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NINTH MEETING OF COMMITTEE 5

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(Gavel)

>> CHAIRMAN: Good morning, everybody, and welcome to the ninth meeting of Committee 5.

Now, the document for our agenda today is ADM/54. ADM/54-E, in English.

I must add something. During the night a new document came in, so there will be a 5B, report, informal discussions led by Colombia on the theft of mobile devices. So we will have a report from our colleague from Colombia. So that will be item 5B on the agenda. Any comments on this agenda?

Yes, Iran, you have the floor.

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

I don't want to compete with you to add anything to the agenda items, but we have some points to make. Chairman, we need a give further guidance to the Ad Hoc Group ITR. Still I see the document as it was yesterday for discussion at 2 o'clock. First of all, unfortunately, we are not in a position to be attending that group, because the Internet group is very important. So we'd like this Ad Hoc Group on ITR to be shifted some time later, I don't know what time. We are running short of time. We won't be able to attend that.

Number two, still there are points to discuss, this should be included in the DL document before having the meeting.

Thank you.

>> CHAIRMAN: I thank the delegate of Iran. So we have taken note of that. I think that you could look into this with the Chair of the Working Group. So the issue is whether that ITR group meeting could be moved. And also we need to see where things stand in terms of producing a DL document for that, an interim document. So if you could talk to the Chair of that group, and we have taken good note of your request.

U.K. you have the floor.

>> UNITED KINGDOM: Thank you, Chairman.

Not wishing to extend your agenda, but a few meetings ago Brazil put in a proposal to amend Resolution 22, and there were interventions by a number of Member States. And you concluded that Brazil should consult with the U.K. and one other Delegation, I think it was the U.S., about taking this forward.

We had a discussion with Brazil. Brazil agreed to withdraw their proposed modifications, subject to putting a statement in the record about the importance of ITU-T studying this issue.

I don't know if -- I was expecting Brazil to report back to you. I don't know whether you want to put this on the agenda or not for Brazil to respond on that, or whether you want to put it on the next agenda, but you don't wish to lose sight of it because it's a loose end.

>> CHAIRMAN: I thank the delegate of the United Kingdom.

So I would ask Brazil, are you ready to present the issue of Resolution 22 today? I'm a little concerned because our colleague from Brazil isn't there. So we will come back to this later. But we will keep it by us. And then when our colleague from Brazil is here, we will come back to it.

I thank the U.K. for reminding of us of that.

So now I would propose that we go on to the next agenda item, meanwhile. And as it were, tackle our agenda. So when Brazil comes, we will have that as item 5C.

So the agenda is adopted. Let's take up item 3 on the agenda, report on informal discussions led by France on Resolution 119. So I give the floor to France.

>> FRANCE: Thank you, sir. And good morning, colleagues.

So following on from the discussion on proposals for Resolution 119, when you had the plenary here on Monday we got into contact with the different Delegations who offered their views on the subject. And the informal discussion showed us that a possible solution to the issue would be somewhat different from the European proposal that we had, but it would be a possibility of finding a compromise. There would be three things in it. The first would be that there would be no changes to Resolution 119.

The second thing would be about establishing a procedure for reconsideration of RRB decisions. Here we would have a text that Committee 5 would ask the plenary to put into the minutes, and that text would indicate that it is the RRB and the CMR on the basis of proposals from administrations -- the WRC on the basis of proposals from administrations, to consider this issue.

Now, about preventing conflicts of interest. The idea would be that we wouldn't make people declare interest, but we would ask members of the RRB to sign a declaration that would have a similar status to the oath taken by people when they're elected. It would be an oral statement -- a written statement, to say that they have taken into account the issues mentioned under 98 and 99 of the Constitution. These two paragraphs in the Constitution are about preventing conflicts of interest.

So that is what our informal discussion produced as possible solutions. Of course, that would mean that we would need to have a clearer indication of the different texts offered. So I've been in touch by e-mail with the different interested parties, the objective being to agree on a text which we would have as a DT document at the Committee's plenary. We would do that today so that you could then agree on the document on Monday.

Thank you, sir.

>> CHAIRMAN: I thank France for this report on how your work is going on the issue of Resolution 119, which is about the RRB.

Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, sir.

Thank you very much to the representative of France for that report. I think that those are very appropriate measures as far as Resolution 119 is concerned.

Concerning the first point he mentioned, we agree, but we think we need the traditional languages which would be to invite the body to consider the issue and take the appropriate decision.

We think it's not necessary for France to go into the details of the work of the WRC, but just to put it like that.

Now, as far as any oath taken by members of the RRB is concerned, we would agree with this proposal, but we think it might be important to state that sometime later during this conference the Secretariat should prepare a text which would correspond to the type of oath which might be slightly different from the oath taken by elected officials of the ITU.

So we're very grateful to France for the work that is being done. Thank you.

>> CHAIRMAN: I thank the delegate of Iran for those clarifications on those proposals. I think the delegate of France has taken good note of it, as has the Secretariat.

Now, if nobody else has taken the floor on this discussion, we will close the floor provisionally so we will have a written text for Monday for the group and then we will consider that. But as we heard, they're not offering any changes to Resolution 119, they're just offering new text which could be the right text to resolve the problems which have arisen under Resolution 119 on the one hand. And on the other hand, would bring into the oath taking methodology the members of the RRB.

Thank you.

Now I suggest that we go onto the next subject. This is a report on informal discussion led by Brazil on a draft new Resolution on procedures for elections. Is Brazil able to make this presentation now? Not yet. Later. Yes? Okay.

So let's skip item 4 for the moment and move on to item 5. This is a report on informal discussion led by Mexico on access to ITU documents. Could I ask Mexico to present an update on how the work is going? Mexico has the floor.

>> MEXICO: Thank you very much. Good morning, everyone. Good morning to all Distinguished Delegates.

Yesterday it was an honor for me to chair over the informal Working Group on access to ITU documents. We had a very enriching and lively debate that was concentrated essentially on two proposals. On the one hand we have a proposal that has to do with creating a Working Group within Council that will be an open-ended group. That is to say to the participation of all administrations with the very specific mandates where we clearly define the policy as to what documents cannot be made available to the public at large. And the decision will be made until the next meeting of the Plenipotentiary.

The other proposal has to do with coming to this Plenipotentiary meeting and making a decision of making public all reports and documents of the Union, with the proviso that there should be certain documents that will only be accessed with the TIES password.

Mr. Chairman, yours truly is convinced that every change is always positive. I had the possibility of working and attending a meeting with the group of young leaders, ICTs, and therein I said that I've been through several changes in the telecommunications Sector with the 40 years that I've been working in this Sector, and that people, companies, and agencies ought to evolve in order to adapt to these changes and not to be lagging behind and thus vanishing or extinguishing.

Mr. Chairman, one of the points that drew my attention yesterday was the decision that was taken at the meeting of Heads of Delegation within this PP conference of making public all documents, incoming as well as outgoing documents that will come out of this conference. I believe that this has been a very important decision that has been made for the Union. It seems to me that this is a turning point.

Unfortunately, we were not able to come to a conclusion yesterday, and I hope that when we come to the next meeting we will be able to have a change as a result of a decision that will be made at this PP conference. We are aware of the fact that we have to please everyone or not to please anyone. This is something that I also said yesterday. But it seems to me that if we're looking for the good of the Union, if we're looking for transparency, if we're truly looking for evolution and growth in our Union, we do need to bring about this change.

So I hope that for the meeting that has been scheduled to take place tomorrow, for those of you who may wish to continue in this informal group, it will be from 12:30 to 15:30. 12:30 to 3:30. So you're cordially invited to participate and we hope that at your next meeting, Mr. Chairman, we will already have a position to present to you.

Thank you, sir.

>> CHAIRMAN: I thank the delegate of Mexico for that summing up.

So if I understand correctly, the majority of the group considers we have to change and evolve, and all you have to decide is how that should be done. I see several requests for the floor. Iran and then Canada.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, sir.

We, too, greatly appreciate the work done by the Honorable delegate of Mexico who Chaired this very important meeting. I consider that we should add that if this Plenipotentiary Conference is not able to take a decision on opening up our documentation, we need to open up the problem for the WRC for 2015. Perhaps then that conference -- or this conference as Plenipotentiary could decide that its input and output documents would be available in order to avoid an unnecessary discussion at the WRC. Because I think it is an important issue.

The second thing that we discussed, sir, and I think that should be mentioned in the report, is that we should mention clearly that this -- is this open to Member States and Sector Members or just to Member States? That needs to be made clear. I'm not saying anything or proposing anything, just raising the issue.

And then Member States are not members of the Council, because it's a Council group, that they should be able to participate during Council meetings and speak freely, even though we know they don't have the right to vote, but that they should be able to speak. I know we have spoken about this before, about this specific case, but this is a general issue and an important one. So that Member States should be able to speak at Council meetings without there being any obstacles to that, of course as under 60A of the Convention.

Thank you.

>> CHAIRMAN: I thank the delegate of Iran. We will take note of your comments.

Now I have Canada and then Kenya. Canada, you have the floor.

>> CANADA: Thank, Chairman. And good morning everyone.

Chairman, we first of all would like to express our appreciation to the representative of Mexico for undertaking to lead this very important discussion concerning document access policy.

With respect to the prospect of creating a Council Working Group to carry this work forward, I should point out as Chairman of the Council Working Group on financial and human resources that this matter is already within the terms of reference of that group. It was added just recently to review document access policy in ITU to determine the extent to which documentation should be made publicly accessible. This is provision number 9 of the terms of reference.

And in response to Mr. Arasteh, this Council Working Group is open to all Member States and Sector members, that being a decision again taken recently by the Council.

So I would simply like to point these two factors out, Chairman. We already have a mechanism. I believe -- I don't believe it would be productive to create yet another Council Working Group, particularly in view of the fact that there have been comments throughout the discussions at this Plenipotentiary Conference that we should limit to the extent possible the number of Council Working Groups that are established.

Thank you, Chairman.

>> CHAIRMAN: Thank you, Canada, for this comment and for calling our attention to the possibility of studying the issue, if we decide to do so, in a Council Group and telling us about the ongoing group which deals with finances and human resources.

Now, we have Kenya and then Sweden.

>> KENYA: Thank you very much, Chair. And a very good morning to colleagues.

I certainly want to add my voice in thanking the Distinguished Delegate of Mexico for leading what I did consider to be a fairly challenging exercise, but which he did fairly, fairly well.

Just two points that I think we should add to what the Chair of that informal discussion -- informal group reported. One is that before our meeting, which I understand now to be tomorrow from 12:30 to 3:30, there was an understanding that we would have a DT document summarizing the discussions that we had yesterday.

And two, Chair, is that we would have the proposals that were submitted for the work of this conference put together on a screen so that members can then work from something that they are seeing. Indeed, I think a useful addition to that which should also be on the screen is the information which has been given by the Distinguished Delegate of Canada, that this already is additional work to an existing Council Working Group to deal with that particular issue. And that information would also be relevant, I think, to the discussions that will go on tomorrow.

I also want to share in the -- in thanking the -- I also want to thank the delegate from Iran for raising issues that I think are quite pertinent. Nonetheless, I probably think that they would be better raised and discussed in the group that will be meeting tomorrow. And if they can be raised there, so that we then as part of the report that will come to you formally, they are part and parcel of that report.

But on the whole, I want to thank once again the delegate of Mexico for the work that has gone this far.

Thank you very much.

>> CHAIRMAN: Thank you very much, Distinguished Delegate of Kenya.

I have Sweden and then Korea. Sweden, please.

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

We also would like to thank the delegate from Mexico for the work he was carrying out yesterday. It was a difficult task, but I think he chaired the meeting in a fair way and gave everybody the possibility to express their views. And Sweden will of course participate in the work in the drafting Ad Hoc Group also tomorrow, when it's meeting in the afternoon.

There are a few issues I think we may need to have discussed at the higher level than the drafting group or Ad Hoc Group. And there's a few substantial differences between the regions when it comes to requesting openness. I would say one is if this conference should take a decision on openness pending further studies. If it's carried out by the Secretariat or the Council Working Group, well, that's another issue. That's more how the studies will be carried out.

And the other decision is there will be no openness now until the study is completed.

I say this because in the discussions in the Council in the past years, one of the objections that has been raised has been that the Council had no right to take any decision on openness of documents. So my understanding is that if we don't decide on openness at this conference, and the studies are carried out, and after that a decision would be taken, that means that the Conference in 2018 would be the one entitled to take any decision on open and transparent access to documents. And I think we need to get a clarification from the legal advice on this issue. Because I think it's important to know what would be the consequences of the different decisions that we take.

And I think I will stop there and there are a number of other issues that we need to discuss in the ad hoc group, but as I said we are prepared to participate in that work.

Thank you.

>> CHAIRMAN: Thank you to the delegate of Sweden. We have taken note and the Secretariat has also taken due note of your comments.

Korea is recognized.

>> REPUBLIC OF KOREA: Thank you, Mr. Chairman. Good morning, everyone.

I would like to join myself to appreciating the Chairman of the discussion group. I really enjoyed the discussion, the openness -- the ability to discuss our views openly and freely.

I'd like to discussion the issue of input and output documents of this conference. As I recall, the Heads of Delegation of this conference decided that the input and output documents should be open, and I think it's a good turning point, as already the Chairman of the Ad Hoc Group articulated. It's a good turning point to the union.

So Korea is of the view that the decision should be kept always. So this decision should be applied to all the ITU conferences, Assemblies, and of the Union right after this conference. This is the Korean view.

Thank you.

>> CHAIRMAN: Thank you very much, Korea.

Now I have Papua New Guinea, please. You have the floor.

>> PAPUA NEW GUINEA: Sorry, Chair, there was a mistaken on my part. My apology.

>> CHAIRMAN: No problem. Thank you.

Nigeria, please.

>> NIGERIA: Thank you, Mr. Chairman.

We would like to also join our colleagues and previous speakers in thanking the leader of this Ad Hoc Group, Mexico, for their good work the Chair is doing.

Mr. Chairman, Nigeria is aware that we have an existing group that is discussing this issue. I think instead of us wasting time debating on the matter, this matter should better be discussed at the Ad Hoc Group where contributions will be made and the Ad Hoc Group now comes up with an appropriate decision or recommendation to this plenary, where the final endorsement will be done. Because I think by opening up discussion on this issue, we are only wasting the precious time of this Committee, which will have been better invested in other discussions.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you.

United Arab Emirates has the floor.

>> UNITED ARAB EMIRATES: Thank you, Mr. Chairman, good morning. Good morning to all the colleagues.

Mr. Chairman, we have spent a long time yesterday evening to discuss this very important topic. The discussion really led to positive results. We have exchanged a lot of opinions. We have exchanged a lot of information on work methodologies. We have made great progress. And everybody has expressed their thanks about this. All the regions have expressed their thanks to the group and have expressed their opinions.

In the name of the Arab Group, Mr. Chairman, I would like to clarify the point of the Arab region. We believe, Mr. Chairman, that it is important to pursue the discussion on this topic. I do not believe that we can take a decision right now on this important point. It will not be taken today in this present session. I think we should wait a little and pursue the discussion in the Ad Hoc Group. That would be better. There is another meeting of the Ad Hoc Group, as you have said. We might be meeting tomorrow again.

So, Mr. Chairman, we would like to thank you for that. I thank all the other colleagues that are concerned by the topic. We will stay in touch, and we will try to set a work methodology which is agreed by all.

But very quickly, Mr. Chairman, the Arab Group calls for the adoption of a work method which is the following: We should have a Working Group of the Council which would be entrusted with the preparation of a policy for access to information of the ITU.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you very much Distinguished Delegate from the United Arab Emirates. So we will not go into a detailed discussion now. We will open the floor for comments and later on I'd like to come to a conclusion on the current status.

Iran, followed by the U.S. Please. Iran.

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

This time I speak on behalf of Asia Pacific countries. The point that was raised by the Distinguished Delegate of Canada is extremely important. It goes in the same sense as the common proposal submitted by APT countries, in the review of decision 11, in the sense that we should not create another Working Group. We must use the existing group and also reduce the number of Council Working Groups. This is an important decision and it is important for Committee 5 to give guidelines to the Ad Hoc Group in a major way, so that we can remain within the existing framework to use existing mechanisms and not to create new Working Groups, Council Working Groups.

Thank you, sir.

>> CHAIRMAN: Thank you. We have taken good note of your comment.

The U.S. please.

>> UNITED STATES OF AMERICA: Thank you, Chairman. And good morning to all colleagues here. And a very happy Halloween. As you can see, I've dressed for the occasion as a bureaucrat.

(Laughter)

I just wanted to take the floor very quickly, because I agree with our colleague from Nigeria that we should really continue this discussion in the ad hoc. I did, however, want to agree here with Sweden that it is very important for this conference to make a decision about the overall policy on transparency so that the Council Working Group or whatever other mechanism we set up can then go forward and work on the details with the appropriate authority from this conference.

Thank you, Chairman.

>> CHAIRMAN: Thank you. I will close -- I wanted to close the discussion after the U.S., but I have Singapore and the UK. Do you insist, Singapore and the UK? Singapore, briefly, please.

>> SINGAPORE: Thank you, Mr. Chairman.

Singapore would like to associate ourselves with the comments raised by Iran and also to stand by the decisions and after discussion, the group that is going to go on tomorrow. We are supportive of different types of policies and that we have access to ITU documents. We think it would be a very important issue and we would be happy to participate in the discussions and to find a way as to whether or not to create an additional Council Working Group that can use the existing resources that the Council has. I think it's an issue that it's worth discussing further.

Thank you very much.

>> CHAIRMAN: Thank you. The UK. I don't want to continue adding names.

>> UNITED KINGDOM: This isn't an ad hoc. It's an informal discussion group. People think it's been changed into an ad hoc, but that's a decision of this Committee.

I think it's very important that this Plenipot makes a decision. I'm concerned about a proposal which would postpone a decision until 2018, and I think the request for advice from the legal counsel of ITU, it would be very helpful in this respect.

And also, I think we should use the existing Council Working Group, which has this issue under its terms of reference, rather than create a new Council Working Group, if a Council Working Group is required.

Thank you.

>> CHAIRMAN: Thank you. At this point, I'd like to thank, as others have done, I would like to thank our colleague from Mexico who has been Chairing over this Working Group. Because it seems to me that progress has been made. We see the will that has been expressed in order to find a solution to come up with a change, and that change obviously must be clearly defined and we have to decide how we're going to proceed.

I trust that the Working Group will come up with a solution. It seems to me that there are certain points that have to be borne in mind. Something was mentioned and it was said that instead of creating a new working group, we could do things within the current Council Working Group by dealing with finances and human resources. It is a standing group of Council, and that will be in keeping with the needs of savings within the financial plans of ITU.

And we also heard that another question that should be settled is the World Conference, WRC. We have to decide whether within the framework of PP in Busan, whether we can send a notification to WRC. And this was mentioned on several opportunities.

We must also decide another matter, who participates in these discussions in Council? There was a request made in connection with the States that are not members of Councils to see whether they can participate in the discussion on this matter.

So with your permission, I would ask our colleague from Mexico, they are meeting tomorrow, I was told that it is at 1:30, as I was told by the Secretariat. Please check the screens. I would ask you to come up with a text so that we can meet tomorrow and then by Monday we could come back after the meeting of the Ad Hoc Group, Working Group.

That is my conclusion in connection with this item. It is so decided. Thank you very much.

And now I propose that we come back to a previous point. Our colleague from Brazil is now present in the room and so I would ask him to come back to agenda item 4, report on informal discussions led by Brazil on a draft new Resolution on procedures for elections.

Can I ask Brazil to please submit the report on this agenda item. Please, Brazil.

>> BRAZIL: Thank you very much, Mr. President, Mr. Chair.

I've been through various discussions with groups and delegates in regard to the proposal presented by Brazil on election procedures. There is only one missing group, which is Africa, and I would like to call on a representative of Africa to talk with me maybe during the coffee break. That would be, of course, not the last. Of course, anyone that wants to talk about this issue can convene and participate in the discussion.

And just after the coffee break we can present to you the possible DT for our next Committee 5 meeting.

Thank you, Mr. Chair.

>> CHAIRMAN: Thank you very much, Distinguished Delegate from Brazil. We heard your appeal, and if during the break a delegate from the African region is kind enough to contact our delegate from Brazil as well as other delegates if they so wish, that would then give us a possibility of moving forward with the proceedings of that group. So let us leave agenda item 4 in abeyance until after the break.

Now we move on to 5B, which is now our colleague from Colombia. It is a report on informal discussions leading -- led by Colombia on mobile devices. Colombia, can you submit a report on where we stand with this work. Please, Colombia.

>> COLOMBIA: Yes, thank you very much, Mr. Chairman.

In fact, in keeping with your instructions, once having submitted the document as the InterAmerican Proposal -- and that was done the day before yesterday -- our administration undertook informal consultations with those administrations that expressed comments to the document. I wanted to report that the discussion is concentrating on the possibility of linking one or two sectors of the Union in order to deal with this problem.

In any case, I wanted to let you know, Mr. Chairman, there is a very constructive environment and we would be very close to reaching a consensus on the final text. However, we already have a revision of the document which I understand is currently being translated into the six languages. And therefore I invite all participants to consult this document as soon as we have it translated.

One of my colleagues, a representative of CITEL, Mr. Chairman, will submit a consolidated document at your next session on Monday, Committee 5 session on Monday.

Thank you.

>> CHAIRMAN: Thank you very much, Distinguished Delegate from Colombia. It seems to me that this is quite positive that you can make progress on your work and we can congratulate you for that. As you pointed out, there is a document that is currently being translated, so we have to wait until the document comes out in the six languages. And then on Monday we will have the possibility of discussing that document and we hope to be able to adopt a final proposal.

I move on to the next item, since we have already completed 5 and 5B. So on 5C I'd like to come back to Resolution 22. Brazil, it seems to me that on this point our delegates from Brazil have information to provide on Resolution 22. Brazil is recognized.

>> BRAZIL: Thank you, Chairman. Yes, we did have a few discussions on this right after our presentation Com 5 meeting. After the discussions, we have agreed that basically what's most important for Brazil is that the issue of Internet connectivity is something that is recognized as important and it's an important work item to be studied by Study Group 3. So what we discussed basically was we do not need to have a specific change in Resolution 22, as long as we have at least in your report, Chairman, something stating that the need for studies in this area is very important.

Thank you.

>> CHAIRMAN: Very well. Do you think that you'll be ready to come back with additional information by next Monday on this agenda item?

>> BRAZIL: Yes, Chair, I believe if you want, we can try to draft a specific statement to be put in a report under this specific item. If you wish, we could try to do something like that.

Thank you.

>> CHAIRMAN: Thank you, Distinguished Delegate from Brazil. And I apologize for holding this private conversation with the Secretariat. I've come to the conclusion that you do not wish to propose a revision of Resolution 22. But instead of that, to come back with a report that will be an explanatory note and/or a statement or declaration that can be attached to the report of Committee 5.

Is that so?

>> BRAZIL: Yes, Chairman. That's exactly so. We understand we don't have to -- we don't need to change Resolution 22 specifically, as long as we have a statement in the report that tells that this is an important work item.

Thank you.

>> CHAIRMAN: Very well. I leave it up to you to come back with a proposed text for that statement and come back on Monday. We take note of the fact than there will be no change to Resolution 22.

Well, it seems to me that we can leave this aside for today and we can move on to agenda item 6. Draft new Resolution on membership. And for that we have DT/34. DT/34. So I kindly ask you to find the document, document DT/34. And I will ask the Chairperson to be kind enough to introduce this document.

Please. Australia is recognized.

>> AUSTRALIA: Thank you, Mr. Chairman.

Before I begin to look at the -- to present the Resolution, I'd like to thank all participants in the first meeting of the drafting group yesterday. We had a very fruitful discussion and we're able to agree to this text to present to you today.

Some amendments have been made of an editorial nature, in terms of changing full stops to commas. But the key changes are under "Resolves to instruct the Council." In point 5 we added text that recognizes that the "nonprofit entities are specifically nongovernmental organizations dealing with telecommunication/ICT matters."

In "resolves to instruct the Council" 6, we agreed to the text that was proposed by Committee 6 F.

And in "resolves to instruct the Council" 8, we added a step that would indicate -- that would instruct Council to report on the outcomes of these studies, reviews, and consultations to the next Plenipotentiary, as a way of insuring that this would be reported on.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you very much, Distinguished Delegate from Australia, for this work.

Canada is recognized.

>> CANADA: Yes, thank you very much, Chairman.

First of all, we would like to express our appreciation to Ms. Morrison for the work she has undertaken with regard to this very important subject.

Chairman, for those who participate in Council, they will be well aware that this action with regard to membership was first identified through Resolution 158 at the Guadalajara Plenipotentiary Conference. There are specific provisions in the "instructs the Council" to review the current methodologies for participation of Sector members, associates and academia in the work of ITU. And work was undertaken from 2010 to 2014 and reported to the Council Working Group on financial and human resources. And, in fact, if you examine the terms of reference of the Council Working Group, there is a general reference to the need to address all matters directed by the Council and/or the Plenipot conference on a broad range of issues, such as those identified in the "resolves to instruct the Council" of Resolution 158. So that is part of the terms of reference of the group.

Now, Chairman, when I look at the provision number 8, it would seem to suggest that this work cannot be completed until 2018. What I'd like to suggest is perhaps a slight rewording of number 8 along the lines of "To report on an ongoing basis to the Council on progress achieved on the studies, with a view towards implementing interim measures on a trial basis for final approval by PP 18."

This would allow important initiatives to be undertake between now and 2018, which I think would be in the interests of all Member States and the membership as a whole, and would encourage these initiatives to be undertaken quickly in consultation with the membership.

So I would suggest a slight rewarding in that respect. And if there is agreement, I can provide the text to the coordinator.

Thank you.

>> CHAIRMAN: Thank you for this proposal for a slightly amended text to paragraph 8.

Iran, you have the floor.

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

We have no difficulty if we could easily take into account the proposal or the modification by Canada or by Dr. Gracie, quickly, but not converting this group to the drafting group. That is not the objective. It could be easily settled, yes. This is one point.

The second point, we must precisely mention that using existing mechanisms in place. We don't want to have another group. That should be clearly mentioned, existing Council Working Group could address this issue. It should be precisely mentioned in the Resolution.

Thank you.

>> CHAIR: Thank you.

U.K., if you please.

>> UNITED KINGDOM: Thank you. Well, I support what Canada has said, and I agree with Mr. Arasteh that, or Iran, that we don't be a drafting group.

Perhaps we could do this at the coffee break and propose some words. I think, although Mr. Gracie didn't explicitly mention it, the CAS crew that we are looking at is a nongovernmental organization, so perhaps two or three people can get together at coffee break and propose wording and put it back to the Committee as a final text.

Thank you.

>> CHAIRMAN: I thank the delegate of the U.K. I think that probably the most straightforward solution, because we don't want to be doing drafting either here or in the Working Group be the suggestion that you get together during the coffee break. I'll give you a long enough coffee break for you to be able to get together with the Chair from Australia and work on this small change to the text.

So would everyone who would like to participate go over to Australia during the break and then you can work on a text. That would be the best way to approach this. So since no one is asking for the floor, I'll start the break now and then we can deal with this issue of the DT which we have before us, DT/34, and finalize it.

That's on the one hand. On the other hand, too, the delegate from Brazil is waiting for some Delegations, particularly from Africa, to deal with the issue under item 4, this is on procedures for elections.

So our break will go on until 10:40. That is a long break, but it will give you time to have these discussions in full. So we will carry on with our work at 10:40.

Thank you.

(Break until 10:40)

(Gavel)

>> CHAIRMAN: Very well. I propose to reconvene. I hope that you have all used this break in order to make progress wherever that was necessary.

I will give the floor to our colleague from Australia so that they can tell us where we stand after the discussions on the minor modifications on DT/34.

Australia is recognized.

>> CANADA: Chairman, Ms. Morrison isn't in the room at the moment. Perhaps you can wait a few minutes and she will return momentarily.

Thank you.

>> CHAIRMAN: No problem. We will await for Ms. Morrison.

I would like to take advantage of this opportunity to ask Brazil to see if Brazil has anything new to bring to our attention in connection with Resolution 22 and the discussions you held during the break.

Is Brazil ready to come back with something?

>> BRAZIL: Yes, thank you, Chairman. No, not just yet. We are still proposing a text to be put in the report. I'll try to get it back to you in the next meeting.

Thank you.

>> CHAIRMAN: Very well. Then let us wait for the text. We hope to have the text by the following meeting.

Kenya, you're asking for the floor on this point? Kenya is recognized.

>> KENYA: Thank you very much, Chair.

Yes, indeed, we have had a meeting with the Distinguished Delegate from Brazil and covered some ground. But just to say that I think for now we have indicated to him that we would not be ready or we are not at a point where we can see a DT. So I would support the intervention that has just been made, that you give us more time to consult on the issue. And that when we have some document that we can present, then we will have it in the form of a DT.

Thank you very much, Chair. And once again just to please that you indulge us just a little more.

>> CHAIRMAN: Thank you. Take some time. If that allows you to come up with a text that can easily be brought back to plenary, then it is worth our while to give you some time so that you can consult. Let us wait until Monday and we will expect to have your text on Monday.

Thank you, Kenya. Australia is recognized.

>> AUSTRALIA: Thank you, Mr. Chairman. I understand that you called for me to speak. I apologize for being out of the room.

But I'm ready to present the results of our discussion during the break, if you would allow me.

Thank you, Mr. Chairman.

So we have consulted with the interested parties and I would just like to read out the text that is proposed to change "Resolves to instructs the Council" 8, in DT/34. This is to respond to the very helpful intervention by Dr. Gracie, to clarify the intent of this, in terms of process.

So I'll just read out the text now. "To review on an ongoing basis through the Council Working Group on financial and human resources progress achieved on the studies, reviews, and consultations, with a view towards implementing interim measures on a trial basis for final approval at the next Plenipotentiary Conference."

That is the text, Mr. Chairman.

>> CHAIRMAN: I apologize, Distinguished Delegate from Australia, bearing in mind the fact that we have been working for so long, could you repeat this at dictation speed, slowly, so we can all take note of the text. Could you do it at dictation speed, please.

>> AUSTRALIA: Thank you, Mr. Chairman. I do apologize for speaking too quickly. I'll read the text again.

"To review on an ongoing basis through the Council Working Group on financial and human resources progress achieved on the studies, reviews, and consultations, with a view towards implementing interim measures on a trial basis for final approval at the next Plenipotentiary Conference."

I hope that was slow enough.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you.

So this is the text, slightly amended. And this refers to the work done by the Council Working Group on financial and human resources.

I do not see any requests for the floor. Are we all in agreement with this text as amended? That seems to be the case, so we're ready to adopt DT/34 with the amendment that was just introduced. It is so decided.

Thank you very much.

And now we will bring that text to the plenary. Thank you very much to our colleagues from Australia and to all those who worked on this document. I believe that we have taken a very positive step forward on this today.

And now allow me to move back to the agenda to agenda item 7, with your permission. Definition of the term "ICT." It seems to me that this is nothing new for many of you. I am under the impression that we have been discussing all these issues for quite some time within the ITU. Maybe we will be lucky enough to arrive at an agreement on the definition of the term "ICT." At least I do hope so. If we can do that, that would be something quite positive.

But for the time being let us look at the documents that have been submitted under this agenda item.

First of all, we have document 48. Document 48 rev 1. 48. And then 90. 48 rev 1. Note by the Secretary-General, it seems to me that someone will be presenting this document, someone will introduce the document.

The U.S. is asking for the floor. The U.S. is recognized.

>> UNITED STATES OF AMERICA: Yes, thank you very much, Mr. Chairman. And good morning to everyone.

It's my pleasure to report on behalf of the Secretary-General of the ITU the activities and the results of the correspondence group to propose a working definition of the term "ICT."

This is a group for which I served as Chair and convenor, with the valuable assistance from the Chairman of TDAG, Dr. Minkin, from the Russian Federation, who served as co-convenor of this group.

If you allow me, I'd like to talk just to share with the group here a little bit about the background, because it's very relevant to how we arrived at the working definition that we did. I think it's important for people to understand the full process, because I understand that there are some further comments that people have about the conclusion of the group.

So we know that the group was constituted because the 2010 Plenipotentiary adopted Resolution 140. This is a Resolution that covers the ITU's role in implementing the outcomes of WSIS. And Resolution 140, among other things, requested the ITU Council to produce through the Study Groups a working definition of the term "ICT" for possible transmission to this August body, the 2014 Plenipotentiary Conference.

I would note that the rationale or purpose and context for this working definition of the term "ICT" for the ITU was not described in the Resolution, however. So following the direction given in Resolution 140, the ITU Council 2011 instructed the director of the Telecom Development Bureau, the BDT, to consult with the Chairman of the study groups and advisory groups and to create a correspondence group to develop this working definition that would be open to all three sectors of the Union.

The Council in 2011 also instructed the directors of the radio and standardization bureaus to consult with their Chairmen and their advisory groups for the TSAG and RAG to obtain representatives to participate on their behalf.

So the correspondence group was created under the direction of TDAG, in 2012, and worked for about one year. Invitations were issued to all members of the ITU via circular letter. And separate invitations were sent to the ITU-R and ITU-T Study Group, the Chairmen of the radio standardization and development advisory groups, the RAG, TSAG and TDAG, as well as the chairmen of the ITU-R coordination Committee for Vocabulary and the ITU-T Standardization Committee for Vocabulary.

In the course of our work, we received 28 different working definitions, proposed by 35 different entities, from 26 different countries. After working for one year the correspondence group held a physical meeting, met in person, and concluded its work in 2013 and agreed on the following working definition.

So this is the end product of the work. The working definition for ICT to be used for the ITU would be "Technologies and equipment that handle -- handle meaning, for example, access, create, collect, store, transmit, receive, disseminate -- information and communication." I would note that perhaps because the Resolution did not give guidance on the rationale, the context or the purpose, many contributors included parameters and limitations and contextual qualifiers in the definitions that they submitted. So they submitted a definition to be used in a specific context.

So the contributors to the correspondence group received all of these various limitations and guidelines and recommended a number of affirmative and limiting parameters for the working definition, so this definition is intended to be understood within these parameters and guidelines only.

So what are they? So the definition that I just presented to you, it's the group's intention that it would be high level, clear, concise, brief, applicable and defined in the context of the roles, responsibilities, and work of the ITU's three sectors. Broad enough to take into account a converged environment, technologically neutral, consistent with the United Nations Human Rights Declarations and confined to use in the Recommendations and Resolutions of each ITU Sector. Conversely, this group and the working definition should not include content or software-related references or applications. It should not interfere with the security or integrity of networks. It should not interfere with the protection of personal data. It should not include services per se or appear in legally binding documents like the ITU Constitution or a Convention.

And it should not signal a willingness on the part of any of the contributors to extend the scope of the ITU or ITU-D activities.

So this definition and its context and parameters was presented to the ITU-D study groups and to the 18th session of TDAG in 2013. TDAG took note with appreciation for the work of the group and invited any further comments to be submitted directly to the Council.

This brings us to the 2014 session of Council, which decided to send this working definition to PP-14 along with the report of the Chair. And so we are in your hands, Mr. Chairman, and dear colleagues.

So before closing, I would like to thank all the ITU members who contributed so thoughtfully to this process, given that we didn't maybe have completely clear direction, and I would certainly give special thanks to my co-convenor, Dr. Minkin, the Chair of TDAG who always worked so hard for this Union. I think we can be proud of the process that we conducted to faithfully carry out the will of the membership as reflected in Resolution 140. It was a transparent process that invited all members and sectors to participate and therefore was inclusive.

So I also want to thank the BDT director and his staff for the support they gave us. And I do believe, Mr. Chairman, all of us did our best within the confines of this Resolution.

Thank you.

>> CHAIRMAN: Thanks to you, Madam, for this presentation of the work on the definition underway.

So we have document 90, and it's Mr. Zourmba of Cameroon who will be presenting document 90. You have the floor, sir.

>> CAMEROON: Good morning to all colleagues.

This is agenda document 48 rev 1, including from TSAG. So let me present the document 90.

Ladies and gentlemen, dear delegates, I'm happy to present document 90. At its final meeting, the Council decided to forward this report to the Plenipotentiary Conference together with the summary of discussions, which can be found in the annex. Let me quote from the report of the TSAG meeting in June 2014. "Below please find an excerpt of the report of the TSAG meeting 17-20 June 2014." That's the quote.

All ITU study group chairmen agree unanimously that the proposed working definition of "ICT" is not yet mature enough. In particular, while they have no concerns with the basic working definition text, they have concerns with the descriptive narrative which qualifies the working definition as follows: "The working definition is not intended to include content, services, software or applications, should not interfere with the security or integrity of the networks or personal data.

"These limits placed on the working definition are in conflict with the work authorized by WTSA-12 of several ITU study groups. ITU-T study groups. That includes content, services, software, applications, security or integrity of the networks.

"These work areas have been called to the ITU-S study groups for many past opinions. The standardization Committee for vocabulary in a virtual meeting had to come to the same conclusion.

"TSAG agreed that the TSB director forward the concerns of the ITU-T Study Group Chairman to the Council session prior to PP-14."

In short, Mr. Chairman, the ITU-T Study Group Chairmen do not have any concern with the working definition as such, but with the narrative that accompanies the working definition.

Various comments were made at the Council just prior to PP-14. One Councilor said that the definition and the accompanying text are a package and cannot be disassociated.

One other councilor said that to introduce limitations and qualification will be meaningless.

Another councilor added recall that this Delegation had submitted a contribution to the Council in May 2014 expressing many of the concerns reflected in document C14/109. "The text accompanying the working definition will limit the scope of ITU's role and should be discarded."

Thank you, Mr. Chairman.

>> CHAIRMAN: I thank you for this presentation of document 90, report by the Council.

I now suggest we move on to the third document on this subject, which is definition of the term "ICT," a document from the Asia Pacific region. 67A1/19.

I'll give the floor to our Vice Chair.

>> VICE CHAIR OF THE SESSION: On behalf of the members of the Asia Pacific telecommunity, I have the honor to present ACP 67A1/19. This proposal does not directly reflect to the definition, but it's on the procedure to be followed. In this common proposal from APT, it has been mentioned that the two options, whether to agree or disagree with the definition, that this phrase would be included in the minutes of the plenary meeting of this Plenipotentiary 2014.

The first option is that if the Plenipotentiary Conference agrees with the definition of "ICT," then it is proposed that the Secretary-General and Directors of the three bureaus editorially reflect the above-mentioned working definition in all ITU Resolutions, and the means that have been proposed is adding an asterisk to the title of all resolutions in the area where the "ICT" first appears, describing at the bottom of that page underneath of the asterisk the text relating to the working definition.

And the second option, Mr. Chairman, is that if the Plenipotentiary is not able to come to an agreement on this definition, then it is proposed that the Plenipotentiary decides to instruct, A, the Council to further pursue the matter with a view to agree on a working definition.

And, B, instructs the Secretary-General and the Directors of the bureaus to editorially reflect the working definition of the "ICT" once agreed in all ITU Resolutions. And with the same procedure of adding the asterisk at the bottom of each document.

So, basically, as I mentioned, Mr. Chairman, it's mostly a procedural proposal for consideration of this meeting. Thank you.

>> CHAIRMAN: Thank you for this presentation on behalf of the Asia Pacific region.

So now I'll open the discussion. We have text proposed for consideration, and as I understand it the text of the definition itself has broad support. On the other hand, I think we do have a problem or some of us have a problem with the explanation. In other words, the explanatory part of the text.

So now I will open the discussion on this point. The Netherlands and then the Vatican. Netherlands, you have the floor.

>> NETHERLANDS: Thank you, Chairman. I can speak on behalf of the CPT countries and indicate that the CPT can accept this working definition, and if it's to be understood within the parameters and guidelines that have been indicated in the report.

So the whole package is for us acceptable. And I would like to thank the convenor and the co-convenor for all the work done. And in our view, this issue can be closed with this outcome.

Thank you very much.

>> CHAIRMAN: Thank you.

The Vatican and then the United States.

>> VATICAN CITY STATE: There was a mistake. I didn't ask for the floor.

>> CHAIRMAN: I'm so sorry. You were on my screen. I beg your pardon.

I think was it United States we had next? Had you asked for the floor? United States.

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

We also would like to thank the correspondence group and the co-convenors for all of their work in developing this working definition of ICT, as well as the parameters and guidelines for its use, as we heard from the Chair in her report.

It's clear from the report and from the work during the correspondence group meetings that this definition has been developed as a working definition. It is also clear that the will of the group is that the working definition is to be used pursuant to the parameters and guidelines that were included in the report and that the Chair read out for us.

We believe, though, that this definition will nonetheless be useful to members and to ITU Working Groups as we progress our work on the many issues within the remit of the ITU, where a definition of ICTs will help us clarify issues and facilitate a shared understanding of how best to proceed.

As instructed by Council, the report of the correspondence group has been submitted to this conference for our consideration. The United States' view is that the report should be noted. And for all of the reasons we have expressed and our colleague from the Netherlands has expressed, no further action is necessary here.

I wanted to respond briefly to the comments from the TSAG that we heard read from the report submitted here, and that were submitted to the October 18th Council meeting. We would note that the considerations expressed in this report were considered by the correspondence group in its deliberation, and they were also considered by Council in May, when it decided to send the correspondence group report to this Plenipot, including both the working definition and the inseparable guidelines for its use.

When the time is right, we would have a question of clarification for APT concerning its proposal to include a footnote in every Resolution where the "ICT" acronym is used. We would like to know for clarification, is APT suggesting that the footnote include both the working definition and the parameters and guidelines concerning that term's use as agreed by the correspondence group? Or would it just be the limited text of the definition? That would be important for us to understand when considering that proposal.

We also note, though, that we would be concerned that adding this footnote as APT proposes to each and every Resolution could constrain the adaptation of the definition in the future as technology evolves.

So in summary, Chairman, the United States would thank the correspondence group for its work. And we are happy to have the working definition and the parameters for use in our work here in the Union and we believe that the only action required is to note the report. Thank you.

>> CHAIRMAN: Thank you.

Now I have Saudi Arabia and then the UK.

Saudi Arabia, you have the floor.

>> SAUDIA ARABIA: Thank you, Mr. Chairman. Good morning to everybody.

We heard previously a report on this issue during the meeting of the Council, which was held last May. We have attended all meetings and discussions with regard to this issue, in addition to other notes provided by a number of delegates, in addition to notes and observations presented by the TSAG.

We presented our observations and remarks during the May meeting of the Council, and we asked the Council to present to the PP 2014 a report, the report of the correspondence group, in addition to all concerns and observations which have been expressed previously.

Mr. Chairman, the definition of "ICTs" is an important issue. This is something that you have to look into and draft with great attention, since it will be used as a basis for a number of functions and activities and missions, whether within the ITU or other UN agencies and organizations.

The Kingdom of Saudi Arabia would like to thank all contributors to the correspondence group and we appreciate the effort that has been taken during the work of this group. However, we would like to mention that the definition that was -- the outcome of the work of the group of correspondence is not mature. It is supposed to cover a number of important aspects, including handling, applications, as well as services.

Thank you, Mr. Chairman.

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

I now have the UK and then the Philippines. UK, you have the floor.

>> UNITED KINGDOM: Thank you very much, Mr. Chairman. First of all, I'd like to thank the co-conveners and the correspondence group for all of the hard work that they put into this study. And I'd like to associate the U.K. position with that of the Netherlands and the United States of America. We fully support the fact that the working definition has been developed in the context of the parameters, and we support the view that the working definition should be understood within a specific scope and context.

In addition, I'm particularly interested in the clarification requested by the United States regarding the APT procedural points regarding the use of footnotes, and the U.K. shares similar concerns that this could potentially constrain the development of a definition in the future.

In summary, the U.K. fully agrees that this piece of work should be noted and no further action taken.

>> CHAIRMAN: Thank you to the United Kingdom.

Philippines and then Uganda.

>> PHILIPPINES: Let me make some comments on the working definition of "ICT" in the hope that we will be able to bridge the gap between the pros and the cons on the definition.

It is our understanding that in fact the definition per se of "ICT" has great support among the members of the ITU. But as pointed out by the gentleman from Cameroon, who was the Council Chairman of Council 2014, the disagreement lies in the parameter in regard to definition, particularly on what "ICT" should not be.

Be that as it may, kindly understand that the definition is as described simply a working definition. So that when we meet either in Council or in some other groups, we have at least a common understanding for the time being of what "ICT" is.

Secondly, as pointed out by the Chairperson of this ICT definition, because precisely this definition is merely a working definition, it shall not and ought not to be found in any legally binding document.

Third, in document 48 rev 1-E, if only to be true to the understanding that the definition is merely a working definition, but does not legally bind everybody, is the wording on page 4 of the report which says under "parameters of the ICT" that the working definition selected "should be" and "should" not be."

Why was it that the report uses the word "Should be" or "should not be?"

Why did not the report use the word "Shall be or shall not be?"

The word "Should" is in fact used with emphasis. Was this precisely chosen as a phrase to emphasize the definition is merely a working definition and therefore is not to be found in any legally binding document?

Number four, we understand that the working definition is not perfect. But imperfectness is not a reason for us not to use the working definition with the understanding that precisely the working definition is for work only. And also please understand that the very technology being defined is not only evolving, but is actually in the process of revolution.

With this explanation, we hope that we can possibly agree on the definition of "ICT" simply as a working definition, not a legally binding and not a permanent definition, because at some other point in time, as the technology evolves or resolves, then we can adjust the definition. But, really, we can never arrive at the perfect finished definition, because the technology is still evolving.

Thank you.

>> CHAIRMAN: I thank the delegate of Philippines.

I have Uganda and then Iran. Uganda, you have the floor.

>> UGANDA: Thank you very much, Chair. I would also like to thank the correspondence group and the convenor for carrying out this task, which has not been easy.

Chair, I want to raise concerns which have been raised in some other fora, where they were discussing this working definition as provided. The concern of this fora was that we are trying to define "ICT" in which "I" stands for information and "C" stand for communication. Now, the very words we are trying to find are the same words reused in the definition. So this was a concern which was raised. I don't know whether the convenor of the correspondence group has comments on this concern.

I thank you.

>> CHAIRMAN: Thank you. We take note of your wish.

Iran and then Brazil.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chairman. Let me give a little bit of background. In WTDC Doha, we received contributions from two regional groups about adding "ICT" to the Resolutions. There is a general agreement, Chairman, and in fact unanimous agreement, that we would not take any action for inclusion of any definition of "ICT" in the basic instrument of the Union. It is a fact and we have all agreed. We don't want to have that.

Now, the issue is in the Resolution, "ICT," and what is ICT? There has been some efforts. Now, I don't want to be interpreted that we are optimistic or pessimistic, but I found very difficult that this conference come to any conclusion to have a definition of "ICT" at this Plenipotentiary. You will see, Chairman, at the end of your meeting, that would be the case.

However, the proposal of APT was misunderstood. We just proposed two things. One, APT does not want that this issue come back again to Plenipotentiary. We would like that the issue, if it is to be further pursued and further studied, to go in the Council and Council deciding on the matter, not coming back to the PP, because of the pressure on other issues of the PP.

If and only if it was agreed in the Council, which is acting between the two Plenipotentiary representatives of PP, anything agreed and only if anything agreed, and after that agreement goes to Member States and agreed by consultation, then the proposal is a modality. And the modality is that whenever we have ICT in the footnote, we have that temporary or provisional definition.

Perhaps in the document of APT it's not done provisionally. We don't want to close the future development. We added that one. If you have a better definition in the future, we replace that footnote and that's purely editorially issues. We would like to not overload the Plenipotentiary and so on. The APT does not propose the definition. APT says that should this conference agree, how to do it. Should the Conference not agree, give it to the Council with the clear instruction that do it in the appropriate way, but doesn't come back to PP again. If you do it and you find a definition for ICT, how to do it, put it in the footnote, but maybe adding until the time that there is evolution of the matter.

So I don't think that the anxiety of the United States and United Kingdom, after this explanation, would remain. Because we don't want to stagnate anything. But we would like to have the situation.

But, Chairman, I think it might be very difficult that this Plenipotentiary have anything with respect to the ICT in view of the qualification put by some colleagues in the definitions. The main element does not have a problem, but qualifications had problems for some ITU-T study groups and so on. Therefore, that's the procedure.

I hope that the APT proposal is well understood.

Thank you.

>> CHAIRMAN: Thank you, Distinguished Delegate from Iran.

Brazil, followed by Ghana, please. Brazil.

>> BRAZIL: Thank you, Mr. Chairman.

Brazil agrees with the Chairman of the ITU-T Study Group, that the proposed working definition of "ICT" is not yet mature, in particular with the parameters that limit the outputs of the Working Group.

The group didn't reach at this point to a conclusion of consensus, as we all know. So we understand the complexity of the issue. And that is why we are in favor of further actions, taking into account expertise of ITU-T study groups.

In regard to including this working definition on the documents of this PP, we are not convinced yet that this should be the right course of action. It seems more appropriate to accept option two of the APT document.

And to conclude, Mr. Chairman, my sentiment is that at the end if you go to further studies in the Council or in the ITU-T study groups, we will not find answers to the question.

>> CHAIRMAN: Thank you, Brazil. Ghana, please.

>> GHANA: Thank you, Chair. Good morning colleagues.

I speak on behalf of the ITU-T Study Group Chairman. We want to thank the correspondence group, the convenors, and also the contributions that were received that has brought us this far.

As well articulated by the Chairman of the Council in his report, our concerns are with the descriptors which go with the definitions. Our basis of this is with the WTSA Resolution 2. We understand that this is a working definition. And Working Groups work with definitions. ITU-T recommendations E 800, for example, is about definitions. We accept that ICT should have a definition, at least a working definition, at least, not just for the ITU but even for academia who currently run courses on ICT.

Our major concern is how the guidelines tend to conflict with the mandates of the study groups. Study Group 12 essentially is about services, multimedia applications, and all that.

What we want to be clear on is how the descriptors tend to sustain the work that we are used to doing for many, many years.

So Chair, in brief, we are in your hands that this working definition as to, however it is packaged, will permit the work of the existing study groups in the ITU-T especially.

Thank you very much, Chair.

>> CHAIRMAN: Thank you, Distinguished Delegate from Ghana.

Morocco is recognized.

>> MOROCCO: Thank you, Mr. Chairman. In fact, I would like to begin by commending, congratulating the correspondence group for the result of their work that is now before us as a basis of our group, and which brings these definitions what is an important acronym in the sector, ICT, and all the work that is conducted by the International Telecommunication Union.

However, by heeding the concerns voiced by the President of Council, the various study groups, we believe that this definition of the acronym that includes words such as "Technology, information, communication," besides "equipment" that appears in brackets, is not that mature in order to cover all the concerns and the aspects that have to do with application, software, use. And, therefore, our proposal would be to give additional time to the Study Group, particularly Study Group 2, ITU-T, in order to deepen this review to come to a sound conclusion.

Thank you, Mr. Chairman.

>> CHAIRMAN: Thank you, Distinguished Delegate from Morocco.

I see that we still face difficulties in coming to an agreement on this matter of definitions of "ICTs" even to be taken up with a working definition. It seems to me that we have come to an agreement on not including this as part of the basic text of ITU as an ethical definition, but still as a working definition, not as a definition itself. On the explanatory text in connection with these definitions, we still face some difficulties.

I am quite disappointed to see that some delegates do not have an optimistic point of view in believing that we can come to a conclusion during this PP. Usually we're all ready and willing to come to a conclusion quickly here within the framework of the Plenipotentiary. But this time I don't feel that well, that much. I don't know whether that has to do with having discussed this so much, having been through this definition for years now, or maybe it has to do with the fact that it is so difficult that not even during this PP we will be able to come to a conclusion. If we submit this into Council, one can bear the hope that we can come to a conclusion in Council.

So I leave that in your hands for you to ponder upon this. For the time being, in any case, I do not feel that there is a consensus in order to arrive at a result during this PP. But I am ready and willing to assist you to reach that if this is truly the wish of all.

I'm not under that impression, and that is what really bugs me, I must say, at this point.

I don't see any request for the floor at this point. Perhaps we should leave things to rest for some time during this weekend, hoping that things will evolve and that we can come back to this next week for one last time. And with that, we can leave this in abeyance.

The Philippines is recognized.

>> PHILIPPINES: Mr. Chairman, thank you for this last opportunity. I appreciate the fact that you ruled that hopefully next week we will be able to arrive at an agreement or a compromise on the definition.

Towards that end, let me clarify two concerns which were raised on the floor, in the hope that precisely we can reach a consensus.

Number one, it was brought on the floor that the definition is a definition which is no good because it is tautological. It repeats the very words precisely. That objection was raised in Council 13. Let me point out that the purpose of a definition is to simplify and make understandable words which are complicated. However, an idea is several words clunked together and that interrelation of these words are explained, such that an ordinary layman can now understand what ICT is. By explaining one word in the phrase to explain its relation with the other, then the objection will be tautological. To any mind, that does not have any ground.

Number two, it was also pointed out that the enumeration of the word "Handle" in parentheses is incomplete. Let me point out that the words in parenthesis is introduced by the word "eg" or by way of an example. In rule making or in definitions, when a series of words or items are introduced by the word "eg" it means that the words or items introduced following "eg" are not exclusive, because of the needs of other examples as the nature of the ones enumerated. These are the rules.

We hope that we have made some clarifications and issues raised on the floor.

Thank you.

>> CHAIRMAN: Thank you Distinguished Delegate from the Philippines.

Iran is recognized. Can we give the floor to Iran, please.

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

Mr. Chairman, it seems to us quite difficult to arrive at a consensus during this Plenipotentiary Conference on the definition of the term "ICT." It seems to us that this is quite difficult, in keeping with what we have heard.

Perhaps we ought to attempt to arrive at a consensus. After this, what can we do?

The APT proposal is to entrust this task to the ITU's Council, not excluding a follow-up by the Study Groups, ITU-T Study Group, and/or others, but that this be discussed by Council and that they make the appropriate decision without submitting this to the next Plenipotentiary Conference. Perhaps, if you agree, Mr. Chairman, you could entrust this to someone, to any one of the representatives that proposed anything, perhaps the APT Delegation if you agree, so that they can study this follow-up action. But not to wait until next week. Perhaps during the weekend they can meet and discuss this being in a physical meeting in the corridors or in the coffee break. Because we are far from a consensus in order to just follow-up these issues.

The delegate from Brazil proposed option 2. Perhaps it should be one of these options to be considered, amongst others. But it is difficult to understand how we can come to a consensus on whatever definition of ICTs during this Plenipotentiary Conference.

Thank you very much, sir.

>> CHAIRMAN: Thank you. Since we have a proposal submitted by APT on the follow-up, because we're not discussing the follow-up but bearing in mind the fact that we cannot come up with a definition during this PP, I would propose -- and this is a proposal that I address to the APT region -- that you work on a text, on the basis of a text that I can include in my report, and that you undertake the necessary consultations. And then we can come back on Monday or Tuesday to discuss this. We shall proceed accordingly. So APT, working with the proposal after holding consultations, and we can see whether we can come up with a text that can be included in the report.

Very well? It is so decided. We will come back to this next week.

I have 15 minutes left. Item 8. We have a document submitted by the RCC region on terminology. And I'll ask the RCC region to make a presentation of this document 73A1/81.

Russia is recognized.

>> RUSSIAN FEDERATION: In the document which I have the honor to present on behalf of the RCC, we discuss terminology and definitions for significant documents adopted by the ITU for its statutory activities. Before describing the document, I'd like if I may to state that it's very important for all of us to understand each other, to have the same understanding of words and concepts in order to be able to carry out the statutory activities.

Even people who speak the same language have different understandings. It's hard. But even when we have 66 official languages, as in our region, each of them unique and each of them used equally to provide for the ITU's statutory activities for all interested countries, that makes it even more difficult.

So as we consider different documents, we see that for the Plenipotentiary and for the Council of the ITU we have the regular use of words like "Decision, Resolution, recommendation." I'm talking about our basic documents. And moreover, in Resolution 1, in the first Resolution, each Sector has its own definition of these concepts. And they are also found here and there in different documents and in the instructions for the translation services.

So as we see it, it is very important and timely for us to be able to have definitions of these terms, official definitions for our basic documents. Definitions that will be adopted by the Plenipotentiary.

For this reason, in this draft new decision, the RCC has given descriptions from various points of view of these sort of terms, like "Decision, recommendation and Resolution." And when we wrote this text, we took into account the fact that in the ITU it is International law for International organizations which determines these terms, but that each organization and its members has the right to do this for itself. So in a way, this is also to do with International law.

Moreover, different documents have different functions in terms of their status and their content. So we need for this to be fully reflected in their terminology description.

Furthermore, documents like decisions and Resolutions are different in the functions to which they are addressed. And, therefore, there is also an issue to do with the limited finances of the ITU. A document like a recommendation can be a regulatory text for telecommunications, and therefore it touches upon the deeply held interests of various parties.

Given all this, I would like to hope that members of the Committee have had an opportunity to familiarize themselves with our proposals and would be very grateful for any of your comments.

May I point out one important difference between a Resolution and a decision, which is to do with the competence and the scope of a Resolution. If a Resolution can only be adopted on the subject of the Convention or the other basic texts of the organization, then it can reflect the powers of the ITU, which may or may not have been reflected in the Convention, but which reflect its functions.

And any powers not provided for in the Constitution and the Convention, it doesn't matter if such powers are not inconsistent with the goals of the Union.

Thank you very much.

>> CHAIRMAN: Thank you, Distinguished Delegate from the Russian Federation, for the introduction of this document.

Iran is recognized.

>> ISLAMIC REPUBLIC OF IRAN: Thank you very much.

We still have a few minutes. I don't know if this is sufficient to discuss this, but in any case we would like to express our profound gratitude that we address to the Russian Federation on behalf of the RCC for this document, which is extremely important and should be debated, should be discussed. And I have three points to raise, Mr. Chairman.

The first one, which is question one, the need for this undertaking.

Second question, the possibility of following this formality.

Third point, the entity or the agency that could undertake to do this. Mr. Chairman, as an International agency or entity, there is no global agreement concerning the Resolution or the decision, the views or recommendation. And every year we follow these affairs in keeping with the standards or in keeping with the practices.

I recall at Council in 2003 someone asked could we define what consensus is, there Malcolm Johnson -- and at time he was representing the U.K. -- he said we shouldn't be discussing that, what is consensus? Consensus is consensus, if you go into that definition, you will be trapped there, you won't be able to come out.

In the different bodies of the ITU, there are certain entities that speak of resolutions, of recommendation, of reports, for example, in ITU-T, ITU-R, Resolution 1, there are certain things. But coming to a PP in order to define this, is it necessary that we do that? For years, we followed that practice and we were never encountered with any major problem.

And, secondly, is it possible here during the third week of the Conference to do that or the fourth one? How are we to do that? If we have a response to these questions, then we can start to work this out.

Thank you, sir.

>> CHAIRMAN: Thank you, Distinguished Delegate of Iran, for your thoughts.

I have Pakistan followed by the Philippines. Pakistan, please.

>> PAKISTAN: I'm sorry, Mr. Chairman. This is probably -- I didn't request the floor. Thank you.

>> CHAIRMAN: Philippines, please.

>> PHILIPPINES: Thank you, Mr. Chairman. We thank the Delegation from Russia for introducing this paper. Indeed, because all of us are signatories to the Constitution and to the Convention, which are in the nature of treaties. And as Treaty bound members of the ITU, the words introduced are words normally used in International law for which we are subject.

From the definitions introduced by the Delegation from Russia, I take it to mean that decision or Resolution from the viewpoint of a judicial or a quasi-judicial tribunal are one in the same in that a decision or Resolution is a text or a document which settles or disposes an issue, a question, or controversy.

But outside of the judicial or quasi-judicial body, a Resolution is different from a decision, particularly in legislations or lawmaking bodies where a Resolution as differentiated from a law is merely an expression of the real sentiment of that tribunal collectively expressed.

A recommendation on the other hand, to my understanding, as explained by the Russian Delegation, is a conclusion on what action to take, submitted to another body by way of suggestion and for consideration by that body.

A recommendation is merely suggestive.

With this addition, again, let me reiterate our thanks to the Russian Delegation for a paper well propounded and will explain.

Thank you.

>> CHAIRMAN: Thank you. The U.S. Please.

>> UNITED STATES OF AMERICA: Thank you, Chairman. I'll be brief. I know we are coming up on the lunch break. I also wanted to thank the Russian Delegation for this proposal and for laying out their ideas on this important topic.

I would note, though, that this proposal is very, very complex and detailed. And though we have spent a lot of time in our Delegation working with the proposal, we still would have many, many questions and we do not believe that this conference has the remaining time to give this document the very careful review and consideration that would be necessary.

Just to make one specific concern we would have, although as I mentioned we would have several questions, we believe that the proposal incorrectly States the legal status and impact, for example, of Resolutions, recommendations and decisions.

In particular, we are concerned about the characterization that recommendations are mandatory. From our perspective, that is not accurate. Recommendations are just that. Recommendations.

This, however, is just one example of the sorts of issues we would need to explore more deeply with our colleagues. And so we would suggest that though this proposal has some very interesting aspects to it, we really just don't have the time at this conference to go into this level of detail.

Thank you, Chairman.

>> CHAIRMAN: Thank you very much for these comments. I've already discussed this a little with my colleague from the Russian Federation. I'm sure they didn't assume this PP would achieve an immediate result. Everybody is aware that this is an issue which requires much thinking, especially given the richness of the document which was presented.

So the question now is what are we to do at this stage? Is there any necessity to move forward on this? And if so, how do we do that?

Given that it's now midday and that brings us to an end of this morning's discussion, I will leave this for you to think about. What should we do with this proposal? Are we going to take this forward? If we are to, perhaps you would get into contact with our colleague from the Russian Federation during the course of the next few days, so that you can do some thinking together about what we want to do.

First of all, do we want to do anything? What do we want to do? How do we want to do it? Of course, during the PP, but... If there is enough will to do this, how do we move forward?

So now I will interrupt the discussion at this point and allow you to do some thinking with the colleague from the Russian Federation, for next week.

So I will now adjourn our meeting, today's meeting. I know that there are several Working Groups which will be meeting today and tomorrow. We don't have too much to regret, because they're promising rain for today and tomorrow. So that makes it just the right moment for us to push forward in our work. I hope we won't have any need for Sunday meetings, and we'll see each other on Monday with, I hope, lots of things that will be ready to be adopted.

Before closing, I will give the floor to the Russian Federation and then I will close the discussion.

Russian Federation, you have the floor.

>> RUSSIAN FEDERATION: Thank you, Mr. Chairman of the Russian Federation on behalf of RCC is very grateful to everyone who spoke and we're grateful for the interest which has been shown in our document. We are of course aware that such a complex issue can't be taken on board, discussed and decided on immediately. But we are doing this in the awareness that we had to broach this subject at some point. Because with our desire for stability of our Constitution, we know we have a need for the shared understanding of the main terms and main definitions that we use in all of our six languages.

And the Russian Federation would be very grateful for this opportunity to discuss this outside the meeting rooms. And decide what should be the fate of this document.

So thank you very much.

>> CHAIRMAN: Thank you. I now adjourn the meeting and wish you all a good weekend. See you all on Monday.

(End of meeting, 12:03)

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