



Memorandum of Arrangement

between the

**INTERNATIONAL TELECOMMUNICATION UNION
("ITU")**

and the

**AFRICAN TELECOMMUNICATIONS UNION
("ATU")**

on

"Bridging the Standardization Gap"

This Memorandum of Arrangement (“MoA”) is entered into, by and between:
THE INTERNATIONAL TELECOMMUNICATION UNION (“ITU”), an intergovernmental organization and the specialized agency of the United Nations for information and communication technologies (ICTs), having its headquarters at Place des Nations, CH-1211 Geneva 20, Switzerland; and

THE AFRICAN TELECOMMUNICATIONS UNION (“ATU”), an intergovernmental organization and specialized institution of the African Union in the field of telecommunications/ICT, having its headquarters at CA Centre, Waiyaki Way, P.O. Box 35282 – 00200, Nairobi, Kenya.

WHEREAS

A. The African Telecommunications Union is the leading continental organization established with a mission to foster the development of information and communication technologies infrastructure and services through collaboration among various ICT stakeholders, facilitating the development of sound ICT regulatory frameworks and encouraging investment in Africa.

B. Resolution 123 (Rev. Busan, 2014) of the ITU Plenipotentiary Conference instructs the ITU Secretary-General and the Directors of the three Bureaux to work closely with each other on the follow-up and implementation of said Resolution, as well as *i.a.* of Resolutions 44 and 54 of WTSA, Resolutions of 37 and 47 (Rev. Dubai, 2014) of WTDC and Resolution ITU-R 7 (Rev. Geneva, 2015) of RA, in order to step up actions intended to reduce the standardization gap between developing and developed countries.

C. The strategic plan for the ITU for 2016-2019, approved by means of Resolution 71 (Rev. Busan) of the ITU Plenipotentiary Conference, includes under the objectives of ITU-T to “promote the active participation of the membership, in particular developing countries, in the definition and adoption of non-discriminatory international standards with a view to bridging the standardization gap.”

D. Resolution 44 (Rev. Hammamet, 2016) of the ITU World Telecommunication Standardization Assembly instructs the Director of the Telecommunication Standardization Bureau, in collaboration with the Directors of the Radiocommunication Bureau and the Telecommunication Development Bureau and within available resources, to encourage the formation of partnerships under the patronage of ITU-T as one of the means for financing and implementing the objectives of the action plan annexed to this resolution.

E. The ITU World Telecommunication Development Conference (Dubai, 2014) declared in its Dubai Declaration, *i.a.*, that “Increased participation of developing countries in ITU activities to bridge the standardization gap is needed in order to ensure that they experience the economic benefits associated with technological development, and to better reflect the requirements and interests of developing countries in this area”. The African Telecommunications Union recognizes the growing importance of standardization in an increasingly complex and global economy, the central role of ITU in the development of global ICT standards and the fundamental role of bridging the standardization gap as part of ITU's historic mission to connect the world.

F. ITU and ATU now desire to enter into this MoA for the purpose of establishing a high-level, non-binding framework applicable to the collaboration between ITU and ATU which is described herein in relation with ITU's activities aiming to bridge the standardization gap (“BSG”) between developed and developing states.

NOW THEREFORE, ITU and ATU (hereinafter referred to as “the Participants”) intend to collaborate with each other as follows:

ARTICLE 1

PURPOSE OF THIS MOA – IMPLEMENTATION OF THE COOPERATION

- 1.1 The purpose of this MoA is to establish a high-level, non-exclusive framework for the cooperation which the Participants mutually intend to undertake in the commonly agreed areas that are more fully described under Article 2 (collectively, the "Cooperation").
- 1.2 The relevant terms and conditions concerning the Cooperation (including, without limitation, those relating to any financial, legal and operational matters, as well as to any respective rights, roles and responsibilities of the Participants)

will be set forth in one or more legally binding written agreements and/or other instruments which will be separately negotiated, agreed to and signed by both of the Participants following the execution of this MoA.

ARTICLE 2 AREAS OF COOPERATION

Subject to the other provisions of this MoA, the Participants hereby express their mutual intent to cooperate in the following areas, in accordance with their respective rules, regulations and procedures:

- 2.1 Coordinate with each other with the objective of organizing events, seminars, forums, and information sessions at a regional level focusing on disseminating information and capacity-building so as to strengthen technical expertise, and increase the participation of developing countries in the establishment and widespread use of telecommunication standards, through their participation and contributions at ITU standardization activities.
- 2.2 Establish contact points within their respective secretariats to ensure coordination and dissemination of information on BSG activities of the ITU, as well as to ensure that interested Member States of the region receive updates in advancements in the technical work of ITU-T Study Groups.
- 2.3 Coordinate with each other in providing assistance to interested Member States of the region in creating National Standardization Secretariats (NSS) in line with Resolution 44 (Rev. Hammamet, 2016) of WTSA.
- 2.4 Promote the Cooperation through outreach to their respective constituencies as well as through the media (e.g. press releases).
- 2.5 Encourage Member States of the region to take an active part in the activities of ITU-T regional groups and support regional organizations in setting up regional frameworks for the development of standardization activities, in accordance with Resolution 44 (Rev. Hammamet, 2016) of WTSA.

ARTICLE 3
NATURE OF THIS MOA; FINANCIAL ARRANGEMENTS

- 3.1 This MoA is not intended as, and will not be deemed or construed as, a binding agreement between the Participants. Nothing contained in this MoA will give rise to any form of fiduciary or legal obligations or responsibilities by either Participant.
- 3.2 This MoA does not constitute, and will not be deemed or construed as, any obligation or commitment of any type, whether express or implied, by either Participant in respect of the provision of funds or financing; and any activities that may be conducted hereunder will be subject to and contingent upon the availability of sufficient staff, funds and other resources.

ARTICLE 4
PRIVILEGES AND IMMUNITIES

Nothing in this MoA may be interpreted or construed as a waiver or modification of the privileges, immunities and facilities which ITU and its officials enjoy by virtue of the international conventions and national laws applicable to it.

ARTICLE 5
DURATION OF THE MOA; AMENDMENTS

This MoA will come into effect upon the date of its signature by both Participants and its provisions will remain applicable until this MoA is terminated by either Participant, by providing written notice thereof to the other Participant at least thirty (30) days prior to the effective date of such termination. This MoA may only be modified or supplemented pursuant to a written amendment mutually agreed to and signed by both of the Participants. Any such amendment will be annexed to this MoA and will form an integral part hereof.

ARTICLE 6
CHANNEL OF COMMUNICATIONS AND NOTICES



- 6.1 For purposes of facilitating the implementation of the agreements and other arrangements which may be established by the Participants under the framework of this MoA, the channel of communication for the Participants will be as follows:

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| <p>For ITU: International Telecommunication Union Attention: Dr Lara Srivastava Telecommunication Standardization Bureau Place des Nations CH-1211 Geneva 20 Switzerland Tel: +41 22 730 5884 Fax: +41 22 730 5854</p> | <p>For ATU: African Telecommunications Union Attention: Meriem Slimani African Telecommunications Union CA Center Compound, Waiyaki Way Westlands PO Box 35282 - 00200 Nairobi, Kenya Mob: +254 726 820 362 Tel: +254 722 203 132</p> |
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6.2 Each Participant may, by written notice to the other Participant, designate additional or substitute representatives of such Participant.

**ARTICLE 7
 SETTLEMENT OF DISPUTES**

The Participants concur that they will exercise good faith efforts to resolve any dispute between them arising out of or in connection with this MoA, either through amicable direct negotiations between them, or by any other means to which the Participants mutually agree in writing.

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| <p>For the International Telecommunication Union</p>  <p>.....</p> <p>Dr Chaesub LEE Director Telecommunication Standardization Bureau</p> <p>Place: <u>Geneva, Switzerland</u> Date: <u>12.02.2018</u></p> | <p>For the African Telecommunications Union</p>  <p>.....</p> <p>Mr Abdoukarim SOUMAILA Secretary General African Telecommunications Union</p> <p>Place: <u>NAIROBI, KENYA</u> Date: <u>12/02/2018</u></p> |
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