary-General

to invite contributions from Member States, Sector Members, the advisory groups of the three Sectors, regional preparatory meetings, regional organizations* and other organizations, in line with ITU procedures and agreements,

invites the Radiocommunication Assembly, the World Telecommunication Standardization Assembly and the World Telecommunication Development Conference

to take appropriate action on any matters referred to them in accordance with this resolution.

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* See Resolution 58 (Kyoto, 1994).

RESOLUTION 122 (Marrakesh, 2002)

The evolving role of the World Telecommunication Standardization Assembly

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) Article 13 of the ITU Convention which specifies the roles and responsibilities of the World Telecommunication Standardization Assembly (WTSA), as well as Articles 14 and 14A, concerning the telecommunication standardization study groups and Telecommunication Standardization Advisory Group (TSAG);

b) the decisions of previous plenipotentiary conferences concerning the functioning and management of ITU standardization activities, including Resolution 82 (Minneapolis, 1998) of the Plenipotentiary Conference focusing on the establishment of an alternative approval process;

c) Resolutions 1 and 22 (WTSA-2000), pursuant to which:

– the membership is able to revise existing and create new questions between WTSAs;

– the membership, working through TSAG, is able to restructure and establish study groups between WTSAs;

d) the work of Member States and Sector Members of the Telecommunication Standardization Sector (ITU-T) in the Sector study groups and TSAG in implementing these decisions and in adopting working procedures that have improved the timeliness and efficiency of standards activities while maintaining their quality,

considering further

the analysis of ITU's standardization activities by the Working Group on ITU Reform (WGR) and the emphasis placed by WGR on the need for continued improvement in the effectiveness of the standardization process and the need to achieve an effective partnership between Member States and Sector Members,

recognizing

a) the positive results of the alternative approval process in ITU-T's working methods, in particular the reduction of the time taken for the approval of relevant questions and recommendations, in accordance with the procedures adopted by the Sector;

b) the position of WTSA as a broad and inclusive forum where Member States and ITU-T Sector Members are able to discuss the future of ITU-T, review the progress of the ITU-T standardization work programme, consider the Sector's overall structure and functioning and set goals for ITU-T;

c) that WTSA serves all the Member States and ITU-T Sector Members, as a decision-making forum to resolve issues within its competence that may be brought before it,

aware

a) of the challenges posed to the membership by the current financial state of the Union, of the number of ITU-T meetings and related events and of the important role of WTSA as the oversight body for ITU-T;

b) of the need for Member States and ITU-T Sector Members to work closely in ITU-T, in a proactive, cooperative and forward-looking way, taking into account their respective responsibilities and objectives, in order to promote the continued evolution of the ITU-T,

resolves

1 to encourage WTSA to further develop its working methods and procedures for the purpose of improving the management of ITU-T's standardization activities;

2 that WTSA shall continue, in accordance with its responsibilities, to promote the continued evolution of the standardization sector;

3 that WTSA shall adequately address strategic issues in standardization and, through the Director of the Telecommunication Standardization Bureau, provide its comments to the Council;

4 that WTSA, in its conclusions, should take into account the Union's strategic plan and, consistent with No. 188 of the Convention, give consideration to the financial status of the Sector,

instructs the Director of the Telecommunication Standardization Bureau

in preparing the Director's report to WTSA and providing support to the chairmen of the study groups, to include a report on the financial status of the Sector in order to assist WTSA in its functions,

encourages

1 Member States and ITU-T Sector Members to support the evolving role of WTSA;

2 Member States, ITU-T Sector Members and study group chairmen and vice-chairmen to concentrate, *inter alia,* on the identification and analysis of strategic issues in standardization in their preparations for WTSA so as to facilitate the work of the assembly.

RESOLUTION 123 (Marrakesh, 2002)

Bridging the standardization gap between developing and developed countries

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that "the Union shall in particular facilitate the worldwide standardization of telecommunications, with a satisfactory quality of service" (Article 1 of the ITU Constitution);

b) that, in connection with the functions and structure of the Telecommunication Standardization Sector (ITU-T), in Article 17, the Constitution indicates that those functions shall be "..., bearing in mind the particular concerns of the developing countries, to fulfil the purposes of the Union...";

c) that, under the Strategic Plan for the Union 1999-2003, ITU-T is to work "... 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",

considering further

a) the outcome of the World Telecommunication Development Conference (Istanbul, 2002), especially the Strategic Plan of the Telecommunication Development Sector (ITU-D) for the period 2004-2007 and Resolution 37 (Istanbul, 2002) of that conference on bridging the digital divide;

b) Recommendation R7 of the Working Group on ITU Reform to the effect that the Council should instruct the Secretary-General and the Director of the Telecommunication Standardization Bureau to define and implement a corresponding promotion strategy and to allocate appropriate resources in the budget in order to improve awareness of ITU-T products and services,

noting

the following goals of the Strategic Plan for the Union 2004-2007, adopted in Resolution 71 (Rev. Marrakesh, 2002) of this conference:

- Goal 2 "assist in bridging the international digital divide in information and communication technologies";
- Goal 4 "develop tools, based on contributions from the membership, to safeguard the integrity and interoperability of networks";
- Goal 6 "disseminate information and know-how to provide the membership, particularly developing countries, with capabilities to respond to the challenges of privatization, competition, globalization and technological change",

recognizing

the shortage of human resources in the standardization field in developing countries, resulting in a low level of developing county participation in meetings of ITU-T and of the Radiocommunication Sector (ITU-R) and, consequently, in the standards-making process, leading to difficulties when interpreting ITU-T and ITU-R Recommendations,

taking into account

a) that developing countries could benefit from improved capability in the application and development of standards;

b) that ITU-T and ITU-R activities and the telecommunication market could also benefit from better involvement of developing countries in standard-making and standards application,

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

1 to work closely with each other on the implementation of this resolution and in pursuing initiatives that assist in bridging the standardization gap between developing and developed countries in such areas as:

i) conducting case studies on the application of ITU-T Recommendations, focusing on those Recommendations having regulatory implications, e.g. interconnection, numbering, conformity assessment regulation, establishing the best practice application of ITU-T Recommendations in technical regulation;

ii) fostering human resources in developing countries, e.g. by organizing regional standardization training courses and workshops, by face-to-face meetings and through developing online/web-based programmes;

2 to support the work done by the regional organizations in this area.

RESOLUTION 124 (Marrakesh, 2002)

Support for the New Partnership for Africa's Development

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

that the provisions of the ITU Constitution, as contained in Chapter IV thereof on the Telecommunication Development Sector (ITU-D), particularly with regard, *inter alia*, to the functions of the Sector for building awareness of the impact of telecommunications on national economic and social development, its catalytic role in promoting the development, expansion and operation of telecommunication services and networks, especially in developing countries, and the need to maintain and enhance cooperation with regional and other telecommunication organizations,

considering further

Resolution 31 (Kyoto, 1994) of the Plenipotentiary Conference on telecommunication infrastructure and socio-economic and cultural development, which highlights:

- telecommunications as a prerequisite for development;
- the impact of telecommunications on agriculture, health, education, transport, human settlement, etc.;
- the continuing decline in development resources available to developing countries,

noting

a) that, in its Declaration and resolutions, the World Telecommunication Development Conference (Valletta, 1998) (WTDC-98) reaffirmed a commitment to enhancing expansion and development of telecommunication services in developing countries and harnessing capacity for the application of new and innovative services;

b) the adoption of the Valletta Action Plan, incorporating key chapters on global information infrastructure development and the special programme for least developed countries,

aware

that the Council, in its Resolution 1184 on the World Telecommunication Development Conference (Istanbul, 2002), urged that conference to place special emphasis on the problem of "bridging the digital divide",

taking note of

a) the recognition by the United Nations General Assembly in its Resolution 56/37 of the adoption by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-seventh ordinary session (Lusaka, July 2001) of the New Partnership for Africa's Development (NEPAD);

b) the actions for NEPAD set out in annex hereto;

c) the declaration by the Economic and Social Council on the role of the United Nations system in supporting the efforts of African countries to achieve sustainable development,

taking cognizance of

the operative paragraphs of Resolution 56/218 of the United Nations General Assembly on the final review and appraisal of the United Nations New Agenda for the Development of Africa, relating to consideration of plans and modalities during 2002 for future engagement with NEPAD and calling on the United Nations system and the international community to support the New African Initiative and to ensure effective representation,

recognizing

that, in spite of the impressive growth and expansion in infocommunication services recorded in the African region since WTDC-98, many areas of major concern still exist and considerable disparities persist in the region, and the digital divide continues to widen,

resolves to instruct the Director of the Telecommunication Development Bureau

to pay particular attention to implementation of the provisions of the ITU-D Action Plan relating to support for NEPAD, earmarking resources so that this can be permanently monitored,

requests the Secretary-General

to release appropriate financial resources for activities to support NEPAD, in particular from the surplus on ITU world telecommunication exhibitions and forums (TELECOM).

ANNEX TO RESOLUTION 124 (Marrakesh, 2002)

Actions for NEPAD

1 Policy and regulatory issues:

- Cooperate with regional institutions in order to consolidate regulatory capacities.

2 Financing and investment:

- Collaborate with development finance institutions in Africa and bilateral donors in setting up financial mechanisms to meet the costs of initiatives undertaken by other multilateral bodies, namely: Dot Force and the United Nations ICT Task Force.

3 Infrastructure development:

- Achieve an adequate level of access for households and reach the following telephone density targets by the year 2005:
  - 4 lines per 100 inhabitants for fixed telephony;
  - 7 lines per 100 inhabitants for mobile telephony.
- Install optical fibre inter-state links.
- Install an Internet backbone.
- Reduce costs and improve reliability of services.
- Prepare all African countries to use electronic communications.

4 Universal access and ICT development:

- Cooperate with regional institutions such as the African Telecommunications Union (ATU) and initiatives such as "Africa Connection" in order to devise model policies and laws for telecommunication reform as well as protocols and benchmarks for assessing training in the use of electronic communications.

5 Human resources development and management:

- Set up a network of training and research institutions to consolidate the high-level skill base.

- Create an incubator for competent young people and students to receive training in informatics and telematics with a view to their working as software designers and programmers.

RESOLUTION 125 (Marrakesh, 2002)

Assistance and support to the Palestinian Authority for rebuilding its telecommunication networks

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

a) Resolutions 99 (Minneapolis, 1998), 6 and 32 (Kyoto, 1994) of the Plenipotentiary Conference;

b) Resolutions 18 (Rev. Istanbul, 2002) and 18 (Valletta, 1998) of the World Telecommunication Development Conference;

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

d) Nos. 6 and 7 of the ITU Constitution indicating among the purposes of the Union "to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants" and "to promote the use of telecommunication services with the objective of facilitating peaceful relations",

considering

a) that the ITU Constitution and Convention are designed to strengthen peace and security in the world for the development of international cooperation and better understanding among the peoples concerned;

b) that ITU's policy of assistance to the Palestinian Authority for the development of its telecommunication sector has been efficient but has not yet fulfilled its goals, due to the prevailing situation;

c) that, for Palestine to take an effective part in the new information society, it has to build its information society,

considering further

a) that the establishment of a reliable and modern telecommunication network is an essential part of economic and social development and is of the utmost importance to the future of the Palestinian people;

b) the importance of the international community in assisting the Palestinian Authority to develop a modern and reliable telecommunication network;

c) that parts of the Palestinian telecommunication infrastructure have been significantly damaged during the last two years;

d) that the Palestinian Authority at present does not have international telecommunication networks due to difficulties for their establishment,

mindful

of the fundamental principles contained in the Preamble of the Constitution,

noting

the Telecommunication Development Bureau's (BDT) long-term technical assistance to the Palestinian Authority for the development of its telecommunications pursuant to Resolution 32 (Kyoto, 1994) of the Plenipotentiary Conference and the urgent need for assistance to be provided in the various fields of communication and information,

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 the specialized assistance of the Radiocommunication Sector and the Telecommunication Standardization Sector, shall be continued and enhanced in order to provide assistance and support to the Palestinian Authority in rebuilding and developing its telecommunication infrastructure, re-establishing institutions for the sector, developing telecommunication legislation and a regulatory framework including a numbering plan, spectrum management, tariff and human resource development and all other forms of assistance,

calls upon Member States

1 to make every effort with a view to:

1.1 preserving the Palestinian telecommunication infrastructure;

1.2 facilitating the establishment by the Palestinian Authority, at the earliest date, of its own international gateway networks, including satellite earth stations, submarine cables, optical fibres and microwave systems;

2 to offer all possible assistance and support to the Palestinian Authority in rebuilding, restoring and developing the Palestinian telecommunication network;

3 to assist the Palestinian Authority in recovering their entitlements accruing from incoming and outgoing international traffic;

4 to provide to the Palestinian Authority assistance in support of the implementation of BDT projects, including human resources capacity building,

invites the Council

to allocate the necessary funds within available resources for the implementation of this resolution,

instructs the Director of the Telecommunication Development Bureau

1 to continue and enhance the technical assistance provided to the Palestinian Authority for the development of its telecommunications;

2 to assist the Palestinian Authority in the mobilization of resources for the implementation of BDT projects for the development of telecommunications;

3 to provide a periodic report on various experiences in liberalization and privatization of telecommunications and to assess their impact on the development of the sector in the Gaza Strip and the West Bank,

instructs the Secretary-General

1 to ensure that Resolution 99 (Minneapolis, 1998) of the Plenipotentiary Conference, in particular in relation to the international access code and the processing of frequency assignment notifications, is implemented, and to report periodically to the Council;

2 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 the Palestinian Authority is as effective as possible, and to report on the matter to the Council and to the next plenipotentiary conference on the progress achieved on these issues.

RESOLUTION 126 (Marrakesh, 2002)

Assistance and support to the Federal Republic of Yugoslavia for rebuilding its public broadcasting and telecommunication systems

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

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 purposes of the Union as enshrined in Article 1 of its Constitution,

noting

a) the Resolution 33 (Istanbul, 2002) of the World Telecommunication Development Conference;

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

recognizing

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

b) that public broadcasting facilities in the Federal Republic of Yugoslavia have been severely damaged;

c) that the damage to public broadcasting and telecommunication systems in the Federal Republic of Yugoslavia should concern the whole international community, in particular ITU;

d) that, under the present circumstances and in the foreseeable future, the Federal Republic of Yugoslavia will not be able to bring its public broadcasting system up to an acceptable level without help from the international community, provided bilaterally or through international organizations,

resolves

1 to initiate special action, within the framework of the ITU Telecommunication Development Sector, with specialized assistance from the Radiocommunication and Telecommunication Standardization Sectors;

2 to provide appropriate assistance;

3 to support the Federal Republic of Yugoslavia in rebuilding its public broadcasting and telecommunication systems,

calls upon Member States

1 to offer all possible assistance;

2 to support the Government of the Federal Republic of Yugoslavia, either bilaterally or through, or at any rate in coordination with, the special action of the Union referred above,

instructs the Council

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

instructs the Director of the Telecommunication Development Bureau

1 to coordinate the activities carried out by the three ITU Sectors in accordance with *resolves* above;

2 to ensure that the ITU action in favour of the Federal Republic of Yugoslavia is as effective as possible;

3 to report on the matter to the Council.

RESOLUTION 127 (Marrakesh, 2002)

Assistance and support to the Government of Afghanistan for rebuilding its telecommunication system

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recalling

the noble principles and purposes of ITU and the key role the Union can play in the rebuilding of a telecommunication sector,

recognizing

a) that a reliable telecommunication system is a prerequisite for promoting the economic development of countries, in particular those having suffered from conflicts or war;

b) that, as the result of the past 24 years of war in Afghanistan, the telecommunication system has been destroyed and needs urgent attention for its basic reconstruction;

c) that the present state of the telecommunication system in Afghanistan, as a post-conflict country, should concern the whole international community, in particular ITU;

d) that without the assistance and comprehensive support of the international community, Afghanistan, as a war-torn country, will not be able to rebuild its basic telecommunication infrastructure, which is very necessary for the social and economic reconstruction of the country,

resolves

1 to initiate special action, within the framework of the ITU Telecommunication Development Sector, with specialized assistance from the Telecommunication Standardization Sector;

2 to provide appropriate assistance and support to the Government of Afghanistan in rebuilding its telecommunication system,

calls upon Member States

to offer all possible assistance and support to the Government of Afghanistan either bilaterally or through the special action of the Union referred to above,

instructs the Council

to allocate the necessary funds, within available resources, in order to initiate the above-mentioned action,

instructs the Director of the Telecommunication Development Bureau

1 to ensure adequate resource mobilization, including within the internal budget, for the implementation of the proposed actions;

2 to ensure that the ITU action in favour of Afghanistan is as effective as possible;

3 to report on the matter to the Council.

RESOLUTION 128 (Marrakesh, 2002)

Support for the "Agenda for Connectivity in the Americas and Quito Action Plan"

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

the provisions of the ITU Constitution, as contained in Chapter IV thereof on the Telecommunication Development Sector (ITU-D), particularly with regard, *inter alia*, to the functions of the Sector for building awareness of the impact of telecommunications on national economic and social development, its catalytic role in promoting the development, expansion and operation of telecommunication services and networks, especially in developing countries, and the need to maintain and enhance cooperation with regional and other telecommunication organizations,

recalling

a) Resolution 21 (Valletta, 1998) of the World Telecommunication Development Conference (WTDC- 98) on coordination and collaboration with regional organizations, which pointed out that ITU-D should actively coordinate, collaborate and organize joint activities with regional and subregional organizations and training institutions and take into consideration their activities, as well as providing them with direct technical assistance;

b) Resolution 39 (Istanbul, 2002) of the World Telecommunication Development Conference (WTDC-02) on the Agenda for Connectivity in the Americas and Quito Action Plan, which resolved to include among the high priorities of ITU support for initiatives under the "Agenda for Connectivity in the Americas", recommending the use of mechanisms to help to achieve the necessary results for each country and region, and to promote the exchange of information on the development of connectivity activities globally;

c) Resolution 41 (Istanbul, 2002) of WTDC-02 on e-health (including telehealth/telemedicine), which, among other actions, directed the Telecommunication Development Bureau (BDT) to continue its efforts to raise awareness of decision-makers, health professionals, partners, beneficiaries and other key players about the benefits of telecommunications for e-health applications and to support e-health projects in collaboration with government, public, private, national and international partners;

d) Resolution 42 (Istanbul, 2002) of WTDC-02 on implementation of tele-education programmes, which instructed the Director of BDT to conduct studies of the viability of tele-education systems, provide technical assistance and support to help implementing various tele-education systems, and identify sources of funding for necessary equipment and training for the provision of tele-education applications;

e) Recommendation 14 (Istanbul, 2002) of WTDC-02 on pilot integration projects for information and communication technologies, which recommended that BDT adopt all necessary measures to implement regional projects derived from non-exclusive integration models designed to link all stakeholders, organizations and institutions of the various sectors in an ongoing relationship of cooperation in which information is disseminated over networks, so as to narrow the digital divide, and also that BDT play a central role in this initiative, using the funds at its disposal to attain that objective, and that the Latin American region serve as the initial testing ground for such an initiative,

noting

that the third Regular Meeting of the Assembly of the Inter-American Telecommunication Commission (CITEL) held in August 2002 adopted Resolution CITEL/RES. 33 (III-02) on the implementation of the Agenda for Connectivity in the Americas, which recognizes that the Agenda for Connectivity for the Americas and Quito Action Plan developed by CITEL are a significant and positive contribution to efforts under way in a number of forums to bridge the digital divide,

aware

that Resolution 1184 of the ITU Council urged WTDC-02 to place special emphasis on the issue of "bridging the digital divide",

recognizing

that, in spite of the impressive growth and expansion in infocommunication services recorded in the Americas region since WTDC-98, many areas of major concern still exist and considerable disparities persist in the region, and the narrowing of the digital divide continues to be a priority,

resolves to instruct the Secretary-General

to release appropriate financial resources to support and stimulate the implementation of projects aimed at fulfilling the objectives set in the resolutions and recommendation highlighted above, particularly by mobilizing the surplus income from world telecommunication exhibitions and forums (TELECOM),

instructs the Director of the Telecommunication Development Bureau

1 to pay particular attention to implementation of the provisions of the Istanbul Action Plan relating to the initiatives under the framework of the Agenda for Connectivity in the Americas, as directed by Resolution 39 (Istanbul, 2002) of WTDC-02, which encompasses also the projects associated with the other resolutions and recommendation cited above;

2 to provide appropriate support to the Member States in this regard through the ITU Regional Office for the Americas, and to help identify additional financial resources that could supplement those assigned by ITU for supporting the development of all related projects in the Americas region.

RESOLUTION 129 (Marrakesh, 2002)

Bridging the digital divide

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

recognizing

a) that the telecommunication environment has undergone drastic changes;

b) that there is a need to show clearly what the digital divide is, where it occurs, and who suffers from it;

c) that development in technology has brought about a reduction in the cost of telecommunication equipment;

d) that in many ITU Member States, independent regulatory bodies have been established to deal with regulatory issues like interconnection, determination of tariffs, interconnection rules, etc.;

e) that the introduction of competition in the provision of telecommunication services has also reduced telecommunication costs to users;

f) that the introduction of new applications and services has further contributed to bringing down telecommunication costs;

g) that there is a need to create opportunities for digital services in developing countries, including the least developed countries, landlocked and island developing countries, and economies in transition, taking advantage of the revolution in information and communication technologies (ICT);

h) that various activities are being executed towards bridging the digital divide by many organizations, such as the United Nations ICT Task Force, the DOT Force, the Organization for Economic Cooperation and Development (OECD), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Development Programme (UNDP), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Economic and Social Council (ECOSOC), the United Nations Economic Commission for Asia and the Pacific (ESCAP), the World Bank, the Asia-Pacific Telecommunity (APT), the Asian Development Bank and many others,

endorsing

the fact that the World Telecommunication Development Conference (WTDC-02) has already adopted Resolution 37 (Istanbul, 2002) on this issue,

considering

a) that, even with all the developments mentioned above, in many developing countries, telecommunications are still not affordable to the majority of people;

b) that each region, country and area must tackle its own specific issues regarding the digital divide;

c) that many countries do not have the necessary basic infrastructure, long-term plans, laws, regulations and such like in place for ICT development;

d) that small island nations and communities face particular problems in bridging the digital divide,

resolves

that WTDC-02 Resolution 37 (Istanbul, 2002) should be implemented without delay,

instructs the Council

to allocate adequate funds for implementation of that resolution,

instructs the Director of the Telecommunication Development Bureau

to take appropriate measures to implement the resolution and the following items:

i) to replicate the pilot model for bridging the digital divide by taking into consideration the deployment of cost-efficient, IP-based network technology and client terminals applicable to rural and remote communities;

ii) to conduct the pilot projects in conjunction with planned telecentre or community centre projects for evaluation of various new technologies available from the market, and also evaluate their sustainability, affordability, and applicability to tele-education, telemedecine, small business development and gender issues in rural areas;

iii) to evaluate models for affordable and sustainable systems for rural access to information and communications on the global network,

invites Member States

to undertake concerted action to pursue the matter with a view to achieving the objectives of WTDC-02 Resolution 37 (Istanbul, 2002).

RESOLUTION 130 (Marrakesh, 2002)

Strengthening the role of ITU in information and communication network security

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

that with the application and development of information and communication technologies (ICT), information and communication networks have given rise to ever-growing security challenges,

recognizing

that the application and development of ICT has been instrumental in the growth and development of the global economy,

aware

a) that the global interconnection of information and communication networks requires increased cooperation among governments and the private sector in respect of these systems and networks;

b) that ITU and other international bodies and organizations, through a variety of activities, are examining issues related to information and communication network security;

c) that Study Group 17 of the ITU Telecommunication Standardization Sector and other ITU study groups are working on information and communication network security,

noting

a) that, as an intergovernmental organization with participation by the private sector, ITU is positioned to help to address information and communication network security, and therefore should play an active role in this regard;

b) that ITU should build on its technical expertise in discussions on information and communication network security,

resolves

to strengthen the role of ITU in information and communication network security,

instructs the Secretary-General and the Directors of the Bureaux

1 to review ITU's current activities in information and communication network security;

2 to intensify work within existing ITU study groups in order to:

i) reach a common understanding on the importance of information and communication network security by studying standards on technologies, products and services with a view to developing recommendations, as appropriate;

ii) seek ways to enhance exchange of technical information in the field of information and communication network security, and promote cooperation among appropriate entities;

iii) report on the result of these studies annually to the ITU Council,

invites ITU Member States and Sector Members

to participate actively in the ongoing work of the relevant ITU study groups.

RESOLUTION 131 (Marrakesh, 2002)

Community connectivity indicators[1]

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

aware

a) that technological innovation, digitization and information technologies have significantly modified the ways in which people access knowledge and communicate with one another;

b) that there is a need to promote knowledge and the development of skills in all populations in order to achieve greater economic, social and cultural development and to raise the standard of living of the world's citizens;

c) that each Member State is seeking to establish its own policies and regulations in order to narrow as effectively as possible the digital divide between those who have access to communication and information and those who do not,

recognizing

a) that the World Summit on the Information Society represents an opportunity to establish a global strategy for narrowing the digital divide from the development standpoint;

b) that the basic indicator traditionally used in the telecommunication field was the number of fixed telephone lines per hundred inhabitants, but that that indicator no longer reflects the actual penetration of telecommunication services in those countries where community access programmes have been implemented,

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[1] Community connectivity is taken here to refer to the possibility to access telecommunication services from a terminal facility put at the disposal of a community, to facilitate ease of use.

recognizing further

a) that fixed telephony is no longer the only means of communication between individuals, towns and countries;

b) that, with a view to providing their populations with faster access to telecommunication services, many countries have implemented public community connectivity policies in those communities that are poorly served with telecommunication facilities;

c) that a radically new trend is emerging in the provision of universal service, tending to favour community connectivity and broadband access instead of seeking in the short term to ensure that all households have a telephone line,

bearing in mind

a) that in order to keep each country's public policy-makers properly informed, ITU gathers and periodically publishes a variety of statistics which provide some indication of the degree of progress in and penetration of telecommunication services in the different regions of the world;

b) that current indicators cannot serve to measure the real impact of the introduction of community connectivity;

c) that new indicators are needed to analyse the development of communities where community connectivity is introduced, thereby enabling the true impact and effectiveness of each country's public policies to be measured;

d) that, according to the guidelines of the Plenipotentiary Conference, it is necessary to ensure as far as possible that the policies and strategies of the Union are fully in tune with the constantly changing telecommunication environment,

noting

a) that the ITU World Telecommunication/ICT Indicators Meeting is to be held in 2003 to analyse telecommunication indicators;

b) that regional and world preparatory meetings will also be held to put forward proposals for the plan of action of the World Summit on the Information Society,

resolves to instruct the Secretary-General

to promote the adoption of measures necessary to ensure that community connectivity indicators are taken into account in regional and world meetings convened for the purpose of developing the plan of action of the World Summit on the Information Society,

instructs the Directors of the Telecommunication Development Bureau and the Telecommunication Standardization Bureau

1 to promote the activities required in their respective Sectors to define and adopt new indicators for the purpose of measuring the real impact of community connectivity on the development of communities;

2 to include on the agenda of the ITU World Telecommunication/ICT Indicators Meeting, to be held in January 2003, an item on the study of this new community connectivity indicator,

invites Member States

to participate actively in the work to be carried out at the regional and world levels to prepare these new community connectivity indicators.

RESOLUTION 132 (Marrakesh, 2002)

Continued ITU support for the sustainability of the Geneva Diplomatic Community network

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the Geneva Diplomatic Community network (GDCnet) is a positive contribution by ITU to telecommunication development for permanent missions located in Geneva;

b) that GDCnet was designed to provide permanent high-speed Internet connectivity to permanent missions in Geneva, in particular for developing and least developed countries, in order to improve their working methods through the access and use of new electronic means for information exchange between international organizations and Member States;

c) that out of the 147 permanent missions based in Geneva, some 100 are connected to GDCnet while around 35 are awaiting connection;

d) Decision 493 adopted by the Council at its 2000 session, authorizing the opening of a special account for GDCnet from 28 July 2000 for the purpose of receiving funds from donors and contributions from other international organizations towards its long-term sustainability;

e) the decision taken by the Council at its 2000 session to transfer the GDCnet project to a commercial service provider from January 2003 based on the approved business plan,

recognizing

the Member States' and Permanent Missions' desire for assurance of continued technical support and training through ITU, under the GDCnet project,

recognizing further

the desirability of ensuring that GDCnet meets its objectives of enhanced services to Geneva-based missions, in particular missions of the least developed countries, on a sustainable basis,

resolves

1 to ensure, within the existing financial limits, that ITU continues to play a leading role in the evolution of GDCnet as a coordinator and technical adviser for the dedicated support and services for permanent missions in Geneva;

2 that ITU should facilitate the transfer of the GDCnet network infrastructure to a commercial service provider,

instructs the Secretary-General

1 to make GDCnet a joint responsibility of international organizations and the Geneva diplomatic community and to take into consideration the advisory role of users' groups such as the Information Systems Users Group (ISUG);

2 to continue to manage the GDCnet special account set up by the Council and to liaise with other international organizations in respect of their contributions towards the long-term sustainability of the GDCnet management body, and to cover the necessary financial requirements;

3 to report to the Council at its 2003 session on the progress made in the implementation of this resolution,

instructs the Council

1 to include GDCnet as an item on the agenda of its 2003 session in order to examine this resolution on the continued operation of the GDCnet, with the aim of ensuring that Member States' missions continue to be connected;

2 to report to the next plenipotentiary conference on the progress made in the implementation of this resolution.

RESOLUTION 133 (Marrakesh, 2002)

Role of administrations of Member States in the management of internationalized (multilingual) domain names

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

bearing in mind

Resolution 102 (Rev. Marrakesh, 2002) of this conference regarding the management of Internet domain names and addresses,

aware

a) of the rapid developments towards the convergence of telecommunications and the Internet;

b) that Internet users are generally more comfortable reading or browsing through texts in their own language,

c) that there are challenges of intellectual property associated with the use of internationalized domain names and addresses;

noting

a) that it is estimated that in the coming years the majority of Internet users will prefer to conduct online activities in their own language;

b) that the current domain name system mapping does not reflect the growing language needs of all users,

emphasizing

a) 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 administrations, businesses and consumers;

b) 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;

c) 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;

d) that the management of Internet domain names and addresses are a subject of concern for both governments and the private sector;

e) the need for ITU to assist its Member States to promote the use of their languages for domain names and addresses,

recognizing

a) the existing role and sovereignty of ITU Member States with respect to allocation and management of their respective country code numbering resources;

b) the role of the World Intellectual Property Organization (WIPO) in guarding against misuse of intellectual property rights in the use of Member States' languages for domain names and addresses;

c) that ITU enjoys close cooperation with WIPO,

resolves to instruct the Secretary-General

1 to take an active part in all international discussions and initiatives on the management of Internet domain names and addresses;

2 to take any necessary action to ensure the sovereignty of ITU Member States with regard to country code numbering plans and addresses will be fully maintained, as enshrined in Recommendation E.164 of the ITU Telecommunication Standardization Sector, in whatever application they are used;

3 to promote effectively the role of Member States in the internationalization of domain names and address in their respective languages;

4 to report annually to the Council on the activities undertaken on this subject;

5 to bring this resolution to the attention of WIPO, stressing the concerns and requests for assistance of Member States with regard to internationalized (multilingual) domain names and addresses,

instructs the Council

to take appropriate measures in order to support the above-mentioned international discussions and initiatives,

invites Member States

1 to participate actively, as far as possible, in the various international discussions on this matter, and to relay their views to the Secretary-General in regard to this work;

2 to increase awareness at national level among all interested non-governmental parties, and to encourage their participation in the entities managing internationalized domain names and addresses.

List of resolutions abrogated by the Plenipotentiary Conference (Marrakesh, 2002)*

SUP RESOLUTION 62 (Kyoto, 1994)

Interim limitations in the use of official and working languages of the Union

SUP RESOLUTION 74 (Minneapolis, 1998)

Review and improvement of the management, functioning and structure of the International Telecommunication Union

SUP RESOLUTION 76 (Minneapolis, 1998)

General provisions regarding conferences and assemblies of the International Telecommunication Union

SUP RESOLUTION 78 (Minneapolis, 1998)

Stable procedures for the election of Member States to the Council, elected officials, and members of the Radio Regulations Board

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* Note by the General Secretariat: Abrogated with effect from 1 January 2005, pursuant to Resolution 115 (Marrakesh, 2002).

SUP 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)

SUP RESOLUTION 83 (Minneapolis, 1998)

Provisional application of the changes to the composition of the Radio Regulations Board

SUP RESOLUTION 84 (Minneapolis, 1998)

Working methods of the Radio Regulations Board

SUP RESOLUTION 103 (Minneapolis, 1998)

General lifting of interim limitations on the use of official and working languages of the Union

RECOMMENDATION 4 (Marrakesh, 2002)

General policy statements to plenipotentiary conferences

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

Recommendation R22 of the Working Group on ITU Reform, which advocates that the length of general policy statements should be limited so as to minimize the amount of time used for this purpose at the Plenipotentiary Conference and make the conference more efficient,

seeking

to standardize the duration of general policy statements in order, *inter alia*, to economize on the Union's financial resources,

aware

that plenipotentiary conferences are likely to face increasingly heavy workloads,

taking into account

that general policy statements should be made only during the first week of the conference,

recommends

that Member States limit their general policy statements to a maximum of five minutes,

instructs the Secretary-General

to publish on the conference website the full text of all general policy statements including those which have not been made during the first week of the conference.

RECOMMENDATION 5 (Marrakesh, 2002)

Submission of the first report of the Credentials Committee to the Plenipotentiary Conference

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

Article 31 of the ITU Convention, concerning credentials for conferences of the Union,

considering further

No. 176 of the General Rules of conferences, assemblies and meetings of the Union, which stipulate that elections shall begin on the ninth calendar day of a plenipotentiary conference,

recognizing

a) that it is the responsibility of the Credentials Committee referred to in No. 68 of the General Rules of conferences, assemblies and meetings of the Union to verify the credentials of delegations and report its conclusions to the plenary meeting within the time-frame specified by the latter;

b) that it is desirable that the plenary meeting take a decision on the first report of the Credentials Committee as rapidly as possible, and in any event before the ninth calendar day of a plenipotentiary conference,

recommends

that future plenipotentiary conferences set the date for submission of the first report of the Credentials Committee at a date earlier than the ninth calendar day of the conference,

further recommends

that Member States send the originals of their credentials to the secretariat as early as possible, signed by one of the authorities referred to in No. 325 of the Convention, accompanied, as necessary, by a certified translation in one of the official languages of the Union, and pay the greatest heed to the provisions of Nos. 329, 330 and 331 of the Convention,

instructs the Secretary-General

to make appropriate administrative arrangements to keep Member States informed of the procedures to be followed.

RECOMMENDATION 6 (Marrakesh, 2002)

Rotation of Council Member States

The Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002),

considering

a) that the Council is composed of Member States elected by the Plenipotentiary Conference;

b) that each Member State has the potential to contribute to the purposes of the Union through participation in the Council;

c) the decision to admit Member States as observers at Council sessions as well as the improvement in their status as observers adopted by this conference,

noting

a) that the number of Member States of the Council shall not exceed 25 per cent of the total number of Member States of the Union;

b) that examples of regional coordination in this regard on a voluntary basis already exist, with positive results,

recalling

that any such regional or subregional coordination in this regard would considerably facilitate the elections at plenipotentiary conferences,

recognizing

that, without some element of rotation of Council membership, the principle mentioned in *considering b)* above cannot be fully implemented,

recommends

that Member States concerned should engage in bilateral and multilateral coordination through appropriate ways and means, such as regional or subregional meetings, in order to facilitate such rotation on a voluntary basis.

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