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| **Virtual consultation of councillors starting 16 November 2020** |  |
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|  | **Document VC-2\13-E****14 January 2021****Original English** |

SUMMARY RECORD

OF THE

FOURTH MEETING

Thursday, 19 November 2020, from 1200 to 1510 hours

**Chairman:** Mr S. BIN GHELAITA (United Arab Emirates)

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|  | Subjects discussed | Documents |
| 1 | Outcomes of discussions held on 18 November 2020 | [VCC-2/DT/1(Rev.2)](https://www.itu.int/md/S20-CLVC2-201116-TD-0001/en) |
| 2 | Decisions of the United Nations General Assembly on the conditions of service under the United Nations common system (continued) | [C20/23](https://www.itu.int/md/S20-CL-C-0023/en) |
| 3 | New investigation function and process  | [C20/60](https://www.itu.int/md/S20-CL-C-0060/en), [C20/78](https://www.itu.int/md/S20-CL-C-0078/en), [VC/8](https://www.itu.int/md/S20-CLVC-C-0008/en) |
| 4 | Appointment of a new external auditor | [C20/49](https://www.itu.int/md/S20-CL-C-0049/en) |
| 5 | Report on progress on the Union's headquarters premises project and summary report on the work of the Member States Advisory Group (MSAG) on the Union’s headquarters premises project | [C20/7(Rev.1)](https://www.itu.int/md/S20-CL-C-0007/en), [C20/48(Rev.1)](https://www.itu.int/md/S20-CL-C-0048/en), [C20/77](https://www.itu.int/md/S20-CL-C-0077/en), [C20/INF/20](https://www.itu.int/md/S20-CL-INF-0020/en), [C20/INF/21](https://www.itu.int/md/S20-CL-INF-0021/en) |
| 6 | Staff Working Conditions Strategy and Implementation Plan | [C20/29](https://www.itu.int/md/S20-CL-C-0029/en) |
| 7 | Reports of Council working groups | [C20/8](https://www.itu.int/md/S20-CL-C-0008/en), [C20/12](https://www.itu.int/md/S20-CL-C-0012/en), [C20/51](https://www.itu.int/md/S20-CL-C-0051/en), [C20/57](https://www.itu.int/md/S20-CL-C-0057/en), [C20/67](https://www.itu.int/md/S20-CL-C-0067/en) |

**1 Outcomes of discussions held on 18 November 2020 (Document** [**VCC-2/DT/1(Rev.2)**](https://www.itu.int/md/S20-CLVC2-201116-TD-0001/en)**)**

1.1 Document VCC-2/DT/1(Rev.2), containing the outcomes of the previous day’s discussions, was **noted**.

1.2 Regarding WTPF, the Chairman informed the meeting that the CICG was only available on 16-18 December 2021. The Secretary-General, however, had received information that a Member State might be interested in hosting the event and had requested more information in order to confirm. The Chairman would revert back the following day with more information.

1.3 The Chairman reminded the meeting that, as mentioned by the IEG Chairman, there would be preparatory meetings during the January/February and September Council Working Group (CWG) clusters in 2021, and also one around the WSIS Forum period.

1.4 The secretariat would publish a DT document with modified Decision 611 and the preparatory schedule.

1.5 Several councillors suggested reducing the length of the CWG clusters in early 2022 and convening only essential groups in order to optimize the meeting schedule.

1.6 The Secretary of the meeting said all CWGs tended to meet in the build-up to a plenipotentiary conference in order to finalize their reports. It might be possible, however, for some groups to do so during the last cluster in 2021 and thereby shorten the cluster in early 2022. The secretariat would review the CWG schedule for 2022 and provide information to the next Council session.

1.7 Regarding preparations for WTSA-20, and in response to questions by two councillors who referred to the decision-making powers of TSAG and the ITU-T study groups and the need to ensure business continuity within ITU-T, the Chief of the ITU-T Study Groups Department said that TSAG and the ITU-T study groups had been operating in virtual mode since March 2020 without any particular difficulties; the current COVID-19 situation did not allow for any alternative. Similar to TDAG and RAG, it was agreed at the beginning of each meeting that the meeting would have the power to make decisions by consensus. The ITU Legal Adviser endorsed those comments: the relevant groups would continue to operate on that basis as long as necessary, given the ongoing situation.

1.8 It was suggested that a status update on the virtual operations of TSAG and ITU-T study groups be submitted to the next Council session.

**2 Decisions of the United Nations General Assembly on the conditions of service under the United Nations common system (continued) (Document** [**C20/23**](https://www.itu.int/md/S20-CL-C-0023/en)**)**

2.1 The Chief of the Human Resources Management Department (HRMD), responding to a question, said that ITU was applying ILOAT Judgment No. 4137, which had cancelled application of the post adjustment multiplier based on the ICSC’s 2016 cost-of-living survey for Geneva, and was receiving post adjustment multipliers from ICSC once or twice a month. It was hoped that ICSC’s revision of the post adjustment methodology would promote greater harmonization of post adjustment multipliers. The Chief of the Financial Resources Management Department (FRMD) added that provision had been made in the budget for 2018 to cover the implications of judgment No. 4137 and that the 2019 budget had been updated to reflect the new salary scale. Application of the judgment would have no financial implications for future budget periods.

2.2 The Chairman took it that councillors wished to conclude that, keeping in mind that that item was urgent, a consultation by correspondence of Council Member States on the approval of the draft resolution in annex to Document C20/23 would be undertaken.

2.3 It was so **concluded**.

**3 New investigation function and process (Documents** [**C20/60**](https://www.itu.int/md/S20-CL-C-0060/en)**,** [**C20/78**](https://www.itu.int/md/S20-CL-C-0078/en)**,** [**VC/8**](https://www.itu.int/md/S20-CLVC-C-0008/en)**)**

3.1 The Chief of HRMD, introducing the documents, recalled that Document C20/60 on the creation and funding of a new investigation function had already been presented to VCC-1, and drew attention to the conclusion reached. Document C20/78 set out in annex the proposed new internal audit and investigation charter, which incorporated the terms of reference of the new investigation function, as requested by VCC-1. Further work was required to incorporate the relevant text into ITU policies and conduct a comprehensive review of existing procedures.

3.2 Councillors, noting the increase in reports of potential misconduct at ITU in recent years, supported the creation of the investigation function, although care should be taken to avoid duplication with existing functions. Different views were expressed regarding the level of the new position, and the question was raised as to how it would be determined.

3.3 Three councillors considered that the report of the Joint Inspection Unit (JIU) concerning the progress made in the United Nations system organizations in strengthening the investigation function (Document C20/INF/18) was highly relevant to the Council’s current discussion, particularly as 9 of its 10 recommendations were addressed to legislative bodies.

3.4 One councillor, referring to the internal audit and investigation charter, said that she would welcome further clarification regarding the roles and responsibilities of the investigation unit, its modalities of action, and the high-risk areas susceptible to fraud, corruption and other wrongdoing. A mechanism to promote close coordination between the Internal Audit Unit and the investigation unit would be useful, as would a clear separation of functions with those of the Ethics Office. The reports of the investigation unit should be made available to IMAC.

3.5 The councillor from the Russian Federation said that he would be reluctant to agree with the creation of the new function. It would be preferable to enhance the efficiency of the already sufficient number of internal and external auditing bodies at ITU, including by improving coordination. The proposed new charter should be submitted to CWG-FHR for preliminary consideration.

3.6 The Chief of HRMD, responding to comments, said that the proposal to establish an independent investigation function was fully consistent with the conclusions and recommendations of the JIU report (Document C20/INF/18). All the recommendations in that report would be taken into consideration in the ongoing work. The current investigations did not constitute a core function of the units concerned and were adversely affecting the completion of mandated tasks. The position could not be funded through the budget for 2022–2023, as no provision had been made for it in the financial plan approved at PP-18. The further work required to integrate the new investigation unit into the relevant texts in ITU’s policies and ensure that the functions of the entities concerned were clearly delineated was expected to be undertaken before the next physical session of the Council. Proposals by the secretariat in that regard would go to CWG-FHR for consideration.

3.7 The Secretary-General said that ITU had been using its existing internal resources to investigate a growing number of allegations of misconduct in recent years, but ITU staff were not professional investigators and capabilities were being challenged. IMAC had recently raised concerns about the effect of the investigations on the important work of the Internal Audit Unit. Recalling the conclusion reached at VCC-1, he said that it had not been possible to convene a physical session of the Council, and he appealed to the councillor from the Russian Federation to reconsider his view given ITU’s urgent need to strengthen its investigation function. The JIU recommendations would provide useful input for avoiding duplication with existing structures within the Union, and ITU would learn from the experience of other organizations with such positions. The creation of a new investigation function would help to enhance the efficiency of existing bodies at ITU.

3.8 The Internal Auditor said that all the points raised in the discussion and the JIU recommendations would be taken into account in preparing a revised version of the internal audit and investigation charter to be presented to Council-21 for approval. Responding to a comment on the frequency of revision, he said that the Council had previously noted the JIU recommendation for review of the internal Audit Charter at least every three to five years. An option would be to split the internal audit and investigation charter, as the two functions were distinct. The Ethics Office was another distinct function, and Service Order 19/10 on ITU investigation guidelines indicated where the role of the Ethics Office ended that of the investigation function began.

3.9 The Ethics Officer said that the creation of a new investigation function was highly important given the increased workload from the growing number of misconduct complaints. She assured the meeting that comments on the importance of ensuring a clear separation of functions would be taken into account.

3.10 The councillor from the Russian Federation, noting the explanations provided, said that he could agree to the proposed new function in a spirit of compromise. He wished to place on record that consideration in ITU of humanitarian issues, such as human rights, women’s rights, gender in ICTs and of issues relating to the strengthening of the audit and investigation services, etc., should not lead to a departure from and a decrease in the Union’s activity on substantive regulatory, standardization and telecommunication/ICT development matters and technical issues of the industry. ITU, first and foremost, should consider issues and solutions related to new technologies for telecommunication/ICTs (artificial intelligence, big data, the Internet of Things, etc.).

3.11 The Secretary-General thanked the councillor from the Russian Federation for his flexibility. As to the level of the position, the prime objective was to secure a competent expert. If councillors endorsed the reinforcement of ITU’s investigation function, he hoped to be given the discretion to establish the level based on the calibre and experience of the candidate chosen after a rigorous international selection process.

3.12 One councillor agreed that the Secretary-General should be given the discretion to establish the post at the P.4 or P.5 level, as appropriate.

3.13 The Chief of FRMD said that once the Council had endorsed the creation of the position, the withdrawal from the Reserve Account would be made for the period 2021–2023. Provision for the new position would be made in the financial plan for 2024–2027. Responding to a suggestion that the position should be funded from internal savings given the current global situation, he said that the level of contributions received to date was commensurate with the same time the previous year.

3.14 The Chairman took it that councillors wished to conclude that, keeping in mind that that matter was urgent, a consultation by correspondence of Council Member States would be undertaken on the endorsement of the reinforcement of ITU’s investigation function, through the creation of an independent and dedicated position, at the P.5 or P.4 level, to be financed through a withdrawal from the Reserve Account. He also took it that councillors invited the secretariat to take into account the comments and the recommendations from the JIU and present a revised version of the Internal Audit and Investigation Charter to the 2021 session of the Council.

3.15 It was so **concluded**.

**4 Appointment of a new external auditor (Document** [**C20/49**](https://www.itu.int/md/S20-CL-C-0049/en)**)**

4.1 The Chairman recalled that Document C20/49, containing the Appraisal Committee’s report on the selection of the external auditor, had been discussed at length during VCC-1. It had been agreed to continue the discussion at the next physical meeting of the Council, provided that one could be held by the end of 2020. As that had not proved possible, an alternative course of action had to be considered in order to arrive at a timely decision.

4.2 Providing a follow-up report to the document, a representative of the secretariat said that the Chairman of the Council had sent a letter to Council Member States in July 2020 inviting questions after several councillors at VCC-1 had requested further information on assessment and selection methodology. No questions had arisen, however, though expressions of support and appreciation had been forthcoming.

4.3 One councillor expressed her country’s appreciation for the work of the Appraisal Committee and agreement to appoint the United Kingdom’s National Audit Office as external auditor.

4.4 The Chairman noted that it was important finally to inform the candidate institutions of the outcome of the Appraisal Committee’s deliberations and recalled that their bids only remained valid until April 2021, before the next scheduled Council session. Consequently, and as no further questions had been received, he took it that councillors wished to conclude that, keeping in mind that that item was urgent, a consultation by correspondence of Council Member States would be undertaken to adopt the draft Decision contained in Annex A to Document C20/49.

4.5 It was so **concluded**.

**5 Report on progress on the Union's headquarters premises project and summary report on the work of the Member States Advisory Group (MSAG) on the Union’s headquarters premises project (Documents** [**C20/7(Rev.1)**](https://www.itu.int/md/S20-CL-C-0007/en)**,** [**C20/48(Rev.1)**](https://www.itu.int/md/S20-CL-C-0048/en)**,** [**C20/77**](https://www.itu.int/md/S20-CL-C-0077/en)**,** [**C20/INF/20**](https://www.itu.int/md/S20-CL-INF-0020/en) **and** [**C20/INF/21**](https://www.itu.int/md/S20-CL-INF-0021/en)**)**

5.1 A representative of the secretariat introduced Document C20/7(Rev.1), which she said summarized progress on the Union's headquarters premises project since VCC-1. Workshops and seminars had taken place to enable designers to finalize the phase 4.32 cost estimate, which was due by the end of November 2020. While the project was on schedule and within the agreed budget despite the pandemic, it was still too early to predict what impact COVID-19 would ultimately have on it. Consequently, the secretariat was contracting experts to establish a staff working condition implementation plan and a post-COVID workplace analysis to identify any impacts on the ITU workforce and the building design.

5.2 She also introduced Document C20/77, containing a report on the analysis of the Tower sale options, undertaken following MSAG’s advice. A decision was not critical immediately as ITU still needed to initiate administrative procedures with the host country relating to the sale of the Tower. Consequently, councillors were invited to consider the document, pending a decision at Council-21.

5.3 The Chairman of MSAG introduced Document C20/48(Rev.1), which outlined the work of MSAG since VCC-1. It did not, however, cover the 12th meeting of MSAG held on 12 November 2020, where MSAG members had discussed the report contained in Document C20/7(Rev.1), examined the nine recently revised risk register items, sought clarifications on the reports contained in Documents C20/77 and C20/INF/20 and addressed the post-COVID design implications described in Document C20/INF/21. He invited councillors to note the report but drew attention to two matters worthy of attention in the near term: the risk register fund was not populated with sufficient funds, as required under Council Decision 619; and ITU’s teleworking and assigned desk policies needed to be reviewed in order to reduce average seat occupancy by one third and thereby ensure the new premises could accommodate current staff if social distancing would have to be maintained. He thanked MSAG members for their efforts and the secretariat for its ongoing support.

5.4 Councillors welcomed the reports, the Union’s cooperation with the host country and the progress made to date. One councillor urged the secretariat to assess the potential implications of any decision to make virtual meetings or working from home standard practice.

5.5 The representative of the secretariat responded to questions from councillors. She said that currently the building costs were not expected to increase as a result of the pandemic. Likewise, the development of a vaccine was unlikely to have any impact on building design. The workplace analysis performed by a consultancy firm would help ITU to decide on the workspaces’ design and implement practices, in the long term and during the relocation period, to take into account factors including social distancing, teleworking, and measures to ensure a healthy working environment. Regarding the relocation plan, if the situation returned to normal, staff would be relocated to other ITU buildings and the capacity of the new premises would be sufficient. If normal working conditions could not be restored, teleworking and virtual meeting arrangements could be maintained. Likewise, if recommendations or regulations were issued that included social distancing measures, teleworking would have to be incorporated into the space allocation plan for the new premises. The process for selecting the consultancy firm should be completed by the end of November. The aim was to bring the experts on board as soon as possible, with a view to submitting initial deliverables to Council-21. The secretariat could share the terms of reference for the tender to identify the consultancy firm, but preferably after the end of the tender process.

5.6 One councillor urged the secretariat to address the availability of meeting rooms for ITU study groups and working parties during the construction period; solutions had been found for large-scale events. Given that only a certain proportion of staff might be able to work on the new premises owing to social distancing requirements, the sale of the Tower did not seem advisable. A coherent approach to virtual meetings was needed, including with regard to software. Given the uncertain real estate situation in Geneva, the secretariat should liaise with the Geneva authorities on issues including the *droit de superficie* for the Tower, which would have a significant impact on the attractiveness of the site to buyers and its valuation. It was important to be aware of the strategy of the authorities in that regard, given their powers of pre-emption. ITU could retain use of the Popov room if the site were acquired by a government body or an international organization willing to share use. The secretariat and MSAG needed to develop an effective strategy that responded to changes in the local real estate market and global economy.

5.7 The representative of the secretariat, responding to comments regarding the Tower, said that consultations with the Geneva authorities were ongoing. She assured councillors that Council-21 would be informed of progress made.

5.8 The Chief of the Conferences and Publications Department said that there was ongoing cooperation with working groups, Sectors and departments, as well as with FIPOI, to ensure the availability of conference and meeting space, including for smaller group meetings. Moreover, consultations were ongoing with the Government of Hungary, with a view to organizing meetings in Budapest in the future. He welcomed the excellent cooperation with the Swiss authorities, which would continue in order to ensure the provision of conference facilities during the construction phase.

5.9 The councillor from Switzerland welcomed the excellent cooperation, including at the cantonal level, between his administration and ITU. Final approval of the loan request was expected by the start of December, meaning that funds were likely to be available in January 2021. The host authorities and ITU would undertake a feasibility study to assess the proposed security measures for the Varembé site. Efforts would be made to take account of the Union’s needs at all stages of that process and ensure coordination with the cantonal authorities to find solutions acceptable to all. The Swiss authorities were working to assist ITU in finding alternative premises for meetings during the construction phase, in coordination with FIPOI and CICG. Solutions for large-scale conferences had already been identified.

5.10 Several councillors expressed concerns regarding the idea of setting aside funding from the ASHI fund for the risk register fund. One councillor asked whether any savings made during the pandemic, including on travel, could be used. Other councillors and the Chairman of MSAG proposed that CWG-FHR be tasked with addressing the issue of ensuring the adequate financing of the risk register fund, as that matter touched on other financial issues.

5.11 The representative of the secretariat, responding to comments by councillors, said that the financial envelope for the risk register fund would remain unchanged, as she noted that potential risks always existed.

5.12 The Chief of FRMD said that the proposal to use ASHI funds for the risk register fund had been abandoned. ITU was to implement a recommendation – if approved by the United Nations General Assembly – to apply a 5.5 per cent increase to future budgets for the hiring of new staff, as of 2022, in order to reduce ASHI liabilities while continuing to recruit new staff and absorb the health insurance deficit. The risk register fund had been established in 2019, with an initial allocation of CHF 1.42 million. A further allocation of CHF 3.6 million was planned for the 2020 financial year.

5.13 One councillor expressed concern as to whether the risk register fund had sufficient resources to cover the new risks identified in the MSAG report, including the cost of relocating staff during the construction period, the need to ensure physical distancing, and the use of commercial premises if the Swiss authorities were unable to host all ITU meetings.

5.14 The Chairman said that MSAG and the secretariat would bear in mind the comments made.

5.15 The Chief of FRMD suggested that CWG-FHR, the secretariat and MSAG could work together to find a solution, in the knowledge that the Secretary-General was committed to ensuring adequate resources for the risk register fund.

5.16 The Chairman took it that councillors wished to conclude as follows:

- The councillors noted Document C20/7(Rev.1).

- The councillors considered Document C20/77 and would take a decision on the matter at the 2021 session of the Council.

- The secretariat would hold an information session during the first semester of 2021 once the loan might have been approved, the construction permits submitted, and the initial findings of the future staff working conditions are known.

- The councillors invited MSAG to take into account the comments made at the meeting and reflect them in their future work.

- It was agreed that any issue related to the risk register fund could be discussed at the next meeting of CWG-FHR.

5.17 It was so **concluded**.

**6 Staff Working Conditions Strategy and Implementation Plan (Document** [**C20/29**](https://www.itu.int/md/S20-CL-C-0029/en)**)**

6.1 The Chairman drew attention to Document C20/29 containing a report on the Staff Working Conditions Strategy and Implementation Plan 2020–2022, which had been established in consultation with the Staff Council, pursuant to Decision 619.

6.2 One councillor suggested that the report be submitted for consideration to the next meeting of CWG‑FHR.

6.3 The Chairman took it that councillors wished to conclude that the secretariat would hold an information session during the first semester of 2021 when initial findings on the future staff working conditions would be known, and agreed to discuss Document C20/29 at the next meeting of CWG-FHR.

6.4 It was so **concluded**.

**7 Reports of Council working groups (Documents** [**C20/8**](https://www.itu.int/md/S20-CL-C-0008/en)**,** [**C20/12**](https://www.itu.int/md/S20-CL-C-0012/en)**,** [**C20/51**](https://www.itu.int/md/S20-CL-C-0051/en)**,** [**C20/57**](https://www.itu.int/md/S20-CL-C-0057/en)**,** [**C20/67**](https://www.itu.int/md/S20-CL-C-0067/en)**)**

7.1 The Chairman drew attention to Documents [C20/8](https://www.itu.int/md/S20-CL-C-0008/en), C20/12, [C20/51](https://www.itu.int/md/S20-CL-C-0051/en) and [C20/57](https://www.itu.int/md/S20-CL-C-0057/en) containing reports of different Council working groups. He took it that councillors wished to conclude that, keeping in mind that the Council working groups should meet in early 2021, a consultation by correspondence would be undertaken to note and endorse the reports.

7.2 It was so **concluded**.

7.3 The Chairman said that Document C20/67 contained a contribution from the Russian Federation on the harmonization of the ITU Sectors’ websites in all six languages of the Union. He suggested that councillors conclude that the proposals be discussed at the next meeting of CWG-LANG.

7.4 It was so **concluded**.

The Secretary-General: The Chairman:

H. ZHAO S. BIN GHELAITA

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