|  |  |
| --- | --- |
| **Council 2022Geneva, 21-31 March 2022** | A picture containing text, clipart  Description automatically generated |
|  |  |
|  |  |
|  | **Document C22/89-E** |
| **31 March 2022** |
| **Original: English** |
| SUMMARY RECORDOF THEFOURTH PLENARY MEETING |
| Thursday 24 March 2022, from 1440 to 1800 hours |
| **Chairman**: Mr S.BIN GHELAITA (United Arab Emirates) |

|  |  |  |
| --- | --- | --- |
|  | **Subjects discussed** | **Documents** |
| **1** | Report on ITU Telecom World events | [C22/19(Rev.1)](https://www.itu.int/md/S22-CL-C-0019/en) |
| **2** | Hiring of an independent external management consultant for ITU Telecom events and recommendations: follow-up  | [C22/10](https://www.itu.int/md/S22-CL-C-0010/en) |
| **3** | Implementation of United Nations General Assembly Resolution from 2 March 2022 on "aggression against Ukraine" (continued) | [C22/81(Rev.2)](https://www.itu.int/md/S22-CL-C-0081/en) |
| **4** | Statements by ministers and councillors  |  |

**1 ITU Telecom World events (Document C22/19 (Rev.1))**

1.1 The representative of ITU Telecom introduced Document [C22/19(Rev. 1)](https://www.itu.int/md/S22-CL-C-0019/en), which outlined the highlights of ITU Digital World 2021, hosted by the Government of Viet Nam, and plans for ITU Telecom events going forward.

1.2 Councillors took the floor to thank ITU and the Government of Viet Nam for organizing the successful ITU Digital World 2021 event.

1.3 Many councillors expressed support for continuing to hold ITU Telecom World events, which provided an important platform for information exchange and cooperation. Some expressed a preference for in-person events where possible. The inclusion of SMEs and start-ups was particularly welcome, and should be pursued.

1.4 A number of councillors, while understanding the rationale for the decision, expressed their regret that no event would take place in 2022, and asked about the implications, notably in terms of staffing and finance. In particular, further information was requested on the status of the Exhibition Working Capital Fund, particularly in relation to the minimum reserve.

1.5 A councillor noted that it could be useful to share lessons learned from the Mobile World Congress recently hosted by the Government of Spain. In that regard, the councillor from Spain said that her government stood ready to share information on that event.

1.6 The councillor from Saudi Arabia drew attention to the need to update Document C22/19 (Rev. 1) to include a reference to sponsor countries, including his own.

1.7 The Chief of the Financial Resources Management Department explained that the EWCF comprised any surplus or deficit recorded on ITU Telecom events. As a result of the COVID-19 pandemic, the 2020 and 2021 events had been held virtually rather than in person, leading to a deficit (CHF 1.9 million in 2020, and a similar amount in 2021) which had been posted to the fund. As a result, as at 31 December 2021, the balance of the Fund had stood at CHF 4.6 million, slightly below the CHF 5 million minimum reserve prescribed under Resolution 11 (Rev. Dubai, 2018).

1.8 The Secretary-General provided an overview of the history of ITU Telecom events, from the first large-scale event organized in 1971, through a fruitful and profitable period in the 1990s allowing the creation of the ICT Development Fund from the surpluses recorded, to the later decline of ITU-organized events, which had become less attractive to the telecom industry owing to their location and focus and competition from other similar events. Reform was thus necessary. While there was substantial support for maintaining ITU Telecom events, which were better able to respond to urgent market concerns than conferences or other forums, a shift in focus and approach was required, including with regard to cooperation with other organizations. Unfortunately, it had not been possible to find a host or establish a budget for ITU Telecom World 2022. Telecom staff costs had been cut by not renewing temporary contracts or recent fixed-term contracts, and redeploying longer-serving staff to other services.

1.9 The Council **noted** the report contained in Document C22/19 (Rev. 1), taking into account the comment by the councillor from Saudi Arabia.

**2 Hiring of an independent external management consultant for ITU Telecom events and recommendations: follow-up (Document C22/10)**

2.1 The representative of ITU Telecom introduced Document [C22/10](https://www.itu.int/md/S22-CL-C-0010/en), which contained a summary of the outcome of the discussion on Documents C21/10 and C21/79 at the virtual consultation of councillors in June 2021 relating to the hiring of an independent external management consultancy to look into ITU Telecom events. VCC had agreed to defer the decision on the issue to the 2022 session of the Council.

2.2 Councillors stressed the need to analyse the deliverables from Phase 1 of the consultancy review, taking into account Member States’ feedback. There was currently insufficient information available, notably on the impact of the COVID-19 pandemic on ITU Telecom events: normal travel had yet to resume, and the long-term consequences remained unknown. One councillor noted that the Phase 1 analysis had been based on the previous strategic plan and corresponding goals; the new strategic plan would have to be taken into account.

2.3 Several councillors expressed their reservations regarding proposals to merge the planned Digital for Good forum with existing ITU Telecom events, such as the WSIS Forum and the AI for Good summit, which had a different structure and framework. Those events enjoyed a successful track record, which must not be jeopardized.

2.4 One councillor having stressed the need to resolve budgetary concerns prior to hiring a consultant for Phase 2 of the review, and two others having requested clarification regarding the cost of the consultancy and the potential impact of a second phase, the Chief of FRMD provided an overview of the process that had led to the decision to hire a consultant, including the terms of reference and financial resources. A sum of CHF 624 500 had been withdrawn from the EWCF to cover Phase 1 of the review by the external consultancy firm (Dalberg).

2.5 Responding to a request to clarify what measures had already been implemented and what further actions were planned, the representative of Dalberg provided an overview of the scope of the original consulting mandate, noting the purely diagnostic nature of Phase 1 of the review: Dalberg had been requested to assess the existing strategy, business model and finances of ITU Telecom events and to formulate options for events that would be viable, would support ITU strategic goals and meet the needs of the membership and would be self-sustaining and not have an impact on the general budget. Three options had been put forward for ITU to consider.

2.6 For Phase 2, aimed at developing a redesigned programme for ITU Telecom, Dalberg would rely on guidance from Member States and the secretariat with regard to the approach in terms of time-frame, duration and the most critical issues for the review. Although Dalberg’s initial analysis suggested that the option of a global Digital for Good event was a good starting point, the Dalberg team was open to considering all other options, in consultation with Member States, in order to establish the most pertinent focus for the second phase of the review.

2.7 The potential impact of merging successful existing events, such as the WSIS Forum and the AI for Good summit, was indeed a risk factor to be taken into account in that process. The integration of events to optimize relevance and time commitment for stakeholders could also be achieved by combining them in space and time or articulating them more effectively within the portfolio of events, rather than through an actual merger. There were lessons to be learned from the COVID-19 pandemic, too, including the key role of ICTs and the need for global events to adapt.

2.8 One councillor said that while the first and second options retained a regional focus on developing countries, the third option envisaged an event with a global focus, with the participation of the private sector; the latter could be a source of revenue through sponsorship, potentially increasing profitability of the events.

2.9 Some councillors pointed out that it was not clear precisely what the mandate would be for work on Phase 2 of the review process. If a consultant was to be hired, the terms of reference for their work should be submitted to CWG-FHR. One councillor suggested that, given their wealth of experience, and the fact that no event was planned for 2022, ITU Telecom staff could be tasked with reviewing recommendations from the report submitted by Dalberg, with a view to drawing up a clear technical proposal for the consultancy mandate for the next phase of the review.

2.10 Two councillors said that there was support for continuing to hold ITU Telecom events, on the basis of a solid and sustainable business model. Given the current financial constraints, rather than carrying out a second phase, ITU management could perhaps avoid incurring additional costs by working with Dalberg to draft a brief report proposing a business model – based on Phase 1 of the review and feedback from councillors – to submit to the Plenipotentiary Conference for final decision.

2.11 Several councillors stated that, in view of existing constraints – including financial challenges and the fact that in-person meetings were only just restarting – they did not support a second consultancy phase at that stage, as it would be premature. Others concurred that further information and additional time were needed to clarify the scope and time-frame of a second phase of the review and decide the way forward.

2.12 Several councillors advocated referring the issue for consideration by CWG-FHR and reviewing it during the Council session in 2023, also in the light of any amendments that might be made to Resolution 11 (Rev. Dubai, 2018) and other texts having an impact on ITU Telecom at PP-22.

2.13 The Secretary-General expressed his appreciation for the initial Dalberg report, which took ITU’s needs, situation and potential into account. All three Bureaux (BR, TSB and BDT) were becoming increasingly engaged in events in order to promote their activities. It would be useful for the ITU platform to complement private-sector events such as the Mobile World Congress in Barcelona. However, he agreed that the time was perhaps not right to launch the second phase of the review, as it had not been possible to implement the recommendations from the Phase 1 report; additional time was needed.

2.14 The Council **noted** Document C22/10 and **agreed** to transmit it, along with the summary record of the discussion, to the Plenipotentiary Conference for consideration and decision.

**3 Implementation of United Nations General Assembly Resolution from 2 March 2022 on "aggression against Ukraine" (continued) (Document C22/81(Rev.2))**

3.1 The councillor from France presented the latest version of the contribution, as contained in Document [C22/81(Rev.2)](https://www.itu.int/md/S22-CL-C-0081/en), on behalf of the 27 Member States of the European Union, as well as Australia, the Bahamas, Canada, the United States, Georgia, Ghana, Iceland, Israel, Japan, Liechtenstein, Montenegro, Monaco, Niger, Norway, the Republic of Korea, the United Kingdom, Turkey, Switzerland and Ukraine.

3.2 Her delegation had discussed the draft resolution with delegations from all regions and endeavoured to incorporate feedback while aiming to find a well-balanced compromise between those who sought a stronger text and those who preferred a text not as strong.

3.3 In its current form, the draft resolution had the backing of 46 Member States of the Union, including 18 Member States of the Council. The growing support demonstrated that the text represented a good compromise reflecting the views of the vast majority of Council Member States.

3.4 One of the most significant changes was the alignment of the title of the draft resolution with that of Resolution 34 (Rev. Dubai, 2018) of the Plenipotentiary Conference for “Assistance and support to Ukraine for rebuilding their telecommunication sector”, thereby emphasizing the ultimate objective: assistance and support to Ukraine for rebuilding their telecommunication sector.

3.5 The document was submitted for the further consideration of the Council.

3.6 The councillor from the Russian Federation expressed the hope that delegations could demonstrate the ability to find a compromise solution on Document C22/81(Rev.2). He wondered, though, how the Chairman wished to proceed as the current revision of the document had for all intents and purposes been presented at the second Plenary Meeting of 22 March 2022, where the councillor from France had already announced the change of title, and there had been no formal discussion of the text thus far. He asked if the text would be discussed in plenary or in a special group created to work on the text outside of plenary.

3.7 The Chairman invited councillors to consider the document as presented, and move forward with it if there was agreement, or to make proposals and amend the document accordingly.

3.8 Many councillors from, and several observers for, countries co-sponsoring the draft resolution expressed gratitude to the councillor from France for her delegation’s great efforts at finding what constituted a balanced compromise representing the will of a great many Member States of the Council and of the Union as a whole. In accordance with the fundamental values of the United Nations and its own purposes, the Union must take up the UN Secretary-General’s call to action. Telecommunications were indispensable, especially for a country and people afflicted by conflict. They played a key role in ensuring the safety of populations and making a positive and constructive contribution to peace. The provision of assistance to rebuild the telecommunication infrastructure and network, as well as being within ITU’s mandate, was both a necessity and a statutory and moral obligation incumbent on the Union. Moreover, the situation was urgent, so ITU needed to act immediately, and the Council should adopt the draft resolution as presented during this meeting.

3.9 Other councillors similarly expressed appreciation for the efforts of the councillor from France to reflect their proposals in the draft resolution and stressed the need for ITU to support Ukraine in the rebuilding of its telecommunication infrastructure, which was critical to daily life and socio-economic development.

3.10 The councillor from China said that his country had always advocated for the respect of international law and the Charter of the United Nations. The international community should pursue a concept of security that is comprehensive, cooperative and sustainable. United Nations system activities should prioritize regional peace and security and development, creating favourable conditions for the diplomatic settlement of disputes. His country was against any action that risked escalating confrontation and tensions. The Council, in all its activities, should operate in accordance with the basic instruments of ITU. It was clear that countries had differing opinions on the draft resolution, which should be duly taken into account and reflected. Any resolutions of the Union should be based on consensus and arrived at in a spirit of openness and inclusiveness. ITU should focus on the key activities within its mandate and refrain from taking any political stances.

3.11 The Chairman said that political statements having been duly recorded in earlier plenaries, the debate was now focused on the substantive matter within ITU’s mandate addressed by the draft resolution, namely provision of technical assistance to Ukraine for the rebuilding of its telecommunication infrastructure.

3.12 The councillor from the Russian Federation said, however, that the text of the document contained language that politicized the draft resolution. While his country supported the need for ITU to provide assistance to rebuild the infrastructure of Ukraine, it could not accept the draft resolution as long as it contained reference to the Russian Federation, or indeed any party other than Ukraine, as such references were purely political. ITU had no mandate to recognize the sides of a conflict or identify which roles those sides were playing.

3.13 Furthermore, citing Nos. 41, 68, 69 and 70 of the Constitution, delimiting the mandate of the Council, he maintained that the only basis for ITU taking action in Ukraine could be an existing decision, specific instruction or guidelines handed down by the Plenipotentiary Conference. In using Resolution ES-11/L.1 of the United Nations General Assembly as a basis for the need for ITU to intervene without a clear instruction from the Plenipotentiary Conference, the Council was exceeding its mandate. Moreover, under the Agreement between the United Nations and ITU of 1949, the United Nations should submit recommendations to ITU in respect of the implementation of any UNGA resolutions. No such recommendations had been made in the present case. That agreement also enshrined the independence of ITU and the freedom it enjoyed in its decision-making process. Lastly, neither the current operational plan nor the operational plan for the Union for 2023 had provided for any activities in relation to the implementation of the UNGA resolution. Consequently, the only basis for the Union’s taking action in Ukraine should be Resolution 34 (Rev. Dubai, 2018) of the Plenipotentiary Conference.

3.14 His delegation would be amenable to the draft resolution to support technical assistance to Ukraine if the reference to the UNGA resolution was removed from the text, leaving only Resolution 34 (Rev. Dubai, 2018) of the Plenipotentiary Conference as the basis for action; and reference to parties other than the country in need of assistance, namely Ukraine, were deleted.

3.15 The Chairman having asked whether members of the Council could accept those changes, several councillors, pointing to the overwhelming support for the text before the meeting, insisted on the adoption of the draft resolution as presented. The reference to the UNGA resolution was in keeping with similar resolutions of other United Nations system organizations adopted in response to the call contained in that resolution for United Nations organizations to respond to the crisis. The explicit mention of the Russian Federation was part of that reference, and also a statement of fact as to the abundantly obvious cause of the damage to the telecommunication infrastructure of Ukraine. An observer pointed out that the reference to the UNGA resolution in the draft resolution was consistent with current practice; Resolution 125 (Rev. Dubai, 2018) of the Plenipotentiary Conference, on assistance and support to Palestine for rebuilding its telecommunication networks, for example, contained several references to UNGA resolutions.

3.16 The observer for Ukraine extended his country’s gratitude to the delegation from France for all its efforts in advancing the draft resolution and said that some regions of its country remained completely cut off from telecommunication services, and infrastructure was being progressively destroyed in targeted attacks by the Russian Federation. ITU had committed to connecting the world and, though that world had been changed by the Russian Federation’s launching of a full-scale war against Ukraine, it could not remain on the sidelines: it needed to take specific actions in the face of such brutal aggression. He called for the adoption of the draft resolution as presented, including identification of the cause of destruction.

3.17 Taking the floor at the request of the Chairman, the ITU Legal Adviser said that there was no legal impediment to the inclusion of the reference to the UNGA resolution in the draft resolution, noting that certain ITU resolutions, including Council resolutions, already included such references. In addition, the reference occurred under *recalling further* of the draft resolution as a means of providing context, rather than as the source of an instruction or authorization to the Secretary-General in the operative section. Therefore, the Council would not be exceeding its mandate in adopting the current version of the draft resolution and was clearly instructed in Resolution 34 (Rev. Dubai, 2018) of the Plenipotentiary Conference to consider and take decisions it deemed appropriate for the rebuilding of the telecommunication sector of countries in special need.

3.18 The Chairman, seeing that there was no desire for further amendments to be made to the text and that there was overwhelming support for the draft resolution, closed the debate and ruled that the draft resolution as contained in Document C22/81(Rev.2) was adopted.

3.19 The councillor from the Russian Federation, speaking on a point of order, said that the Chairman had erred in closing the debate as his delegation had made a prior request for the floor in order to make a proposal, and wished for that proposal to be heard to facilitate a consensus decision on the draft resolution, the substance of which his country supported. The proposal was to remove the reference to the UNGA resolution under *recalling further*.

3.20 He said there was still discussion to be had, as the text had only been the subject of informal discussions among co-sponsors and supporting Member States. Neither the text nor its implications had been formally examined. Furthermore, the Council was not acting in accordance with its rules, as Rule 16 of the Rules of Procedure of the Council required that the Secretary-General prepare and circulate a separate estimate of the cost involved in any proposal which would involve expenditure for the Union, as would certainly be the case with the draft resolution, and that the chairman draw the attention of the plenary meeting to that estimate so that it may be taken into account when the proposal was examined. As that had not been done and as the Russian Federation still had a proposal that it wished to be examined, the debate could not be closed.

3.21 The councillor from Canada, speaking on a point of order, said that the Chairman had been correct in closing the debate.

3.22 The Chairman noted the concerns of the delegation of the Russian Federation, which would be reflected in the summary record; the decision, though, had been made.

3.23 The councillor from the Russian Federation said that his delegation’s point of order, which stemmed from a failure to apply two rules during the discussion of the current item, by not giving him the floor and by not complying with Rule 16, had not been settled and moved for a vote on the Chairman’s ruling, by secret ballot.

3.24 The Chairman, recalling that a request for a vote by secret ballot needed to be supported by at least two other councillors in accordance with the Rules of Procedure of the Council, asked if there was any support for the motion.

3.25 With no support forthcoming, he announced that the requested vote would thus take place by a show of hands and that the issue to be submitted to the vote was whether delegations were in agreement with the ruling of the chairman to consider the resolution contained in Document C22/81(Rev.2) adopted.

3.26 The Secretary of the Plenary having explained the procedure of a vote by show of hands, and, having established that there was quorum[[1]](#footnote-1), the beginning of the vote was declared.

3.27 The councillor from the Russian Federation, speaking on a point of order, said that the formulation of the question did not accurately reflect the point of order that had been raised. His delegation had moved for a vote on the Chairman’s closure of the debate because it had not received the floor when requested and because the Secretary-General had not submitted a separate cost estimate for the proposal. His delegation’s objection was to the closure of the debate, not to the resolution. If the vote continued on the question as formulated, his delegation would not take part in the vote.

3.28 The Chairman said that, once a vote had begun, it could not then be interrupted.

3.29 The Chairman announced the results of the vote:

3.30 There were 28 votes in favour, 0 against and 11 abstentions. The required majority of one half plus one vote having been obtained, the Chairman’s ruling was **sustained**.

3.31 The draft resolution as contained in Document C22/81(Rev.2) was therefore **adopted**.

**4 Statements by ministers and councillors**

4.1 Ms María Alejandra Costa Prieto (Deputy Permanent Representative, Permanent Mission of Uruguay to the United Nations) announced the candidature of Mr Mario Maniewicz for re-election to the post of Director of BR.

4.2 Mr Sabri Bachtobji (Permanent Representative of Tunisia to the United Nations Office at Geneva) announced his country’s candidature for re-election to the Council and, with the support of the African Union and the League of Arab States, the candidature of Dr Bilel Al Jamoussi for the post of Director of TSB.

4.3 The councillor from Côte d’Ivoire, noting that Côte d’Ivoire had recently increased its contribution from one quarter to two units, announced his country’s candidature for re-election to the Council.

The Secretary-General: The Chairman:

H. ZHAO S. BIN GHELAITA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. 45 Council Member States having the right to vote were represented at the meeting. [↑](#footnote-ref-1)