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| **Council 2019Geneva, 10-20 June 2019** |  |
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| **Agenda item: ADM 7** | **Document C19/63-E** |
| **22 May 2019** |
| **Original: English** |
| Note by the Secretary-General |
| CONTRIBUTION FROM the United States of americaMemoranda of understanding |

I have the honour to transmit to the Member States of the Council a contribution submitted by the United States of America.

 Houlin ZHAO

 Secretary-General

Contribution from the United States of America

Memoranda of understanding

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| SummaryThis contribution summarizes the discussions that occurred during the 2018 Plenipotentiary Conference regarding Memorandums of Understanding (MoUs) with substantial strategic and financial implications. The contribution contains a draft Decision that would memorialize the outcome of the discussions that took place during PP-18 to provide clarity for ITU membership.Action requiredThe Council is invited to **note** the content of this contribution and to **adopt** the draft Decision contained in the Annex to this contribution.\_\_\_\_\_\_\_\_\_\_\_\_ReferencesDocument [PP18/173](https://www.itu.int/md/S18-PP-C-0173/en) |

**Background**

Resolution 192 (Busan, 2014) instructed Council to formulate criteria and guidelines for ITU participation in memoranda of understanding (MoUs) that have financial and/or strategic implications. Council was unable to reach consensus on such criteria and guidelines prior to the 2018 Plenipotentiary Conference (PP-18). During the 2018 Plenipotentiary Conference, Committee 6 discussed proposals to modify Resolution 192 (Busan, 2014), including specific criteria and guidelines for MoUs with financial and/or strategic implications. PP-18 ultimately agreed to suppress Resolution 192 in favor of specific text to be included in the minutes of the Plenary that clarifies the procedure for MoUs with substantial financial and/or strategic implications.

**Proposal**

In the interest of clarity, and to avoid confusion in light of the suppression of Resolution 192, the United States Proposes that the ITU Council adopt a Decision memorializing the text that was included in the minutes of the Plenary of PP-18.

The attached Annex contains the proposed draft Decision.

**Annex: 1**

ANNEX

DRAFT DECISION

Memoranda of Understanding (MoUs)

The Council,

considering

*a)* the suppression of Resolution 192 (Busan, 2014) by the Plenipotentiary Conference (Dubai, 2018);

*b)* the minutes of the sixteenth Plenary meeting of the Plenipotentiary Conference (Dubai, 2018), which approved specific text related to memoranda of understanding (MoUs) with substantial financial and/or strategic implications as a decision of the Plenipotentiary Conference,

decides

1 that MoUs in which the ITU is a participant that have, in the view of the Secretary-General, substantial financial and/or strategic implications should only be entered into subject to Council’s prior approval;

2 that the Secretary-General shall submit to the ordinary session of the Council for prior approval the MoUs that have substantial financial and/or strategic implications;

3 that a report on all MoUs entered into by ITU during the relevant period will continued to be submitted to the ordinary session of the Council;

4 that the Council, when considering ITU’s participation in MoUs that have substantial financial and/or strategic implications shall apply the following principles:

 i) that any involvement of the Secretary-General in this capacity should contribute to and be within the purposes of the Union as set forth in Article 1 of the Constitution, and within the strategic and financial plans of the Union;

 ii) that Member States and Sector Members will be kept informed of the activities of ITU when it participates in MoUs that have substantial financial and/or strategic implications;

 iii) that the sovereignty and rights of ITU Member States are fully respected and preserved;

5 that the activity above shall be covered within the Council’s report to the Plenipotentiary Conference on the implementation of the Strategic Plan and the activities of the Union.