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ITU PLENIPOTENTIARY CONFERENCE 2014

BUSAN, KOREA

29 OCTOBER 2014

SEVENTH MEETING OF COMMITTEE 5

09:30

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>> CHAIRMAN: Good morning, everyone. Welcome to the seventh meeting of Committee 5. We have Document Number 40, which is our draft agenda for this morning. So document 40. Do you have any remarks on this draft agenda?

Seeing none, the agenda is adopted. Thank you very much.

Now, I suggest that we turn to agenda item 3, global flight tracking. I believe that I heard that progress has been very good here so I'm going to give the floor now to the Chair of this Working Group, our colleague from Germany, Mr. Wegner. And I would like to ask you to turn to document DT/33 for this agenda item.

Germany, you have the floor.

>> GERMANY: Thank you very much, Mr. Chairman, and good morning everybody.

Yes, this is Chairman of ad hoc of Com 5 on flight tracking issues, and I feel honored to report back from ad hoc to Com 5 on the progress which has been achieved in the ad hoc group during the last couple of days.

Mr. Chairman, the ad hoc group on the issue of global flight tracking introduced by Committee 5 of the Plenipotentiary Conference 2014 was delegated the task to consider various contributions submitted by all of ITU regional organizations in order to develop a draft Resolution which provides a strong message to WRC-15 to take action on the issue of flight tracking.

The group met three times in meetings and considered all the views and proposals from informal meetings and offline discussion, which were organized and open for all interested delegates of all ITU regions.

The ad hoc group acknowledged as a fact that the issue is a matter of urgency, and the most appropriate instrument in addressing it to the upcoming WRC-15 will be a new Resolution, with the agreement that each of the proposals has to accept the overall context and the guidance given by Com 5 Chairman regarding the deliverable requested to be submitted, permitted through chief maximum possible efficiency and productivity of the group.

Due to sensitivity of the issue and the urgent need to provide a high level political message towards WRC-15, the ad hoc group, after lengthy and very intensive discussion, is of the view that no specific details such as spectrum or technology related matters should be addressed in the new Resolution. However, in order to have a significant recognition of such issues, which are either factual or fulfill the consideration and part of the delicate compromise, it is proposed to be placed in the preambular part of the Resolution.

Mr. Chairman, the proposed Resolution on flight tracking is a very sensitive and well-balanced compromise, based on different views coming from regional organizations on how to solve the issue.

The ability of ad hoc participants to conclude on the issue is a very good example that ITU is still of the ability to take different ICT issues onboard and conclude on that.

I would like to express my sincere appreciation to all participants of the group for their kind willingness to compromise on the issue, for their support given to me, and the trust, and in particular to those who attended the informal meeting on Monday evening, which brought us very, very close to the compromise.

Mr. Chairman, the proposed Resolution on flight tracking issues contained in document DT/33 is for further consideration of Com 5.

Thank you very much.

>> CHAIRMAN: I thank the Chair of this Working Group, Mr. Wegner. I think you've done excellent work. It was not easy, I understand. So I believe that we will be able to adopt this compromised text without any problems as it stands.

I have a request for the floor, Malaysia first and then Canada. Malaysia, please.

>> MALAYSIA: We would like to acknowledge and appreciate the hard work and long hours put in by the Chair and our colleagues from all the regions. Particularly, we would like to thank Mr. Arasteh for the compromise text that he came up with.

Chair, as you stated in the policy statement, our main goal is to initiate dialog at the highest level to facilitate global flight tracking. The text of the Resolution has been carefully crafted and represents a well-balanced view from all the regions. We strongly support the Resolution going forward.

Thank you, Chair.

>> CHAIRMAN: Thank you.

Canada, please, I give you the floor.

>> CANADA: Thank you, Mr. Chairman.

We would also like to thank Mr. Wegner, the Chairman of this ad hoc group, for his excellent work, and the spirit of cooperation that all countries have shown during this work.

And we also are very gratified that we all agree that there would be an agenda item at the next WRC conference dealing with this important flight safety issue.

We also recognize, Mr. Chairman, the delicate balance achieved with regards to this text, and we will hopefully -- we hopefully will see it approved during this conference.

However, Mr. Chairman, at this time we are confused by two aspects, and we would like to seek clarifications. One aspect has to do with a recent legal opinion that the ITU Legal Advisor would have provided on a Resolution similar to this in which the Legal Advisor would have indicated that since the word "Allocation" is not part of the "Resolve," that as a result a WRC would not be able to move forward if it wishes to do so and deems it appropriate with making an allocation.

This would mean, of course, Mr. Chairman, that, as currently written, this Plenipotentiary Resolution, while very well crafted with the intent of being very well balanced, would actually constrain the ability of WRC-15 in fully addressing this important issue in its work.

Mr. Chairman, there is also a second aspect that we are a little bit confused about, and it's with regards to our colleague from the UK and ITU-R working party 5B Chairman, who is currently leading the work of working party 5B in Geneva as we speak, who has indicated, as we understand, that given the current wording of the Resolution, the working party 5B would not be able to move forward in addressing this important issue in preparations for WRC-15.

So, Mr. Chairman, we -- and I'm sure all of us who participated in the ad hoc group -- would like to know if there are any constraints, if this Resolution actually puts any constraints on WRC-15's ability to fully address this issue, as it deems appropriate.

Mr. Chairman, we need to make sure that there is no ambiguity, whether in the context of WRC-15 or in the context of ITU-R working party 5B in the ability of these groups to move forward in developing, working and preparing whatever text is needed to fully address this really important issue.

So with this in mind, Mr. Chairman, we would like to seek the advice of the ITU Legal Advisor on this point, and when of course he is prepared to do so and with your permission hold off on the approval of the text until this issue is clarified.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you. I thought that there had been a compromise, but I wonder whether this really is the case, following your intervention.

Iran, please.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Mr. Chairman. Good morning. It's a very nice day, Chairman, sunshine outside, and we are sitting inside and we spent hours, as the Chairman of the group mentioned.

We are not aware of any requests for legal views, legal opinions. We have not asked that. Chairman, we don't want to enter into the comments by the legal advisor. He is free as a legal advisor to the Secretary-General to make any advice that he so wishes.

Chairman, the reference to allocation is not in this Resolution, in the "resolves" part, for the reason that allocation according to the Radio Regulation is made for a service. Global flight tracking for civil aviation is not a service, Chairman. It's an application.

The Plenipotentiary is not expected to get into the detail of the Radio Regulation, and modifying Article 5 of the Radio Regulation was clearly mentioned in the first element of that contribution: Allocation to a service, assignment to a station, and allotment to an area.

If Plenipot wants to modify the Regulation, perhaps there should be another conference to modify the Regulations, definitions of Regulations.

We should not talk about the satellite because we don't know what the WRC will decide. However, as mentioned by the Chairman of the group, the word "Satellite," the word "spectrum allocation," the word to the extent possible "Safety aspect" are in the preamble part of that.

Chairman, the issue for us was urgency of the matter. We have addressed that.

The issue for us was to include that in the agenda item of WRC-15, in accordance in 119. We have done that.

I don't understand the view of the working party 5B Chairman. I'm sorry, we can't go into the detail in the Plenipotentiary Conference, highest organ of the Union, and listen to the views as has been quoted by someone quoted by the Chairman of 5B. His view is respected, that's all. We are not going to discuss the validity or otherwise of the views that he is able or not. I don't agree with that.

Chairman, the resolution we have mentioned is consistent with ITU-R practice. That's all. So I don't think that we should get the views of particular working parties, particular individuals, and so on and so forth. This is a very delicate balance. When you just put something in the planning that this is an issue recognized by the PP and you have to take that into account and appropriately address that, that is the APT proposal. However, APT very willingly worked with the others and we have an agreement.

We thought that the document comes without any discussions at this meeting, and we agree with that globally, Chairman. If we open the discussions, and talking of the views of the Chairman of working party 5B, I'm very surprised that for the first time in Plenipotentiary it made reference to the Chairman of the working party. His views are respected, as usual. The views of the legal unit, I think we should leave it to the WRC. The WRC has clear instruction to include that in the agenda.

So there will be no discussion whether WRC is competent or not competent. It's an instruction from the PP. Whether it goes to allocation, that's up to the WRC to see how they did with the matter. And we have put it as appropriate consistent with the practices of ITU-R. And I don't think we should open the discussion. I don't believe that we should ask for any legal advice, any legal opinion, not to get to that detail. Leave it to WRC, and approve this Resolution as it is at this meeting.

Thank you.

>> CHAIRMAN: Thank you. I thank the delegate of Iran.

I now have various requests for the floor, Nigeria, Netherlands, UAE, Russian Federation and UK.

Nigeria, please.

>> NIGERIA: Thank you, Mr. Chairman.

Mr. Chairman, please permit me to really speak some truths here. There are four regional positions in favor of this conference taking action to make sure that flight safety is addressed at the next WRC.

Mr. Chairman, there is a clear interest in Asia to do the same. We acted in good faith to do this. However, Mr. Chairman, it seems that procedural coining may have succeeded over the interests of those here.

This PP must act to answer the will of the International community. Not to do so will be abnormal and reflect badly on this body.

But there is something else, and this is a simple matter. We are seeking so make sure a competent body addresses flight safety, and this is the plain truth. We seek to do this as quickly and as responsibly as possible. We are answering the call of the International community as expressed in various extraordinary meetings, in meetings of this organization and by the International civil aviation.

A simple matter which we are trying to get more better ASFT today.

To oppose this and to use procedural sleight of hand, Mr. Chairman, to my Delegation at least, appears to be a strange and ungood composition indeed. Let me be clear what we are not doing. We are not suggesting that the WRC should act irresponsibly. We are not suggesting that the ITU move excessively quickly. We are not trying to prejudge the outcome of WRC. We are not neglecting to study or otherwise fail to do our homework. We are not contesting the principle of technology neutrality.

On the contrary, we are seeking to improve the range of technologies available for the purpose.

Mr. Chairman, let us not use complex language to mask the truths anymore. We are seeking to do the right thing with measured responsible States by creating as best to apply available solutions to correct problems, and we have agreed to text that is not adequate to the task.

Mr. Chairman, I hope that my colleagues in other regions can really join me to consider the observations that have been raised by CITEL. And I think if we look at these observations critically, we will be able to move forward with this particular Resolution in a positive manner.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you.

The Netherlands, you have the floor.

>> NETHERLANDS: Thank you very much, Chairman.

Well, in our view, we have gone through this allocation issue in great depth in the last couple of days. And we were happy with the compromise as it is now in the text. And I prefer to associate myself with the comments made by Mr. Arasteh.

Thank you.

>> CHAIRMAN: Thank you.

The United Arab Emirates, please.

>> UNITED ARAB EMIRATES: Thank you, Chairman. And good morning, everybody.

Chairman, I'm speaking on behalf of the Arab Group. So at the beginning of the discussion on this very important subject, we already took the floor. It is a very important subject. Nobody is unaware of this. The Conference and all the regions are aware this, so we do need to take a decision in this regard and put forward a recommendation which would come from this Plenipotentiary Conference.

This would provide a solution to this problem, which is linked to passenger security and the security of civil aviation. The Arab Groups underlined the great need to come up with a Resolution which would instruct at the next World Radio Communications Conference, to closely follow this issue, global flight tracking, and to address this issue while taking into account the studies undertaken in the Radio Sector, the R Sector.

The Arab Group, sir, is certain that the text we have before us, which has been subject to consensus in the ad hoc group, is certain that this text is sufficient. And I commend the explanations of a large number of the regional groups. We do not see any need to talk about early allocation. This issue of allocations could be discussed at another conference in the future. So therefore I believe that in this Plenipotentiary Conference, despite the lack of specialists in a number of Delegations, I do believe that we should not make changes to this document that we have before us.

Thank you very much.

>> CHAIRMAN: Thank you. I've taken note of your position.

The Russian Federation, please.

>> RUSSIAN FEDERATION: Thank you, Chairman.

On this issue, this issue of allocation, we had very lengthy and detailed discussions. And as a result of these discussions on Monday at the informal meeting and on Tuesday also at the informal meeting, we twice came to a general understanding on the text of this document. General agreement. Our colleagues, once again, would like to, for a third time, open up the discussion on this issue. It seems to me that this is not very productive and it is not in line with the spirit that we have here, that prevails here at this Plenipotentiary Conference when we find consensus, which is a mutually agreeable solution for all members and participants in the discussions.

As regards to text of the Resolution, I would like to remark that at the first meeting of the Committee when we established this group we agreed about the principles, what should be in this Resolution. And this was agreed at your Committee, sir. We agreed that the Resolution should be as general as possible. It should not pertain to specific radio services, bands, and allocations. But it should give a very clear and strong signal to the WRC of 2015 that this issue required urgent action and an urgent reaction in the framework of the existing procedures and the frameworks that exist when frequencies are considered. Because issues linked to security do, in fact, require careful and well weighed up actions and approaches, which should be considered by the WRC in 2015.

As regards to this ad hoc group and its tasks, and its work, well we would like to thank the Chair, who was from Germany, for coming up with these well-balanced solutions. Everyone found the consensus and the general understanding here that will allow us to move forward, will allow us to respond to this very important and urgent task; namely, addressing security and global flight tracking for civil aviation.

The RCC countries fully support the agreed text of the Resolution. We do not see any need for a third, fourth, or fifth discussion of the very same issue which we already discussed with our colleagues and on which we already came to an agreement and on which we had a consensus forum in this regard.

Thank you, sir.

>> CHAIRMAN: I thank the delegate of the Russian Federation.

We have heard the different regions express their opinions and say that they do not wish to reopen the discussion and that they support the compromise.

It seems to me that we should pursue the spirit of collaboration and work together to find the solutions which will be accepted globally. It appears to me that we have before us a document that has been approved under the Chairmanship of our German colleague. I believe that it would not be very fruitful to reopen the discussion. And I suggest now that we take account of what we have heard from each of the speakers who appear to agree on the text. Therefore, perhaps we should not head into further discussions, which as many have noted may well be fruitless and simply a waste of time.

Therefore, I believe that we can agree on document DT/33 as presented. All of those who have requested the floor I would ask them to withdraw those requests. I would simply like to ask if anyone is in opposition to this document which we are accepting, otherwise, as a compromise.

Now I see that Canada still exists. The delegate of Canada, does that mean that you cannot accept this document? I recognize Canada.

>> CANADA: Thank you, Mr. Chairman. No, it doesn't mean that. Simply to say that, as I've said in my earlier intervention, we recognize that this is a well-crafted, well-balanced compromise. However, Mr. Chairman, the issue that we have raised, that has come to bear here, is that there exists a legal opinion that has -- we were just made aware of recently, which seems to change the underlying situation that we all considered when we had -- when we succeeded in reaching this agreement.

So I am not suggesting that we reopen discussions on the text. At this point in time we do not want to touch the text. The only aspect is information. We are just asking for information, Mr. Chairman, and I understand that the Legal Advisor provided relevant information with regards to agenda item 1.5. That has a direct bearing on the discussions today. And so we are not requesting to reopen the document. We are just wanting to make sure that as -- that this legal opinion -- we would like to have clarity as to whether this legal opinion has bearing or not on the issue at hand today.

If we move forward with the approval of this document as it stands, without this knowledge, then we are making a decision with our eyes closed, without all the facts.

So, Mr. Chairman, I'm not asking to reopen this document. I'm just asking for information from the legal adviser.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you. And so I encounter a small problem. If we adopt the document as it is or if we ask for additional information, then we may be continuing the discussion based on that further information. So there is a contradiction here.

And so therefore I suggest that given that everyone, as you said, is ready to accept this compromise, I propose that we do accept this compromise and then subsequently we may receive additional complementary legal opinions, if requested. I would suggest that the Canadian delegate turns directly to the legal counsel for those opinions.

In any case, as far as I understand, those legal opinions are not central to the debate of the working party. And so in the spirit of compromise, I propose that as everyone has requested, we adopt this document DT/33 in order to avoid superfluous discussion. And so can we proceed as I suggested?

(Applause)

No Delegations have problems.

Thank you. Thank you. It is thus adopted.

And those who would like to explore further legal questions related to this item, Mr. Arnaud Guillot I believe is ready to respond to their questions during the break.

In any case, a big thank you to everyone who have adopted this document. It is a very delicate issue. I believe now that we can place our confidence in the WRC-15. We can trust that they will find the appropriate solutions on flight tracking.

I thank Mr. Wegner and his group for having proposed document DT/33. And I thank you all for your excellent work in the spirit of compromise. And so we have successfully completed work on this agenda item, and I thank you for that.

>> DIRECTOR BR: Thank you, Mr. Chairman.

I would like to commend Committee 5 for the decision it has taken, to transmit to the plenary your recommendation to place on the agenda of WRC-15 this very important item. I believe now we will be moving in a direction which will truly be in harmony with what has been requested by the International community, without prejudicing other decisions of the Conference. And so I simply wanted to congratulate you on that excellent decision.

Thank you.

>> CHAIRMAN: Thank you, Mr. Rancy.

For the WRC, you are the principal concerned party and so we're very, very fortunate for your support to ensure the greatest success of work in this issue.

I suggest now that we move on to agenda item 4, resolution 169, we have a Document Number 89. Document 89.

I will give the floor to you because this is a document relating to particularly Resolution 169, CL/89/3. I recognize the President of the Committee.

Cameroon.

>> CAMEROON: Thank you, Mr. Chairman, and good morning to all colleagues, Delegates here.

Resolution 169 as adopted by PP-10 established a category of academia participation in the Union on a trial basis until the next Plenipotentiary Conference. Following input from the Working Group on finance and human resources, Council approved some modifications to this Resolution as outlined in PP 14 document 89. If adopted by this Plenipotentiary Conference, these modifications will provide a continuation of a trial period until 2018.

So the required from this PP-14 is to consider modifications to Resolution 169.

Thank you, Mr. Chairman.

>> CHAIRMAN: I thank the delegate of Cameroon for presenting the document.

And now there are a number of different proposals from various regions. Notably, I see in document 34 a proposition from CITEL. And so I suggest that Argentina present this document.

Thank you.

>> ARGENTINA: Thank you, Chairman. CITEL has this proposal to submit to the room regarding the modification to Resolution 169. CITEL is certain that the inclusion of academia in the ITU will have a favorable impact on all actors, Member States, and the Union, and it generates interesting and important work, particularly in Developing Countries in increasing their participation through their universities.

This is why we're bringing this proposal to your attention. It is mainly pertaining to including universities in the academic Sector in the three sectors, without distinction within the Union.

Thank you.

>> CHAIRMAN: I thank the delegate of Argentina for that intervention.

I will now give the floor to the Asia Pacific community for document 67A2/6. I give the floor to Australia.

>> AUSTRALIA: Thank you, Mr. Chairman.

The Asia Pacific members wish to propose modifications to this to the work of the three sectors. Members supporting this are supportive of the academia membership category and wish to continue this membership category in the future.

The proposal suggests amendments to "considering" b) that would recognize the benefits to the Union of the participation of academia members during the trial period of this category of membership.

The other changes proposed to the Resolution seek to underscore that no changes to the Constitution or Convention are required to consider to continue this membership category.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you for that intervention. I now have a proposal 79A1/8 from the United Arab Emirates.

You have the floor.

>> UNITED ARAB EMIRATES: On behalf of the Arab Group, I present the amendment proposal for this very important Resolution which concerns the admission of academia in the three sectors of the Union. It's a very important issue. It's important that there should be authorization for these University establishments and also associative research establishments, for them to be able to participate in the works of the ITU in general, given that they have demonstrated the usefulness of such participation to the ITU in the past.

Such establishments also are concerned by technological issues discussed by the ITU, and we consider that this will continue in the future.

We hope that they will receive authorization to work with the ITU without there being any need to adjust any of the founding or charted documents.

In the new period, we hope that these establishments will be authorized to participate in the ITU and we believe that such participation will be very useful for the ITU and for these establishments. A number of amendments are proposed, which you will find in the document. And we would like to present them in detail later.

Thank you.

>> CHAIRMAN: I thank the delegate of the United Arab Emirates.

One last intervention now from Europe, 80A1/9. The Czech Republic will explain this document to us.

Thank you, you have the floor.

>> CZECH REPUBLIC: Thank you, Mr. Chair, thanks for the floor.

Just briefly, this document is based on the common feeling on academia and also further involvement of academia into the work of the ITU. We come with the European common proposal to continue in the admission of academia, universities and their associated research establishment, to participate in the work of the three sectors of the Union that started in Guadalajara in 2010.

Europe has examined the Resolution 169, and proposes the necessary amendments in order to reflect the success of the participation of academia, universities, and their associated research establishments in the work of the three ITU sectors, and Europe believes that their participation should be enabled on a permanent basis.

Because the benefit of their participation so far has really proven. So we are pleased to introduce this European common proposal, which has been supported by all the CPT States participating in the work, and updating the Resolution on academia was a natural result of our cooperation with academia members, and we are of the opinion that we only fulfill a common view on this matter.

Thank you.

>> CHAIRMAN: I thank the delegate of the Czech Republic.

After having listened to these different statements, it seems to me that everyone agrees with the idea of this fruitful participation with the world of academia, and it seems to me that all that remains is to regulate a number of small details in the correct formulation before we adopt this Resolution 169. And so this editing work of course is not going to be done in the plenary of this meeting of Committee 5. I think that we could have an additional group working with the speakers this morning. I wonder, for example, whether Australia would be happy to shoulder the mission of leading a small group to formulate, together with the other countries of the region, the wording of Resolution 169.

Canada has requested the floor. Canada, please.

>> CANADA: Yes, thank you, Chairman. Chairman, if you'll allow me to speak as the Chairman of the Council Working Group on financial and human resources, this matter of course was addressed by that group, and it was addressed at Council as well as part of the report from the Council Working Group.

Chairman, I believe it's important to clarify three points in relation to the participation of academia. The first being that academia is not a membership category. It is a participant category. I think that is one clarification that needs to be clear, or made clear.

Secondly, I do believe it's important that we bear in mind the draft new Resolution, which is reflected in document 53 on the review of the current methodologies for the participation of Sector members, associates and academia in the future work of the Union. In that Resolution 53, in the resolves, it is foreseen to study the current structure of membership and the benefits and participation rights of Sector Members, associates and academia with a view to ensuring consistency and fairness between the categories of membership.

Thirdly, from what I heard from the interventions, the intention is for academia to participate in the work of the three sectors, and not necessarily in the governance aspects of the Union. I do believe it would be important to clarify that point as well.

So Chairman, these are points that I believe would be usefully taken into account in the work of this drafting group that you have established.

Thank you.

>> CHAIRMAN: Thank you. Thank you for the experience of Canada. We take good note.

And I recognize Iran.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Mr. Chairman.

Yes, we agree with the Distinguished Delegate of Australia to lead this meeting. In fact, all three points that Dr. Gracie mentioned is already in the ACP, and perhaps the delegates of Australia would lead the matter.

One thing that was pronounced very clearly by Europe and is in the ACP or the Asia Pacific, which is different from the Council document, we don't want that academia be given another trial period. We want to give them a permanent at this Plenipot conference and that is already in the ACP. So that needs to be taken into account. We don't want another four years of trial, because they have proved that they work very well and it is useful.

Thank you.

>> CHAIRMAN: Thank you for those comments.

The United States of America.

>> UNITED STATES OF AMERICA: Thank you, Mr. Chairman. And good morning to all colleagues today.

The United States would be happy to participate in this group. Though we don't have a proposal specifically on Resolution 169, we do have a proposal that would address membership issues more broadly with the new Resolution, and so we do have a keen interest in these issues.

Like others who have spoken this morning, we agree that participation by academia is useful and we do welcome their continued active engagement of academia in the ITU. However, we do believe that there are still some outstanding issues to be considered, and so we support that aspect of the CITEL proposal that would continue to allow membership or participation of academia for the next four-year period, and then to address it again at the next Plenipot, but we would be happy to continue to discuss these issues with our colleagues in an ad hoc.

Thank you

>> CHAIRMAN: Thank you. We take good note of your request, United States of America.

Without consultations, I should say I launched the idea of Australia heading this group. Perhaps Australia is not particularly comfortable with that suggestion. I would like to ask Australia whether she is ready to do this. Or perhaps Australia could say whether it can shoulder that responsibility. Following the opinions expressed, I would like Australia to state clearly whether they are happy with this or not.

>> AUSTRALIA: Thank you, Mr. Chairman. We are of course very happy to assist you in your work and to take on this responsibility, and have very carefully noted all of the comments made on the various proposals by delegates here today.

Thank you, Mr. Chairman.

>> CHAIRMAN: A very big thank you to Australia for your devotion to the common cause and your happiness to be the person presiding over this small group, open to everybody, concerning participation by University establishments. And so it seems to me that we could be heading towards true definitive participation and no longer limited, as has been in the past. I see that many delegations have underscored that aspect. And so now I suggest that on Friday that small group should report for the first time on Friday.

And so we can close agenda item number 4 and move on to 5. You have seen that concerning agenda item 5 there are a number of documents regarding the new Resolution of new ITU members. I just need to add one thing. This morning there is a new fresh document 122, which Committee 6 has delegated to Committee 5. I suggest the following: We can start with the presentations of the document. I've already introduced the topic. Document 122 is being translated into the six languages. And once it is ready we can then continue.

And so I started with this document, number 53. This is a Council report, and so I turn to the Chair of the Council for a presentation of document 53. I recognize Cameroon.

>> CAMEROON: Thank you, again, Mr. Chairman.

I'm pleased to present document PP14/53 on the review of the current methodologies and development of a future vision for the participation of Sector members, associates and academia in the activities of the ITU.

This document is a draft PP-14 Resolution, approved of course by the Council 2014, to provide a mandate and general terms of reference for Council to continue to review the current methodologies and develop a future vision for the participation of Sector Members, associates and academia in the activities of the ITU. This Resolution provides an updated mandate following the implementation of PP-10 Resolution 158. The Plenipotentiary Conference is invited to consider and approve this Resolution.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you for that presentation of document 53 from the Chair of Council.

Now we have document 60, which is a report from the Secretary-General. So I will give the floor to the Secretariat so that they can introduce this document.

Please go ahead.

>> ITU: Thank you, Chairman. I'm pleased to present document 60 on behalf of the Secretary-General, comprehensive report on the rights, obligations and conditions for participation of Sector members, associates and academia. As requested by Council 2014, this provides a comprehensive report to the Plenipotentiary Conference on the rights and obligations and conditions, including fees and procedures for admission, denunciation, and suspension for the participation of Sector members, associates and academia, and as appropriate in the meeting, all three sectors in the Council and Plenipotentiary Conference. The document provides also background information related to document 53, including a rationale for each of the points in the draft Resolution approved by Council.

The Plenipotentiary Conference is invited to note this document, and consider and adopt the proposals for revisions of Resolutions 152, 158, 169 and 170 as well as a draft Resolution to review the current methodologies and a future vision for the participation of Sector members, associates and academias in the activities of ITU.

Thank you.

>> CHAIRMAN: Thank you, Mr. Clark, for that presentation of document 60.

Now we have the United States of America. They have a proposal, document R1A2/5

>> UNITED STATES OF AMERICA: The United States appreciates and supports the efforts of the Council and its Working Group on these important matters, and we agree with them that further review is needed.

We therefore propose a new -- a draft new Resolution which essentially tracks the new Resolution proposed in document 14/53 that was just presented to the group. We have one minor addition, which would be to "resolves" 5, to clarify that the study of participation of nonprofit entities would be for those dealing with telecommunications/ICT matters, and we make that change to align it, this provision, more closely with the criteria that apply to other participants.

Thank you, Mr. Chairman.

>> CHAIRMAN: I thank the United States for that presentation.

Finally, I have a third document, in document 34R1-A1/44, from CITEL. R1-A1/44.

Which country from CITEL is going to present this document? I see there are not many volunteers. Is it Canada, which is the coordinator?

>> CANADA: Chairman, the purpose of the InterAmerican Proposal was simply to support the output document from the Council concerning the review of the current methodologies for the participation of Sector Members, associates and academia in the work of the Union.

So there weren't any particular changes to the output document from Council, document 53. But simply to indicate that the countries of the CITEL region are supportive of this draft new Resolution.

Thank you.

>> CHAIRMAN: I thank Canada for that information on this item.

So we have had the presentation of the documents and a proposal in document 53 from the Council on a new Resolution. From what I can see, the United States and CITEL proposals are along the same lines. So I do not think that we have any problems with these documents. However, I would like to still open up the discussion if Delegations would like to take the floor and express their views.

I'm asking whether or not the text which was submitted to you by the Council is, in fact, something which you can agree with.

Iran, please.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Mr. Chairman.

In the text, the important issue that we also bring to the attention of our distinguished colleagues and the person that you will designate to lead this work is that we need to avoid any contradiction with any Resolution relating to participation of these categories of membership and participants, Sector Members, membership, associate, academia or participants, in the following sense. We discussed a few minutes ago Resolution 169, which talks about associates, their participation rights and so on and so forth. If there is -- any other Resolution should not have any contradiction or overlapping with this one. Perhaps the other Resolutions perhaps may be confined to the participations of Sector members and Associates and the issue of academia will be discussed in one single Resolution, thoroughly covering everything.

However, in the Resolutions of membership and participants, there would be a cross-reference to the academia in the sense that perhaps we would add some note, noting that the participation and rights of academia in the activities of the three sectors, as was clearly mentioned by Dr. Gracie, that we have not yet come that they participate in the Treaty making process, but just the sector meetings, we should cross-reference them otherwise we might have some contradictions between the Resolutions. This is a very important issue and needs to be clarified, and so on and so forth.

So that is something that we would suggest for consideration of any persons or anyone that you designate to lead this group. It should be close coordination and collaboration with the Distinguished Delegate of Australia in dealing with Resolution 169.

Thank you.

>> CHAIRMAN: I thank you, Iran.

The United Arab Emirates, please.

>> UNITED ARAB EMIRATES: Thank you very much, Mr. Chairman. Good morning to you all.

With regard to the draft Resolution regarding the review of the current methodologies and development of a future vision for the participation of Sector members, associates and academia in the activities of the ITU, we think that this draft new Resolution will shed light on the duties, the obligations as well as the rights of all categories, including participation and other rights.

However, we have a question, Mr. Chairman, and we had voiced such a concern in a meeting with the group on the development of ICTs where we had an instruction to the Council to look into matters that would lead to the enhancement of nonprofit organizations in the activities of the ITU, including a new category of participation and rights and obligations pertaining to it.

And I would like here to have a clarification from the Secretariat or other parties with regard to this decision to the participation of nonprofit organizations or the establishment of a new category with the rights and obligations. So please, we would like to have a clarification before we could approve such a text.

Thank you.

>> CHAIRMAN: I thank the delegate from the UAE. We have taken note of your question. I do not know whether or not at this stage the Secretariat or perhaps other delegates would be able to respond to this question about not-for-profit organizations.

Mr. Clark, would you be able to respond to that, on discussions on this subject?

>> ITU: Certainly. Thank you, Chairman.

The rationale behind this part of the Resolution is that we actually have nonprofit entities that are participating in the Union and they tend to join under the category of International and regional organizations, and in most cases, almost all, they actually request exemption from fees. So this participation is already taking place, but the organizations are not paying fees. So the rationale here is to consider other ways of engaging this community and possibly with a fee paying category, but perhaps a low fee, similar to what is being done with academia. So that's the rationale behind it. So it's not introducing a new participation from a category that is not already here, it's perhaps looking at how we handle that participation.

>> CHAIRMAN: Thank you for that explanation.

Iran? Would you like the floor again?

>> ISLAMIC REPUBLIC OF IRAN: Chairman, the question is twofold. One, rights and obligations. Currently in the Convention some reference is made to the rights and obligations, some, for the associate. Number 241A, 241B, 241C, and number 241D and also there is number 248B. Very broadly associate.

Nothing is mentioned for the academia.

On the other hand, the decision of this conference is not to make any changes to the convention and Constitution. Therefore, anything should be appearing in the Resolutions.

But the rights and obligations is different from participations and payment and fees. They are two different things. So if you want to address the issue, address them quite properly and avoid any overlapping.

Having said that, Chairman, the presentation by the Secretariat of the nonprofit organizations was very broad. If the nonprofit organizations are referred to in the Article, it's not a problem. But if it's something that is not further mentioned, it is something that needs to be further studied and clarified.

Thank you.

>> CHAIRMAN: Thank you for that extra information regarding this draft Resolution.

To become comprehensive at this stage, I would like to give you the modification that Committee 6 is providing to us in it's document 122, which unfortunately is only available in English, which they have sent it to Committee 5.

If you excuse me, my English is not very Oxford English. But under "resolves to instruct the Council" in this draft Resolution, under paragraph 6, I'm going to read the new text out to you which has been proposed by Committee 6. The new text says "to review the practice and criteria for exempting entities from membership fees and, if necessary, make changes to tighten the eligibility criteria to help bring greater clarity, consistency, and fairness between paying and nonpaying members, and to reduce the total number of exempted entities."

So that is the text from our colleagues in Committee 6 who of course look at financial issues as pertaining to these issues of exemption from contributions.

This text is going to appear in document 122. I'm just reading it out to you so that at least you are aware of it.

However, having said that, I do not believe this will be a huge barrier to achieving consensus on this text, taking into account the proposal of Committee 6 on the "resolves to instructs the Council," which I just read out to you.

But to avoid any complication, as was mentioned by some colleagues, cross-references, particularly, without giving our Australian colleagues too much of a burden, I suggest that they also turn to this text to see if it can be adopted as it stands or with some small modifications.

I hope that shouldn't be too much work for them.

So I'd also like to give this text to Australia, which is also dealing with Resolution 169. I would like to turn to Australia and ask them whether or not this would be too heavy a burden for them.

Australia, you have the floor.

>> AUSTRALIA: Thank you, Mr. Chairman. Yes I'm happy to take on that responsibility as well. Thank you.

>> CHAIRMAN: Thank you. Thank you very much.

I would suggest that you give us the first report on Friday on resolution 169, and also on this new Resolution. So I would like to thank you in advance for your cooperation and hard work.

I believe it is time to have a coffee break. So I would suggest that we have a coffee break until a quarter past 11. I suspend the meeting until 11:15.

(Break)

>> CHAIRMAN: And so hello once again. We recommence our work of the seventh meeting of Committee 5. I do hope that not only did you manage to refresh yourselves with coffee and tea, but also that you managed to acquire the information necessary from the Secretariat and also the legal counsel.

I suggest that we continue working on our agenda. We have reached agenda item number 6. A draft new decision, access to ITU documents. I know that this is an issue that we have been discussing for a long time in the Council also, and I will begin with Document Number 59.

We will have a statement from the Secretariat on Document Number 59. I ask the ITU Secretariat to present Document Number 59.

>> ITU: On behalf of the Secretary-General, I'm pleased to introduce document 59 on further study on for access to ITU documents.

At its 2014 session, the Council considered a background document prepared by the Secretariat on access to ITU documents. The document defined the key terms such as documentation, publication and information. The document also presented a review of practices in the UN and the specialized agencies as well as an overview of practices in ITU.

The Council requested the Secretariat to further study the issue and present appropriate documentation and a summary of the discussion on this item by the Council to the Plenipotentiary Conference for decision.

Mr. Chair, in Part 2 to document 59, it provides further information on the current situation in ITU. In that regard, the type of information made available to the public, and details the access to ITU conference and meeting information.

Part 3 refers to the review policies and practices in the UN and other UN specialized agencies undertaken by the Secretariat. It also mentions the survey of information and disclosure policies and practices in five standardization bodies further contributed by the Secretariat.

Based on the review of practices in other UN and International agency, part 4 lists common elements that can be noted in an access to information policy. The annex will produce the summary of discussion during Council on this item.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you, Madam, for the presentation of Document Number 59. We now have a series of different proposals. I will start by that of the United States of America, document 27R1-A1/5. That is 27R1-A1/5.

I recognize the United States of America.

>> UNITED STATES OF AMERICA: Thank you, Mr. Chairman.

In this proposal the United States proposes a new decision on the ITU's document access policy. The United States proposes here that the ITU make all input and all output documents for ITU meetings at all levels publicly available. As the report that was just presented from the Secretariat -- from the Secretary-General's office demonstrates, the ITU lags substantially behind other UN and specialized agencies in making documents publicly available. Document 59 shows that with a few exceptions, other UN agencies have adopted a presumption of full disclosure of all information and documents generated by the organization, including for meetings at the working level as well as for governance bodies.

By contrast, the ITU presumes no public disclosure for meeting documents.

The United States strongly believes that making ITU documents publicly accessible will enhance the transparency of ITU decisions, will improve our decision-making, and will help ensure accountability. Such a decision will also make ITU practices more consistent with those of other UN agencies.

Mr. Chairman, in our contribution the United States proposes a new decision that would instruct the Secretary-General to develop a policy on public access to ITU documents, and to present the plan to Council 2015 for consideration and approval.

The new policy on public access should provide the widest possible access to documents for meetings at all levels, from Working Groups, Rapporteur group, all the way to Treaty conferences, and should include both input documents, contributions, reports, et cetera, and output documents, final decisions, Resolutions, reports, et cetera.

The proposal should also establish well-defined categories of documents that are considered confidential and therefore not available to the public. This would be consistent with document access policies of other UN and specialized agencies.

For example, there should be exceptions to protect the privacy of individuals and third parties, legal privilege, contractual, proprietary or commercial information and certain internal governance matters.

Mr. Chairman, the United States firmly believes that making documents available to the public will improve our deliberations here in the ITU, and will improve our outcomes.

Thank you.

>> CHAIRMAN: I thank the United States for the presentation of your document.

Now, I have document 67A2/8, from the Asia Pacific community. Japan, I give you the floor.

>> JAPAN: Thank you, Mr. Chairman.

On behalf of APT members, I want to introduce this proposal, briefly. APT members considered the issue related to access to ITU documents, taking into account the result of discussions at ITU Council. APT members propose to have a different kind of access policy for ITU documents, based on document categories, each category having been identified and access policies having been proposed.

Thank you, Chairman.

>> CHAIRMAN: I thank the delegate of Japan.

The next document is a document from the Arab States. It is document 79A4/1.

United Arab Emirates you have the floor.

>> UNITED ARAB EMIRATES: Thank you, Chairman.

Chairman, the group of Arab States presents a draft new Resolution on this very important subject. It is a policy to access to documents and publications. The proposal consists of creating an open Council Working Group which would be responsible for establishing a policy for document access, noting that ITU does not have such a policy.

In the document, we propose that this Council Working Group be created during the Council session held just after the Plenipotentiary, and that this Council Working Group will be established under the mandate specified in this document, in the index, and this document provides for this Working Group to submit a report to the Council at each one of its sessions. It also contains proposals and recommendations regarding the policy for document access. These are proposals which will be presented to the -- before the next Plenipotentiary, according to a timeframe which would also take into account the various opinions of Member States -- or members, rather.

And then the final opinion of this Council Working Group be submitted at the Plenipotentiary in 2018, so that a final decision can be made with regard to this policy, deciding whether or not such a policy should be adopted definitively at the ITU.

So this is a draft new Resolution from the Arab Group which is set out in this document. We are submitting our proposal for the development of this policy. You will also find a draft new Resolution which sets out the terms of reference for the Council Working Group which we are proposing to establish.

Thank you very much.

>> CHAIRMAN: I thank the United Arab Emirates.

Now we have a European proposal, document 80A1/5. Sweden, I give you the floor.

>> SWEDEN: Thank you, Mr. Chairman.

The European proposal contained in document 80 and proposal number 5 is a proposal for a new decision on access to ITU documents.

The main purpose of the new decision is to provide public access to all ITU documents unless the disclosure would pose harm.

Europe believes that providing access to documents will result in increased involvement of all stakeholders in the work of the ITU.

We also note the decisions to allow public access to the basic text of the Union, we note the positive experience from the free access of documents to the policy forum, and also the policies established in other specialized organizations regarding document access policies, and believe that it's important that the ITU is in the forefront on this issue.

We also believe that making documents available to the general public will promote transparency and accountability, and it will also increase the involvement among stakeholders in the work of ITU.

And in the "Decides" part, we state or propose "that the ITU should provide public access to all documents; unless where the disclosure would cause potential harm to a legitimate private or public interest that outweighs the benefits of accessibility."

"That the information should be posted on the ITU website;"

And "that clear and specific exceptions to the public access to documents should be established including an appeal process;"

And we believe that is important that we take a decision at this conference and then ask the Secretary to develop a detailed policy on the documents in accordance with the decision and present it at the Council 2015.

But we have to now decide to allow public access and then in certain cases the matter relevant enough to the document available. But in general, the idea is to have everything available to the general public.

Thank you very much.

>> CHAIRMAN: I thank the delegate of Sweden for presenting this document on behalf of Europe.

So you have heard various presentations regarding access to documents. There was a request to have an ITU policy on document access, some note of a need to be more open, compared to other International organizations. And others proposed the swift creation of a Council Working Group to address this issue.

I would now like to open it up to discussion, based on the various discussions that we have heard.

Pakistan, you have the floor.

>> PAKISTAN: Thank you, Mr. Chairman.

It's a good sign that we basically have no contradictions or no disagreements on the basic concept of information and document sharing, and everybody seems to be on the same page. It's just a matter of how to phrase it or how to categorize and actually set out a policy for the purpose. So with no differences, but accessibility to intermediate documents, input documents, interim documents, Temporary Documents, whether they should be allowed in the first instance or not.

Output obviously, yes, it should be in the public domain. But since we do not have a divergence on this and categorization, obviously one important thing is to have a provision for a nondisclosure. If a member state would request that its inputs or its intermediate input into the Conference should not be shared publicly, that should be respected.

So in this spirit, maybe the Working Group proposed by UAE could be established and it could, you know, bring out its recommendations probably to the next PP or before that.

So generally there is an agreement. It's a good sign that we should have documents available for the sake of better transparency in the ITU process.

Thank you, Chair.

>> CHAIRMAN: I thank the delegate of Pakistan.

Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Mr. Chairman.

The issue of access to the documents is a very important issue. Our existing policy is based on practices of many, many, many years ago. Perhaps today's environment is quite different, and in several Resolutions it is mentioned that ITU needs to adapt its policies to the prevailing environment. So in general, the issue, there is no disagreement that we need to adapt ourselves to the situations.

Then there is the detail, how we should work it, what is the modalities, and so on and so forth.

In the document it was mentioned that there should be a policy presented by the General-Secretariat and then with some exceptions on which somebody should decide what documents should not be published, that is the problem. The problem is that who will decide under what criteria? What criteria document A should or should not be. It's very difficult to put all of this responsibility without involvement of the Governments or Member States.

Whether we should have a Council Working Group or whether we should have the Council itself or whether to decide at this Plenipotentiary.

Our view is that this Plenipotentiary may give some general guidelines, but not too detailed, because there are various views.

To add, with respect to the type of the document, Chairman, we know that this starts from the WTDF where everything was available. And then we started with WCIT, some input documents were made available. And now at this conference we heard at the beginning of the Conference that this was announced that based on the agreement or tacit or explicit of the head of Delegations, all input and output documents are available without any need to TIES password. So very big steps were taken immediately here.

And another issue we have to consider until we decide on the matter is the next important event, the WRC-15. And we need to address that issue. That is one of the important events of the ITU, which might impact many, many people. What we do about that, whether we make it provisional decisions or provisional admission, that at least inputs and outputs should be available or no, these all must be discussed.

Apart from that, Chairman, there are some important issues that DT and DL documents are at a very preliminary stage. It may not be appropriate to release them, because they are -- there are some views of some limited experts or Delegations still coming to the level of the Committee to discuss whether at that stage we need to release that. Today you have heard that even one DT document we have an immediate reaction of some colleagues, which was not relevant in any case. So if you do that at that level, you might have some level. So you have to see at what level. Input and output it's clear. DL, DT, we will not do that here, but we have to give some information.

Maybe some financial documents people mentioned, and in some meetings there are still some documents that still need to be discussed.

So what the APT proposes, complementing our distinguished colleague from Japan, we propose some sort of other guidelines. We started the Treaty making conferences, non-treaty-making conferences, up to the lowest level so that may be used as a guideline.

Chairman, if we assign everything to the Council Working Group, yes, that group will be open to Member States, Sector members, but then it comes to the Council, unfortunately, the Member States of the Union have no right to speak on the matter in the Council. They can ask for the floor once only, with the consent of the Chairman, the Chairman may give or may not give, so that you deprive the Council -- the State members which are not members of the Council. In the Convention this restriction does not exist. This restriction is only not to vote, but we should be very able to discuss. Unfortunately, the rules and procedures of the Council limit. And this administration has been faced with this situation. We have not been given the right to speak on any issue at Council except with the authority of the Chairman only once.

So we have to address this matter.

Some of the other issues is important for Member States not members of the Council. And they need to be given in accordance with Convention, the right to participate in the discussion, without any right to vote. In decision-making we leave it to the councilmembers. But at least it should be given -- so I would like that you kindly mention that in your report, that it's an important issue. That anything dealing with the general issues that affect all the interests of Member States needs to be treated under the provision of the Convention, that is provision 69 A, -- sorry. 68. It's mentioned that participants participate without any right to vote, but not to limit them not to participate. We have to work it out, which are the best ways, whether you have the Council Working Group with the clear mandate or not, and what are the general guidelines.

But the issue of access to the documents today needs to come to the today prevailing situations.

It is said that we are closed organizations. Outside the ITU, we have heard that from some people. So we need to open that one, and that is one of the first studies open to documentation and access and like we have done it to date. And I don't know whether there has been any difficulty that we open. However, there must be some sensitivity or some views on the opening of the document. In that case, there might be some criteria and that criteria could be default criteria. When you decide on the default, it should be two-way, unless an administration specifically mentions that don't disclose my document to people not having access to TIES, that is one default. The other default is the reverse direction, saying that if an administration specifically mentions that please disclose my document, that document will be disclosed to everybody. Otherwise it will be as today.

So there are different modalities and so on. All the details should be worked out. But we will leave it to you to decide. But we need to take it up, if it's Council Working Group, the Member States and not members of the Council should be given the right to participate in the discussions within -- without any right to vote in accordance with number 68 of the Convention.

Thank you.

>> CHAIRMAN: I thank the delegate of Iran for that comprehensive overview of the issues to be addressed.

Russian Federation you have the floor.

>> RUSSIAN FEDERATION: Thank you, Chairman.

We would like to thank all of the representatives of regional organizations which proposed these proposals on this relevant issue.

At the moment, almost all output documents and decisions of the Conferences and output documents and so on are already freely accessible. And in Committee 6 we discussed a draft new revised Resolution 12, which suggests opening up this access to these documents.

But here we're talking about publications. In these proposals we're covering input documents and output documents and agendas, which are not published in general populations.

We welcome the open access policy to such categories of documents. However, we would also like to note a number of input and output documents linked, for example, to the work of Working Groups in the ITU-R Sector in preparation for the World Radio Telecommunications Conference, and so on, may contain incomplete information and they may not be the result of study. For example, some recommendations will be considered over the course of several years, and they are in draft during that time. So the input documents of the Working Group, working parties, the study groups, did not reflect the opinions and decisions which were taken by the Council. So these are documents that need to be approached cautiously, and we need to think carefully through all of the categories of documents which should be opened up to access, so that we don't create confusion amongst the general public and don't create a poor image for the Union as a whole.

So we believe that we should determine the rules which will govern access to documents, both input documents and output documents, as well as documents prepared during the time of the conference. These are the DT and DL series of documents.

Taking this into account, what we would suggest is that the Plenipotentiary could instruct the Council to develop such a policy for document access, so that we can use it in the future.

Thank you, sir.

>> CHAIRMAN: Thank you. I thank the Russian Federation.

Saudi Arabia to be followed by the United Arab Emirates. Saudi Arabia, you have the floor.

>> SAUDIA ARABIA: Thank you, Chairman.

Firstly, we would like to thank the Secretariat for having prepared the document regarding further study on document and publications access policy in the ITU.

So the ITU was one of the first organizations to provide access to the final documents of its conferences and meetings, and it is clear that it's to encourage participation in the work of the ITU and the work of relevant organizations. Well, this is key, indispensable to continue with work in the telecommunications environment. However, we do not agree with the link established between this document access policy and the principles of transparency.

The ITU has always expanded the participation of stakeholders and external actors in its work. It has more than 700 Sector Members and associate members, without counting academia. Moreover, I believe that the ITU encourages different parties to take part in this work through granting a reduction in their contributions to the work, if you can say it quite that way.

So all members of the ITU have access to the relevant documents, without any hindrance. And also, I'm aware that national Delegations can include in their Delegations representatives of any organization in their country, which allows those delegates to have access to a broad bit of information.

We support all measures in favor of increasing transparency of the work of ITU. However, the issue of access to all documents, on an unlimited basis, requires detailed analysis so as to ensure that we do not come to the wrong conclusions.

After having read through the Secretariat's note on document access and policy and publications access policy in the ITU, we would like to reaffirm our position. This document sets out different categories of documents which could be made available to the public, including declarations, speeches, brochures, as well as documents presented during meetings and conferences of the ITU.

We note that there is, however, a contradiction in these categories. This means that we need to study more closely the issue of access to these documents.

To summarize, sir, we are in favor of continuing to study the issue of ITU document access, working from the different categories of documents, so that we can come to the right conclusions.

Thank you.

>> CHAIRMAN: I thank the delegate of Saudi Arabia.

I have the United Arab Emirates next requesting the floor to be followed by Sweden.

The UAE, please.

>> UNITED ARAB EMIRATES: Thank you, Chairman.

I would like to say that we support the views expressed by Saudi Arabia.

Secondly, the document which was presented by the Arab Group proposes a mechanism to come up with a solution to this question. And I believe that we're all in agreement on the fact that this is a very important issue and on the importance of having a well-defined policy on access to ITU documents. This document contains a draft Resolution as well as terms of reference for the Council Working Group, which the Arab Group is proposing we establish, so that we come up with a consensus decision in the framework of the Council Working Group, being aware that this working group is opened to documents of the ITU.

I believe that it would be good to have a starting point, a basis from which we would work to come up with a document access policy. Perhaps you'd be in agreement with me in thinking that this starting point could be the terms of reference of the Council Working Group, which we are presenting in this document, together with a draft new Resolution. This would give the States who are interested to share their opinions regarding this draft new Resolution and terms of reference, before we agree on a mechanism at this conference for the following stage.

Chairman, perhaps you will find that it's a good idea to have the opinions of this -- of the room on this Resolution in terms of reference, and of course we stand ready to consider all of your comments with regard to our proposal.

Thank you, sir.

>> CHAIRMAN: Thank you for your proposal, UAE.

Sweden, please.

>> SWEDEN: Thank you, Chairman.

We have tried to listen to many of the interventions here, all of the interventions, and we still believe that there are a number of issues where there is -- I wouldn't say complete disagreement, but we are looking at the issue from different angles.

We believe that it's the content of the document that would be the source for deciding if the document should be secret or not made public. We have heard interventions saying that the type of documents and are the source of the decision. But in our proposal it clearly states that it's the content that would decide if the document should be made confidential or not. And only in situations where there are specific procedures that says the document should be kept confidential, it should be kept confidential. So the general aim is that all documents should be made public.

There was a mention of the financial documents. And we are of the view that there are no financial documents or statements that should be kept secret. We are representing the Member States and the citizens in the Member States, and we believe that all in the general public has the right to know what is the financial situation of the Union. We're not talking about when you procure something for the development Sector, when you hire a consultant. That's something else. Specifically, when you are buying something that you need in the process of procuring the equipment or the technical expertise, that you may have to keep that secret for some time.

Then of course we heard the question about draft and Temporary Documents. Well, we believe that the general public is capable of analyzing the document if it's a Temporary Document or draft. I don't think that there is anything ITU has to hide in this case.

And this is, of course, also valid for input documents. When Member States or Sector Members propose something for the study groups, it's something that is agreed by the Member States or the Sector Member, and I think we are all prepared to make our views public. Then during the discussions of course different views will be expressed and the results of the discussions in this meeting are not made public. But the output of discussions in a Committee is valid for the general public to know what has been agreed in the committee before it goes to the plenary.

We believe that there is a good reason for it being open and transparent and being in the forefront on this issue. Waiting four years would be too long. We will be looking at an organization that is a little bit too old fashioned.

Thank you.

>> CHAIRMAN: Thank you.

Qatar and Canada have requested to speak. Qatar, please.

>> QATAR: Thank you, Mr. Chairman.

Mr. Chairman, I will be brief. It goes without saying that this is an issue of great importance for all Member States as well as stakeholders. Accordingly, it is necessary to tackle this issue in a methodical way, and we have also to be fair so that we can serve public interests. Therefore, we think that the Arab proposal is a practical one. It can tackle this issue. It can be a starting point for this issue. Because this is an opportunity for all Member States as well as stakeholders to bring forward their opinion on this issue.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you.

And I recognize Canada.

>> CANADA: Thank you, Chairman.

Canada would like to be also brief. We support the principles of transparency, openness, and public access to documents. We recognize that some measures to provide for the protection of information in some areas, such as personal information and perhaps commercially confidential information, may be appropriate. And we would like to see action at this conference.

And, finally, we look forward to participating in the discussions on this issue.

Thank you, Mr. Chairman.

>> CHAIRMAN: I thank Canada.

Therefore, we have now heard the different viewpoints. I believe that everybody has spoken about openness, although we do not perhaps all completely agree of what kind of openness we need, there are some questions that remain about the type of documents that can be released without problems. There are questions about whether States should have the opportunity to veto the release of some documents, or their approval should be requested.

There are questions about general openness, protection of privacy or business confidentiality and secrecy.

Perhaps we need some clarifications and an agreement about a minimum foundation on the question of documents that will be accessible to the public.

A question also about how we will proceed to ensure openness and access as soon as possible. Perhaps we should take our time to work in a methodological, diligent manner in examining how we should proceed in this question.

There is also the question in a year there will be the WRC. Also the question of openness, openness in access to documents for the WRC.

So these are the questions that have been raised. I believe now that we should try to bring together the people who have offered different proposals, in order that they can labor over producing that common denominator, that basic Foundation for openness, answering the question of primarily which types of documents should be subject to openness.

I haven't consulted on this issue in advance regarding the work of that group, and so what I would propose is that our colleague representing Japan could perhaps Chair that group.

Perhaps I could launch that question pointblank. I apologize to the delegate from Japan for not having consulted with that delegate in advance. But perhaps I could ask now, pointblank, whether Japan could assume the Chairmanship of that Working Group on public access. Japan of course has made an interesting contribution to the way that we can see these issues.

Now I recognize the United Arab Emirates.

>> UNITED ARAB EMIRATES: Thank you, Mr. Chairman.

Mr. Chairman, we listened to you with regard to your proposal to form a small group which would tackle this issue in order to reach a consensus or a compromise over this issue among parties interested in this area.

My proposal, Mr. Chairman, is to have a basis for the work of the small group, and you propose that Japan would preside over such group. Then, Mr. Chairman, I think that we should focus on the fact that a proposal could be presented by administrations and groups to this small group that would be presided by Japan.

So please, Mr. Chairman, do you think that based on the fact that there is a proposal by the Arab Group, we would like the work to be based on this document, especially since there is a certain readiness that would serve as the basis for the few future? That you would have a Council group with specific terms of reference, and the PP 2014 would issue a new Resolution that would specify the ways to tackle this issue.> Obviously this is your proposal, we are not opposed to your proposal. We are not opposed to presidency by Japan. However, please take into consideration all documents that have been submitted in this area with regard to this subject.

Thank you. Please confirm that, Mr. Chairman.

>> CHAIRMAN: I thank the delegate of the UAE.

I have noted and I am aware of each of the opinions expressed. Naturally, this is a part of how we should work in the most open and Democratic manner possible. It is not possible to achieve a consensus if we have not been able to listen to all of the opinions of all those who wished to participate in the work of this group. And so naturally it will be a group that is open to all participants. And those who submitted documents and proposals, your proposals and documents will be examined in due form. This is indispensable.

Now I recognize our colleague from Japan.

>> JAPAN: I'm very afraid that we don't have much human resources. So it's very difficult to Chair this issue.

Thank you, Chairman.

>> CHAIRMAN: Thank you. As far as I understand, you are reluctant and I sympathize.

I think that we need now to determine, as soon as possible, who will be the Chair of this group.

Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chairman. We have no difficulty with your proposal. If our distinguished colleague from Japan is not in a position to do that, we were about to advise that we would help Japan, to the extent possible. But if they are not prepared to do that, no matter whom you do assign the work, you may need a little bit of time, maybe, not immediately. But between now and after.

However, we would like that that group under the presidency of anyone that you designate after consultation to open to all options; but not one specific option, to all options. There were various options proposed.

Establish a Council Working Group, directly to the Council, General-Secretariat, to discuss all of them, but not a specific one. To see the broad options and so on and so forth. Maybe finally we come to one of them, which is more closest to the reality and accepted by everybody.

Thank you.

>> CHAIRMAN: I thank the delegate for your intervention.

I think it is quite clear, as it has been said already, that all options and proposals should be examined by this group. However, if we do not have a Chair I will return to this issue later, as soon as possible. We still have the pending question then of the Chairmanship of this group, and so we will consult and return to this issue.

A small amount of time remains, and I would suggest that we move on to agenda item 7, a draft new Resolution on theft of be mobile devices. We have a Document Number 34R1-A1/31. 34R1-A1/31. I recognize CITEL and Colombia will make this presentation.

>> COLOMBIA: Thank you, Mr. President. Indeed, I'm speaking on behalf of CITEL to present this new document, to help Member States to fight the theft of mobile devices and also study other possible mechanisms for handling the problem of lost or theft documents.

The proposal is as follows: The technology Sector suffers from the problem and threat of the theft of mobile devices. Numerous reports inter alia in the United States have shown that in 2013 2.1 million units have been stolen. This is a lot more than in the previous year, in 2012. Also, the loss of mobile devices increased fivefold between 2009 and 2012.

To tackle this issue, policy-makers in many countries have launched initiatives. CITEL also has done so, offering different types of counter measures to this problem.

Even if Governments and industry have deployed various mechanisms and measures to fight theft, we believe that the ITU could play a positive role offering to all interested parties a new platform to promote decision-making and to better fight theft. And so we propose this Resolution which is before you for examination.

This Resolution asks of the General-Secretariat to proceed with studies to study the problem of theft and the guidelines applicable for applying technical solutions to prevent the use of lost or stolen mobile devices in existing networks, and to cooperate with the interested members, such as the relevant members of the mobile telecommunications industry and others, to provide assistance within the Union's expertise and within available resources, in cooperation with relevant organizations, to Member States if so requested.

And finally, to gather data on stolen mobile devices in order to track progress in this area.

Finally, this Resolution invites Sector Members to contribute to studies in this area.

This is the proposal which we make. Thank you.

>> CHAIRMAN: I thank the delegate of Colombia. And now I open the discussion on this draft new Resolution on theft of mobile devices, as presented to us by CITEL.

The United Kingdom, please.

>> UNITED KINGDOM: The UK would like to thank the CITEL group for their proposals, and we recognize the theft of mobile phones is a major problem globally.

CITEL refers to some of the social problems which can arise during the act of a theft, such as aggression, and they refer to death.

The Resolution also recognizes that manufacturers, industry groups, and operators have been developing technical solutions to address the issue. And indeed we are aware that manufacturers have been seeking solutions such as activation locks. But also the industry association, the GSMA, have done a lot of work in this area. They publish material and guidance relating to devices and consumer advice, et cetera.

They also published a document relating to disabling stolen devices, and that work is continuing.

The GSMA maintains a unique system known as the IMEI database, to help protect against such theft and its consequences to both users and operators.

There is a centralized database of information maintained by the GSMA. And they do a lot of work to support consumers. Furthermore, there is an IMEI black list so that devices that are reported as lost, stolen or faulty or otherwise unsuitable can be blocked.

So there is a lot of work in the industry, and it is clearly something which is of concern to the industry. And what I wonder is where is the ITU's role? Particularly in a situation whereby the ITU is facing financial constraints. The Resolution actually doesn't contain a "resolves," but I think that can simply be overcome, but it starts with an "instructs the Secretary-General and the Director of the Development Bureau to conduct studies." I am -- I wonder whether we should be asking the Secretary-General to conduct studies, studies with a goal of identifying best practices and combating theft of mobile devices. I would be more relaxed if it related to directing information on what those best practices are, but to actively engage in studies I think goes too far.

So I'd welcome the views of others, but I fully sympathize with CITEL. This is a major issue. It's just where is the industry's role and where is the ITU's role in making sure that we get that right.

Thank you.

>> CHAIRMAN: I thank the United Kingdom. Thank you for that information and your proposal.

I ask now if any other regions or countries would like to speak on this issue.

The Russian Federation, please.

>> RUSSIAN FEDERATION: Thank you very much, Mr. Chairman.

We would like to thank the CITEL countries for the proposal thus prepared. This indeed is a problem, as noted in the current proposal, which is not new. We encounter it universally. It's being discussed not for the first time. Within the ITU it has been discussed and there is the CNI programme, also, which also partly touches on this set of problems; i.e. combating counterfeit products or products which do not meet standards and norms. I would like to say within the framework of fighting counterfeit products, some countries have already created and started to maintain such databases which provides reports. And those reports help counteract or combat the market of so-called gray mobile phones or stolen mobile devices, and thus fight theft.

So work is being done in associated areas in the ITU, too, but in this draft Resolution we don't see reference to that. But I'm sure that that experience was taken into account, but we would like to see reference to that work in the draft new Resolution.

Thank you.

>> CHAIRMAN: I thank the delegate of the Russian Federation.

I have three requests to speak. I would like to ask you to be brief, because we are approaching the end of this meeting. Three countries. Mali, Brazil, and the Netherlands.

Mali, you have the floor.

>> MALI: Thank you, Mr. President.

Mali supports the proposal made. This is now in a first phase, the creation of a database and the management of that database, and also tracking best practices and disseminating information contained in databases. This proposal by the United Kingdom is supported. We also support the statement of the Russian Federation, work and information already available should be referenced.

This is a very important project and notably for Developing Countries. We're all concerned by this issue. As you well know, a number of countries face problems of poverty. Theft is a major problem. And the situation is exacerbated by aggression, which can, indeed, lead to death in some cases.

And so thank you.

>> CHAIRMAN: I thank the delegate of Mali.

And I recognize Brazil.

>> BRAZIL: Thank you, Chairman.

I believe my colleague from Russia actually just said what I wanted to say. There is a lot of work going on in the ITU on this matter already, so it does make sense for the ITU to carry out studies on this. Basically, Brazil is signed up for the IAP as well. It's an important issue. We understand that the ITU has a very important role in this, especially when we come to the idea of collecting studies and best practice.

We fully support the idea. We can do amendments I believe, I believe that Russia is feeling that it's lacking the telecommunications Sector, for example, who have done some studies on this as well. We can of course just redraft this. But I would just like to say that there is a lot of work going on in the ITU in this matter.

Thank you.

>> CHAIRMAN: I thank you.

And the Netherlands, please, has the floor.

>> NETHERLANDS: Thank you, Chair.

Well, we know that this problem exists as well. This is a severe problem and many mobile phones are stolen every day, everywhere. And we are carrying out a project in the Netherlands. But reading this text, in the "instructs," I think it could be a step too far. Like the UK said, that the resources of the ITU might not be as sufficient, especially in the coming year, because it's decreasing. And there are best practices around that the industry is carrying out, like has been said already, and a little at the Government level in some levels, the practices are being carried out and also examined.

I think that should be enough to inform everybody who wants to deal with it on the way forward, and what is best for the country.

Well, I'm not sure if the way it's phrased here is relevant for ITU, though.

Thank you.

>> CHAIRMAN: I thank the Netherlands.

We don't have much time to end this debate. Peru is recognized.

>> PERU: Thank you very much, Chairman.

We would like to express our support for the initiative put forth by the Delegation of Colombia. We believe that the problem of theft of mobile phones is a problem which transcends countries borders, and therefore there is a need to seek global solutions.

We believe that the ITU is the right environment to seek such cooperation and solutions, which would allow is to achieve effective results in counteracting this problem, mobile theft.

Therefore, we believe that the solution is not only the purview of States and public policies. Rather, it lies in close cooperation with industry. Therefore, we believe that in this debate the contribution and discussion of industry and key players such as GSMA is crucial.

We would like to once again reiterate our support for Colombia's statement, and we would also possibly be able to make some modifications and amendments in the future. But we believe it's a very positive initiative.

>> CHAIRMAN: Thank you.

The United Arab Emirates, please.

>> UNITED ARAB EMIRATES: Thank you very much, Chairman.

We would like to thank CITEL for this proposal. This text does require some modifications and amendments, but generally we do support this Resolution with a specific mention of a need for assisting Developing Countries in establishing principles in this regard.

As was already mentioned, the Secretary-General in cooperation with the BDT Director should be requested to work on this issue. There are some studies being undertaken in the standardization Sector, so we would like the Secretary-General to work with the Director of the BDT on this subject.

Thank you, sir.

>> CHAIRMAN: Thank you. Argentina, please.

>> ARGENTINA: Thank you, Chairman.

We have would also like to support this proposal. Argentina has also signed up to this. This is an issue which has been broadly debated in our region. It is a scourge in our region. This requires cooperation from the Government Sector as well as the private Sector. This could be done within the ITU. We note the ITU hats worked in the ITU-D and ITU-D Sector, which is important in this regard.

We believe that there is a role that the ITU could play, particularly in assisting Developing Countries who require tools to combat this scourge, which is growing more and more particularly in Developing Countries.

Thank you.

>> CHAIRMAN: I thank the representative of Argentina.

I had closed the list after Argentina. So what I'm going to propose now is the following: We have heard, I think everyone has spoken strongly, on the issue of mobile theft and the serious consequences that this -- that this constitutes for people in many countries.

Some requested studies by the ITU. Others noted taking into account the work done in industry and already in the best practices, which already exist.

There are interventions -- various interventions spoke about assistance to various countries and finding solutions to these problems.

What I would suggest is that we have a draft Resolution which was developed by CITEL and presented by our colleague from Colombia. So as not to make the procedures and our work too onerous, what I would propose is that we work based on CITEL's proposal, which was presented by Colombia. And that those who have proposals to modify or add to this Resolution, since this Resolution could have amendments made to it, I would invite them to discuss this with Colombia. All of those who wish to make additions or modifications to this Resolution should get in contact with them, so that our Colombian colleagues can come up with a text which will meet with the agreement of all, next Monday.

That is what I would propose. So I would suggest that our Colombia colleague bring together all of the various suggestions regarding this point. Are you in agreement with this approach? Yes.

Mexico, are you insisting -- would you like to take the floor? Do you have a problem with this procedure?

Mexico, briefly, please.

>> MEXICO: We're in agreement, Chair. Thank you.

>> CHAIRMAN: I thank the delegate of Mexico.

Colombia, I give you the floor.

>> COLOMBIA: Yes, thank you, Chairman.

Yes, I will follow the procedure that you have just outlined. I may leave the Conference at the end of this week, but a CITEL representative will be here in order to present the consolidated document.

Thank you, sir.

>> CHAIRMAN: Thank you. I spoke about Monday, I mentioned Monday, but if you have the results by Friday I would have no objection. Quite the contrary. We would welcome your contribution on Friday, if possible.

So I will conclude, since it is lunchtime. I would just like to note that we do not have a Committee 5 meeting this afternoon, because I prefer to give the Working Groups some time to focus on the work that they have to do. I believe it will be more convenient for you to work in the afternoon rather than the evening or the night. So I am leaving the time to the Working Groups this afternoon to work.

So I'd like to wish you a very pleasant lunch and thank you once again for your cooperation and hard work.

Thank you.

The session is adjourned.

(End of session, 12:40)

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