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REPORT ON THE PREPARATORY PROCESS
FOR THE FIRST PHASE OF THE SUMMIT

I   Introduction

1   On 21 December 2001, the United Nations General Assembly adopted Resolution 56/183 concerning the organization of a World Summit on the Information Society (WSIS). The resolution recommended creating an open-ended intergovernmental Preparatory Committee which would be responsible for the preparations for WSIS. Its tasks would include drawing up an agenda for the Summit, finalizing a draft Declaration and a draft Action Plan, and deciding on the arrangements for participation by other stakeholders. The resolution further invited governments to participate actively in the WSIS preparatory process and encouraged other intergovernmental organizations, including international and regional institutions, non-governmental organizations, civil society and the private sector to contribute to, and actively participate in, the intergovernmental preparatory process of the Summit and the Summit itself.

II   Preparatory process: meetings of the Preparatory Committee (PrepCom)

2   First meeting of the Preparatory Committee - PrepCom-1

The first meeting of the intergovernmental WSIS Preparatory Committee, convened by the Secretary-General of the International Telecommunication Union (ITU), took place in Geneva from 1 to 5 July 2002, and took the following decisions:

2.1   President of PrepCom

A total of 969 delegates, representing 142 governments, numerous international organizations and groups from the private sector and civil society, elected as President of the Preparatory Committee Mr Adama Samassékou of Mali. Mr Samassékou, who served for seven years (from 1993 to 2000) as Mali's Minister of Education, is currently the President of the African Academy of Languages. He is very active in the work of volunteer organizations, being the Founding President of the People's Movement for Human Rights Education.

2.2   Participation arrangements, accreditation arrangements and Rules of Procedure

The arrangements governing participation[1] and the arrangements governing accreditation[2] for the WSIS preparatory process for stakeholders other than governments were determined at PrepCom-1, having been drawn up by Subcommittee 1 under the chairmanship of Ambassador Daniel Stauffacher of Switzerland. The Plenary Meeting also adopted the Rules of Procedure[3] for the Preparatory Committee, also drawn up by Subcommittee 1.

2.3   Work on content

Subcommittee 2, chaired by Ambassador Pablo Macedo of Mexico, was entrusted with consideration of the proposed themes for the Summit.

On the basis of the discussions, the Chairman of Subcommittee 2 submitted a document[4] to the Plenary containing the principles governing the preparatory work and WSIS itself and the proposed themes for the Summit. The Plenary Meeting took note of the report of the Chairman of Subcommittee 2 and adopted the document on principles. The document on themes was considered in informal consultations that took place from 16 to 18 September 2002 in Geneva.

2.4   Election of the members of the PrepCom Bureau

On the basis of consultations carried out with the regional groups of the United Nations system, the Preparatory Committee elected the 16 members of the Bureau by acclamation: South Africa, Brunei Darussalam, Brazil, Dominican Republic, United States, Finland, France, Latvia, Libya, Mexico, Romania, Japan, Pakistan, Russian Federation, Switzerland (host country for the first phase), Tunisia (host country for the second phase).

3   Preparation of the second meeting of PrepCom

At a meeting on 19 September 2002, the members of the Bureau agreed that work on the substance of the Summit should continue after the informal consultations on 16 to 18 September 2002, under the authority of President Samassékou, in order to prepare effectively the second meeting of the PrepCom. They therefore requested the President to prepare, with the assistance of an informal drafting group, a preliminary draft WSIS Declaration and Plan of Action to serve as a basis for discussion on the content of the Summit at PrepCom-2 in February 2003. On reflection, the President considered that it was the prerogative of PrepCom-2 to prepare the draft Declaration and Plan of Action, in a participative and effective manner, and he accordingly opted to prepare an orientation document (or non-paper) which, drawn up under his authority, would enjoy only informal status and would in no way constitute a result of prior negotiations between the various stakeholders in the Summit.

The informal drafting group met on 13 to 16 December 2002 in Glion sur Montreux. In their discussions, the experts also referred to the Bamako and Bucharest Declarations, the outcome document of the informal consultations of Subcommittee 2 of PrepCom-1 held on

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1   http://www.itu.int/wsis/docs/pc1/official/arrangements_participation.doc

2   http://www.itu.int/wsis/docs/pc1/official/arrangements_accreditation.doc

3   http://www.itu.int/wsis/docs/pc1/official/rules_procedure_pc.doc

4   http:www.itu.int/dms_pub/itu-s/md/02/wsispc1/doc/s02-wsispc1-DOC-0010!!MSW-E.doc *and* http:www.itu.int/dms_pub/itu-s/md/02/wsispc1/doc/s02-wsispc1-DOC-0010!C1!MSW-E.doc

16 to 18 September 2002[5] and the written contributions from the various stakeholders in the

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5   http:www.itu.int/dms_pub/itu-s/md/03/wsispc2/doc/s03-WSISPC2-DOC-003!!MSW-E.doc

information society received by the WSIS Executive Secretariat before 7 December 2002. The outcome of the discussions of the informal drafting group was posted on the WSIS website in January 2003 under the title: "Proposal of an Orientation Document for PrepCom-2, Information and Communication for All"[6]. The Glion meeting was organized and financed by Switzerland.

4   Second meeting of the Preparatory Committee - PrepCom-2

PrepCom-2 was held from 17 to 28 February 2003 in Geneva. Three days were devoted to contributions from visionaries at the highest level and to thematic round tables. The PrepCom-2 participants then examined, within Subcommittee 2 on content, the draft Declaration of Principles and draft Action Plan for WSIS. Subcommittee 2, chaired by Ambassador Yasuaki Nogawa of Japan, set up a working group under the chairmanship of Ms Lyndall Shope-Mafole of South Africa and a small working group chaired by Adama Samassékou.

Ms Shope-Mafole's working group was open to all States and was entrusted with preparing the draft Declaration of Principles and draft Action Plan for the Summit. During a 30-minute timeslot each day, Subcommittee 2 listened to statements by observers.

Mr Samassékou's working group was responsible for outlining the overall structure of the draft Declaration and draft Action Plan of the Summit. The overall structure was approved as a working basis by the subcommittee on Friday 21 February.

At its last Plenary Meeting, on Friday 28 February 2003, after taking note of the report by Subcommittee 2, the Preparatory Committee adopted a proposal by the Bureau to the effect that the work on content be pursued in the period between PrepCom-2 and PrepCom-3.

4.1   Decision concerning continuation of the work on content

At the end of the meeting, and with the aim of ensuring continuity in the work on content, PrepCom-2 requested the Chairman of the Working Group of Subcommittee 2 to prepare, by 21 March 2003, a consolidation of the written contributions received at 28 February 2003, and to draw up basic working documents for the future negotiations.

PrepCom-2 mandated the President of PrepCom to oversee the intersessional work and, *inter alia*, to bring together a formal intergovernmental drafting group for a five-day meeting in July 2003, so as to advance negotiations on the content.

PrepCom-2 further decided to set up an intersessional mechanism to refine further the documents for the meeting of the aforementioned drafting group.

Finally, PrepCom-2 mandated the WSIS Executive Secretariat to prepare a reference document containing written contributions from participants, for publication on the WSIS website.

4.2   Second phase of the Summit

The participants in the third Plenary Meeting were informed by the President of PrepCom of consultations held on the articulation between Geneva and Tunis, including in particular the establishment of a coordination group comprising representatives of the host countries, the ITU Secretary-General, the Executive Director of the WSIS Executive Secretariat and the President of PrepCom. The members of the group would work in close collaboration until 2005.

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[6]   http:www.itu.int/dms_pub/itu-s/md/03/wsispc2/INF/s03-WSISPC2-INF-001!!MSW-E.doc

The President of PrepCom said that the outcome of the first phase would be a Declaration of Principles and a Plan of Action setting forth a vision and covering the essential issues associated with the information society. The second phase of the Summit, on the basis of the results of the Geneva phase, would address the transition to a knowledge society. The outcome could take the form of the adoption of an instrument, such as a charter, and a Tunis agenda enshrining digital solidarity at the global level, and regional action plans. The second phase would be prepared in a structured manner during 2004 and 2005, including through the organization of PrepComs.

The Tunisian Government announced that the second phase of the Summit would take place from 16 to 18 November 2005 in Tunis.

4.3   Implementation of PrepCom-2 decisions

Under the supervision of the President of PrepCom, acting in liaison with the PrepCom Bureau, the basic working documents were drawn up and posted on the WSIS website on 21 March 2003, together with the reference document setting out all contributions received by 31 May 2003, namely from governments, intergovernmental organizations, the private sector and civil society.

Through the good offices of the Director-General of UNESCO, a meeting of the formal intergovernmental drafting group was organized from 15 to 18 July 2003 at UNESCO headquarters in Paris. The dates were set on the basis of UNESCO availabilities and to avoid a clash with the Asia-Pacific Telecommunity (APT) meeting on information society initiatives organized in Bangalore from 21 to 25 July 2003.

PrepCom-2's decision to put in place an intersessional mechanism gave rise to lengthy and arduous discussion within the PrepCom Bureau, which was torn between a desire to adhere to the letter of the decision and the need to reflect the spirit of the decision in order to make significant progress in work on refining the documents during the intersessional period.

After several Bureau meetings and following bilateral consultations conducted by the PrepCom President with each member country of the Bureau and each regional group, the members of the Bureau decided merely to refine the documents without altering the content, so as not to prejudge the negotiations in July. The refined documents were posted on the WSIS website on 5 June 2003.

In view of the enormous quantity of written contributions on the draft Declaration and draft Action Plan received by the Executive Secretariat up to the end of May, the President of PrepCom and the members of the Bureau both considered that it was necessary to carry out some consolidation work in order to make the basic working documents easier to use at the July intersessional meeting. Under a mandate from the Bureau, the President of PrepCom therefore prepared, with the assistance of the Executive Secretariat, working documents for the intersessional meeting, in which all the contributions from governments were incorporated. These documents were posted on the WSIS website in mid-June.

Again with the same aim of preparing the July 2003 meeting effectively, the members of the Bureau also agreed to the proposal by the President of PrepCom to draw up, with the assistance of the WSIS Executive Secretariat, a reader's guide, as suggested by a member of the Bureau, for use by participants as a handy tool for rapidly identifying points of convergence and divergence and new points in the contributions on the draft Declaration and draft Action Plan. In the preparation of the guide, which was published on the WSIS website in early July 2003, account was also taken of the inputs from observers.

5   Intersessional meeting in Paris

The meeting of the open-ended intergovernmental drafting group took place from
15 to 18 July 2003 in UNESCO (Paris), with the mandate to advance negotiations on the draft
Declaration and draft Action Plan. The drafting group meeting was attended by 750 delegates.

The opening session of the meeting, at the proposal of the PrepCom Bureau, elected
Ms Lyndall Shope-Mafole (South Africa) by acclamation as Chairman of the drafting group. The
work began with a discussion of the draft Declaration of Principles and the draft Action Plan, as
refined since PrepCom-2. To advance the work, the Chairman established small groups to consider
the following difficult issues: right to communicate, Internet management, good governance and
network security.

The meeting was open to observers. At the beginning of the deliberations, two hours were set aside
for observers to express their priorities in relation to the basic documents; on subsequent days,
observers were given the floor for one hour at the beginning of the meeting.

The meeting reviewed and revised the draft Declaration of Principles (DT/4)[7]. The meeting also
exchanged views on the draft of the Action Plan. At its meeting on 18 July, the PrepCom Bureau
decided to send the revised text of the draft Declaration direct to PrepCom-3, without amendment,
and mandated the Chairman of the drafting group to carry out, on the basis of the comments
formulated at the intersessional meeting, a further revision of the Action Plan during the
intersessional period until PrepCom-3, with the assistance of the Executive Secretariat and under
the supervision of the President of PrepCom. This decision of the Bureau was announced at the
closure of the Paris meeting and distributed as a note by the President of PrepCom[8].

This task was completed within the set time-frame and the revised text of the draft Action Plan was
published on the WSIS website on 26 August 2003[9].

6   Third meeting of the Preparatory Committee - PrepCom-3

The third meeting of PrepCom was held in Geneva from 15 to 26 September 2003. It was attended
by some 1 600 delegates representing Member States of the United Nations, intergovernmental
organizations, civil society and the business sector. The committee's work focused in particular on
the Rules of Procedure of the Summit and on the draft Declaration of Principles and draft Plan of
Action.

6.1   Rules of Procedure of the Summit

The Rules of Procedure of the Summit were drawn up by Subcommittee 1 under the chairmanship
of Ambassador Daniel Stauffacher (Switzerland) and adopted by the Plenary[10].

6.2   Work on the content and suspension of the meeting

Subcommittee 2, chaired by Ambassador Asko Numminen (Finland), reviewed the draft
Declaration of Principles and draft Plan of Action. It also established a working group, under the
chairmanship of Ms Lyndall Shope-Mafole (South Africa), on the draft Declaration of Principles,

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7   http://www.itu.int/dms_pub/itu-s/md/03/wsispc3/doc/S03-WSISPC3-DOC-0002!!MSW-E.doc

8   http://www.itu.int/dms_pub/itu-s/md/03/wsispcip/td/030721/S03-WSISPCIP-030721-TD-GEN-0008!!MSW-E.doc

9   http://www.itu.int/dms_pub/itu-s/md/03/wsispc3/doc/S03-WSISPC3-DOC-0003!!MSW-E.doc

10   http://www.itu.int/dms-pub/itu-s/md/03/wsispc3/doc/S03-WSISPC3-DOC-0006!R1!MSW-E.doc *and*
     http://www.itu.int/dms-pub/itu-s/md/03/wsispc3/doc/S03-WSISPC3-DOC-0006!C1-R1!MSW-E.doc

while maintaining the work on the draft Plan of Action under its own responsibility. In order to advance work on the two documents, it was also decided to set up ad hoc groups on specific topics under the guidance of different countries. In addition, the draft text of the Declaration of Principles was examined at a special meeting of heads of delegation.

Observers were able to attend the discussion in the Plenary and working group meetings and were invited by the chairmen to make brief statements. Observers were also invited to make brief statements at the start of each ad hoc group meeting.

At its third Plenary Meeting, on 26 September 2003, the Preparatory Committee heard the report of the Chairman of Subcommittee 2 and considered the revised versions of the draft Declaration of Principles and draft Action Plan. It was decided that both documents should be considered as the basis for future negotiations.

In view of the lack of consensus on several paragraphs, the Plenary decided to suspend the meeting of PrepCom-3 and to resume negotiations in Geneva from 10 to 14 November 2003. It also decided that the President of PrepCom should supervise the informal consultations in order to facilitate work when the negotiations were resumed in November, and that, on the basis of the discussions during PrepCom-3 and his own consultations, he should prepare a non-paper on the Declaration for possible consideration by the reconvened PrepCom-3. The matters remaining to be resolved following PrepCom-3's September meeting were those relating to funding, security, intellectual property, human rights and media and Internet governance.

The non-governmental partners were authorized to express their priorities at all meetings of the Plenary, Subcommittee 2 and the working group.

6.3   Resumed PrepCom-3 negotiations, 10 to 14 November 2003

During the opening meeting, the Plenary accepted the proposal by the President of PrepCom to amend the decision made in September and to use as a basis for negotiation the non-paper by the President of PrepCom. In preparing that document, the President of PrepCom had organized a series of informal open-ended consultation meetings, which had been held on 20, 30 and 31 October 2003 under the chairmanship of Ambassador Asko Numminen of Finland.

On the basis of a participatory working method intended to build a consensus on the draft Declaration of Principles, the inputs from government delegations had been taken into account in a balanced manner in the preparation of the non-paper by the President of PrepCom that was presented to the resumed PrepCom-3. The President of PrepCom had also solicited the remarks of observers on the document. Comments received from the CCBI and Civil Society Bureau had been posted on the Summit website before 10 November 2003.

During the resumed session of PrepCom-3 in November 2003, Ambassador Asko Numminen, Chairman of Subcommittee 2, led the negotiations aimed at reducing the points on which views among governments diverged on the Declaration of Principles and Plan of Action.

In the interests of eliminating those divergences, he established a number of working groups which met with bilateral and multilateral ad hoc groups. Each of those small groups focused on specific areas in which views diverged, particularly security, Internet governance, intellectual property rights, the financing of a global and inclusive information society, the role of the media and human rights issues.

The negotiations ended on 14 November 2003 with agreement having been reached on the great majority of the paragraphs in the two draft texts. Nevertheless, a number of points on which views diverged remained open, calling for further negotiations:

– Security - protection of privacy, of the consumer and of data, including the fight against spam, and the integrity and protection of networks.

– Internet governance - role of all stakeholders in the management of the Internet, both at the technical level and by public authorities, and the balance between these two levels.

– Intellectual property rights - striking a balance between the interests of the holders of intellectual property rights and the interests of users in the information society.

– Funding for ICTs in the interests of development, with the creation of a digital solidarity fund.

– Role of the media and human rights issues - importance of the role played by the media in the information society, particularly the question as to whether the media are to be considered as specific players within civil society and whether the references to freedom of opinion and expression in Article 19 of the Universal Declaration of Human Rights should be linked to the references in Article 29 in regard to the rights and freedoms of others.

During the final Plenary on 14 November 2003, the participants took note of the proposal for a decision concerning the Tunis phase which would be submitted to the Summit in December 2003: "We decided to hold a preparatory meeting in first half of 2004 to review those issues of the information society which should form the focus of the Tunis phase of the WSIS and to agree on the structure of the process for the second phase on the basis of contribution from delegations. The Bureau of the Tunis phase of the WSIS under the leadership of its Chairman should commence preparation of this preparatory meeting".

At the closure of the meeting, the President of PrepCom proposed to the Plenary that PrepCom-3 be suspended a second time in order to allow for the finalization, at a high-level meeting to be held on 5 and 6 December 2003, of the negotiations on the points on which views diverged. The participants approved that proposal, as well as a proposal to entrust Switzerland, the host country for the first phase of the Summit, with the task of holding informal consultations in the intervening period, with a view to preparing those final negotiations ahead of the Summit.

6.4   Finalization of the PrepCom-3 negotiations on 5 and 6 December 2003

At the first Plenary Meeting of the resumed PrepCom-3 on 5 December 2003 the participants agreed to follow the recommendations of the PrepCom Bureau and limit negotiations to those points on which the diverging views had not been reconciled on 14 November, taking for a basis the compromise text submitted by Switzerland as facilitator of the informal consultations. The participants also agreed to set up a working group to conduct negotiations, under the chairmanship of Switzerland. At the end of that Plenary Meeting observers were invited to share their observations. While excluded from the working group, they were regularly informed of the progress made in its work. As the financing question remained unresolved on 6 December, it was decided to continue on 9 December. On that day, an agreement was reached on the point in question, and the working group made its report to the PrepCom-3 plenary. This final Plenary Meeting adopted the draft Declaration of Principles and Action Plan to be submitted to the Summit.

III   Regional conferences

The following regional conferences have been held:

•   African Regional Conference, Bamako (Mali), 28-30 May 2002[11]

•   Pan-European Regional Conference, Bucharest (Romania), 7-9 September 2002[12]

•   Asia-Pacific Regional Conference, Tokyo (Japan), 13-15 January 2003[13]

•   Latin America and the Caribbean Regional Conference, Bávaro (Dominican Republic), 29-31 January 2003[14]

•   Western Asia Preparatory Conference, Beirut (Lebanon), 4-6 February 2003[15]

The results of these regional conferences are posted on the WSIS website and were distributed to PrepCom-2 participants as a compilation so that they could be taken into account in the work of Subcommittee 2 on the content of the Summit.

IV   Activities undertaken to enhance the visibility of WSIS

Mr Samassékou took the initiative of meeting with Heads of State interested in the Summit and with United Nations authorities and agencies, as well as with key figures from international organizations and other bodies and institutions from the public sector, the private sector and civil society, in order to enhance the visibility of WSIS and obtain the best possible participation in the preparatory process and the Summit itself. The details of his meetings and visits are provided in his reports to PrepCom-2[16] and PrepCom-3[17], it being particularly significant that he had the honour of being received by the authorities, on several occasions at the very highest level, of the following countries: Germany, Brazil, Brunei Darussalam, Dominican Republic, Egypt, United States, France, Greece, Italy, Japan, Mali, Morocco, Mexico, Mozambique, Romania, Switzerland and Tunisia. He was also received by the United Nations Secretary-General in New York and by his undersecretaries, as well as the Directors-General of the United Nations agencies and international organizations in Geneva; by the Commission for Enterprise and the Information Society, the commission responsible for external relations and the Directorate-General for Development of the European Communities; by the Secretary-General of the African, Caribbean and Pacific Group of States; by the Secretary-General of *Francophonie*; by the Secretary-General of the Commonwealth; as well as by a large number of heads of permanent missions to the international organizations at Geneva with responsibility for WSIS.

Mr Samassékou has also participated, in his capacity as President of the Preparatory Committee for WSIS, in a series of events and conferences in order to inform participants of the preparatory work for the Summit and share with them his personal vision:

–   23rd University Summer Course in Communication, 26-30 August 2002, Hourtin

–   World Summit on Sustainable Development, 26 August - 4 September 2002, Johannesburg

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[11] http://www.itu.int/wsis/preparatory/regional/bamako.html

[12] http://www.itu.int/wsis/preparatory/regional/bucharest.html

[13] http://www.itu.int/wsis/preparatory/regional/toyko.html

[14] http://www.itu.int/wsis/preparatory/regional/bavaro.html

[15] http://www.itu.int/wsis/preparatory/regional/beirut.html

[16] http://www.itu.int/dms-pub/itu-s/md/03/wsispc2/doc/S03-WSISPC2-DOC-0010!!MSW-E.doc

[17] http://www.itu.int/dms-pub/itu-s/md/03/wsispc2/doc/S03-WSISPC2-DOC-0004!!MSW-E.doc

–   GlobalCN 2002, III Global Congress on Community Networking in the Digital Era,
    9-13 October 2002, Montreal

–   United Nations General Assembly, Commission II, 16 October 2002, New York

–   Bishkek-Moscow Conference on the Information Society (WSIS preparatory conference for
    CIS countries), 22-24 October 2002, Moscow

–   G77 High Level Conference on Science and Technology, 27-30 October 2002, Dubai

–   Civil Society Consultative Meeting in preparation for WSIS, UNESCO,
    27-28 November 2002, Paris

–   Ministerial meeting of Francophone countries, 12-13 December 2002, Lausanne

–   Asia-Pacific Regional Conference for WSIS, 13-15 January 2003, Tokyo

–   Latin America and Caribbean Regional Conference for WSIS, 29-31 January 2003, Bávaro,
    Dominican Republic

–   OECD/UN/World Bank, "Forum on the knowledge economy. Integration of ICTs in
    development programmes", 4-5 March 2003, Paris, France

–   2nd Symposium on *Francophonie*, "Three dimensions of language: Cooperation, Diversity
    and Peace", 2-4 April 2003, Mexico City, Mexico

–   EU/Greek Government, Symposium on e-inclusion, "Towards an information society in
    Europe for citizens", 11 April 2003, Heraklion, Crete, Greece

–   Global Business Dialogue on e-commerce (GBDe), workshop on WSIS, 20 May 2003,
    Brussels, Belgium

–   European Internet Foundation, Dinner debate, "Preparing for WSIS", 21 May 2003,
    Brussels, Belgium

–   Global Knowledge Partnership (GKP), Annual Conference, "Knowledge for development
    initiatives", 21-23 May 2003, Rome, Italy

–   UN ICT Task Force, Regional conference for Latin America and the Caribbean, "Towards
    WSIS - renewed roles for the private sector", 12-13 June 2003, Rio de Janeiro, Brazil

–   Arab League/Arab Republic of Egypt, Regional Pan-Arab Conference on WSIS,
    16-18 June 2003, Cairo, Egypt

–   EU/Italian Government, Conference on "e-government", 7-8 July 2003, Como, Italy

–   African Union, Second ordinary assembly of Heads of State and Government,
    10-12 July 2003, Maputo, Mozambique

–   International Federation of Libraries Associations and Institutions (IFLA), World Congress
    of Libraries and Information and General Assembly, 1-9 August 2003, Berlin, Germany

–   Pacific Economic Cooperation Council (PECC), 15th session "Securing the future: a
    strategic path for the next decade", 1-3 September 2003, Brunei Darussalam

–   OIF/Government of Morocco, Conference of French-speaking Ministers on the Information
    Society, 4-5 September 2003, Rabat, Morocco

–   Ministerial round table "Towards knowledge societies", UNESCO, 9-10 October 2003,
    Paris

–   ITU TELECOM WORLD 2003, 12-18 October 2003, Geneva

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