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|  | **Document CWG-FHR-17/11** |
| **20 December 2023** |
| **English only** |
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| Report by the Secretary-General | |
| MOUS/AGREEMENTS REPORTED TO THE COUNCIL | |
| **Purpose**  Following document [C23/45](https://www.itu.int/md/S23-CL-C-0045/en), which reported on ITU’s participation in 2022 in memoranda of understanding/agreements (hereinafter “MoU”) with financial and/or strategic implications, Council invited the Secretary-General to communicate to CWG-FHR and to the Council the criteria used by the secretariat to identify which MoUs are reported to the Council.  This document provides the CWG-FHR with information on this matter.  **Action required**  The Council Working Group on Financial and Human Resources is invited **to note** this document.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **References**  [C23/45](https://www.itu.int/md/S23-CL-C-0045/en), Minutes of the Sixteenth Plenary Meeting of PP-18 (document [PP-18/173](https://www.itu.int/md/S18-PP-C-0173/en)), and Minutes of the Sixteenth Plenary meeting of PP-22 (document [PP-22/206](https://www.itu.int/md/S22-PP-C-0206/en)), Summary record of the Seventh and last Plenary meeting of the ITU Council of 21 July 2023 (document [C23/112](https://www.itu.int/md/S23-CL-C-0112/en)) | |

1. **Background**

At its sixteenth plenary meeting, the Plenipotentiary Conference (Bucharest, 2022) decided to maintain the decision of the Plenipotentiary Conference (Dubai, 2018) to instruct the Secretary-General to continue “*to submit to the ordinary session of the Council for prior approval the MoUs that have substantial financial and/or strategic implications*”. The Plenipotentiary Conference further decided that “*a report on the other MoUs entered into by ITU during the relevant period will continue to be submitted*”. See Recommendation 3 in the Report by the Chairman of Committee 5 to the PP-22 Plenary ([PP/22-189](https://www.itu.int/md/S22-PP-C-0189/en)) which was approved in the Sixteenth Plenary Meeting of PP-22 ([PP-22/206](https://www.itu.int/md/S22-PP-C-0206/en)) and which referred to the PP-18 decision contained in the Minutes of its Sixteenth Plenary Meeting ([PP-18/173](https://www.itu.int/md/S18-PP-C-0173/en), para. 2.13).

The Council at its ordinary session of July 2023 session took note of the Report by the Secretary-General concerning ITU’s participation in Memoranda of Understanding with financial and/or strategic implications ([C23/45](https://www.itu.int/md/S23-CL-C-0045/en)).

The Council invited the Secretary-General to communicate to CWG-FHR and the Council the criteria used by the secretariat to identify MoUs with strategic and/or financial implications. The Council further invited the Secretary-General to improve the MoU dashboard based on the recommendations contained in Document [C23/69](https://www.itu.int/md/S23-CL-C-0069/en).

1. **Criteria for MOUs requiring Council pre-approval**

In the absence of criteria agreed by the Plenipotentiary Conference or the Council, the secretariat is guided by the principles established by PP-18 in the Minutes of the Sixteenth Plenary Meeting ([PP-18/173](https://www.itu.int/md/S18-PP-C-0173/en)) to determine if a given MoU or agreement requires pre-approval from the Council.

Keeping in mind those principles, if the activities and commitments covered by a given MoU/agreement fall within existing instructions from Member States, as outlined in the Constitution or Convention or in Plenipotentiary, Sector conference/assembly or Council resolutions or decisions, strategic and operational plans, or other guidance from the governing bodies or Sector advisory bodies of the Union, then the Secretary-General does not seek pre-approval from the Council.

**3.** **Criteria for Other MoUs reported to Council**

Activities and commitments outlined in MoUs are documented in various reports prepared by the secretariat. These include the report on the Implementation of the Strategic Plan and the activities of the Union ([Document C23/35](https://www.itu.int/md/S23-CL-C-0035/en)) as well as [BDT projects](https://www.itu.int/en/ITU-D/Projects/Pages/default.aspx), and [TSB partnerships](https://www.itu.int/en/ITU-T/extcoop/Pages/mou.aspx).

In accordance with instructions by the Plenipotentiary Conference, the Secretary-General has also been highlighting other MoUs which may be of interest to Council. In the absence of criteria agreed upon by the Plenipotentiary Conference or Council, the secretariat has been adopting a practical approach when reporting on MoUs to Council for information. In doing so, the secretariat has been considering factors such as geographic scope and impact (e.g., global versus national) and purpose (e.g., establishing new partnerships versus renewing existing collaborations). The secretariat has further been including new initiatives in its report to the Council. The title of the document, be it "Memorandum of Understanding," “Agreement,” or any other term, has not been serving as a decisive criterion for reporting it to the Council.

1. **Reporting on MoUs for C24 Onwards**

Following the guidance of Council at its 2023 session, which invited the Secretary-General to improve the MoU dashboard by taking into account the recommendations contained in Document [C23/69](https://www.itu.int/md/S23-CL-C-0069/en), the secretariat is currently developing a new dashboard and internal processes to support improved reporting for Council.

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