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ITU COUNCIL

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>> CHAIR: Good afternoon, colleagues. Welcome back to plenary. Please take your seats.

I know the Chair of ADM was extremely effective in conducting his work.

I understand he not only went through his entire Agenda for today but he also picked up some documents are from his next Agenda so I'm really hoping that we can do as well as ADM this afternoon.

Our first item comes from this morning's schedule and it's the report from the drafting group on the model host country agreement for ITU Telecom events. That report is found in document DT/4.

I would like to invite the Chairman of this drafting group to present DT/4.

The floor is yours.

>> Chairman of DT/4: This is a report on what's transpired to document 63, the revised model host agreement for ITU Telecom events.

During our plenary on May 26th Council raised questions on the wording or contents of certain components of the model host country agreement. These questions related to the use of the standard text within Article 8 and what constitutes this agreement. Some questions also related to the inclusion of wording taking in account the needs of People with Disabilities and persons with specific needs, including accessibility facilities, webcasting and captioning as well as other ideas such as the onsite and for providing services, accommodations for daily subsidence allowance for ITU officials.

A drafting group was formed of which I was the Chair comprising Delegates from Russia, Republic of Korea, U.S. and Uganda. At the drafting group it was decided at the request of the U.S. Delegation to amend on the requirements in terms of venue, infrastructure to include accessibility, webcasting and captioning. Accordingly the related Annex 1 Article 7, venue specifications and local staff requirements was also modified.

Number 2, at the request of the Philippine Delegation to amend Article 8, the postponement of the change of venue of the event by reason to include what's been defined by ITU and host country. Number 3, at the requests of the Turkish Delegation to add footnote to Article 2, financial arrangement which are provisions 2.4.1 and 2.4.2, providing further details on daily subsidence allowance and accommodations for ITU officials.

Number 4, at the request of the Belgium Delegation, further points, 6.1.6 and 6.1.7 were subsequently added within Article 6 in regards to safety and security, detailing the provisions of onsite first aid and firefighting services. A draft version with these changes has been shared with Council.

Let me add by saying that the agreement, the home country agreement, there is nothing there which is beyond the normal, it is a standard home country agreement and there's no attempt that was made to perfect the agreement editorially as it is only a framework and a starting point of negotiation between the representatives of the ITU and the host country. The home country agreement is not cast in stone. It is flexible. The final version will be the end result of the negotiation between the parties, which is the ITU and the host country. Therefore, the stress on our ITU contract negotiation in the hope that we can have some object provisions of our robust agreements be in the final agreement.

Let me say and Council has requested to endorse the revised model host country agreement.

Thank you, Madam Chair.

>> CHAIR: Thank you very much.

The Chair has clearly explained that the changes to this model host country agreement addressed all of the comments made. You can see if you're following DT/4 all of these changes are highlighted in yellow.

I will now open the floor for any comments.

Thank you very much. Seeing no comments, I invite the Council to endorse the revised model host country agreement in document DT/4. So decided, and with many thanks to the Chair for his efficient work.

Thank you very much.

The next item on our Agenda is ITU's role as supervisory authority of the International Registration system for space assets under the space protocol. For this Agenda item we have two documents, document C16/36 and document C16/82. I invite the Secretariat to present document C16/36.

>> SECRETARIAT: Thank you very much, Madam Chair.

On behalf of the Secretary General it is my pleasure to introduce document C16/36. This document followed the discussions which took place at the Council 2015 and concerned the role that ITU could take as a supervise retirement program authority of the registration system for space assets and also looks at an activity report. There is an expression of ITU to take over the registration system for space assets and indicate the moment perhaps it come to take a decision on the in‑depth question.

Last year some elements allowed the Council to take a decision, a final decision was not taken on this following the fourth session of the preparatory commission which took place in Rome of December, last year, this preparatory commission was established in accordance with the Resolution 1 of the Diplomatic Conference held in Berlin, 2012. This preparatory commission managed to move forward in its works and to look at preliminary works for adopting the first regulations on space assets and also to establish the commission of experts and also to initiate negotiation of the contract to establish and to maintain the registry and to appoint the first registrar.

The preparatory commission would have all of the possible powers to have a supervisory role and to follow its work under the hypothesis in accordance to Resolution 2 of the Diplomatic Conference of the 2012 to have a monitoring role. Following the outcomes the preparatory commission could also from 2017 to transfer this responsibility to ITU and to the reserve, of course, to enter into force of the protocol between three months of the 10th mechanism and of course the ITU would officially notify the decision to take on the supervisory authority role.

Taking into account these very positive outcomes and to better contribute to the creation of the international registry system for space assets the council is invited to approve, to endorse the matter in English, to accept ITU supervisory authority upon or after the entry into force of the protocol noting that the final decision on the matter of whether or not ITU could become the supervisory authority would be taken at the next plenipotentiary conference. Furthermore, the council is also invited to authorize the Secretary‑General or his representative to continue to participate in the work of the preparatory commission and its Working Groups.

Thank you very much, Madam Chair.

>> CHAIR: Thank you very much.

I now invite the United States to present document C16/82.

>> UNITED STATES OF AMERICA: Thank you, Madam Chair.

The United States having participated in the preparatory commission meetings is aware that the rules of procedure for the existing commission of experts that will be tasked with assisting the eventual supervisory authority were completed and approved in the fourth session of the preparatory commission in December of last year. Since plenipot 14 decision indicates that the decision of the ITU to be the supervisory authority should be taken at the earliest in the plenipotentiary conference in 2018. It will ‑‑ this will give relevant satellite entities time to review the recently finalized rules of procedure and address any issues when they meet next. Suggestions have not started yet with possibly setting up and running the registry websites.

Most importantly, the ITU should wait until registrar is identified to establish/run the online registry. For the reasons stated, the United States seeks an endorsement of ‑‑ thinks that an endorsement of Council for the ITU to become the supervisory authority is at this time premature. Since the implementation of the protocol remains ongoing, the United States proposes that the ITU Secretary‑General continue to express interest as an observer in the work of the preparatory Committee and that the next plenipotentiary conference in 2018 could make a final decision on whether the ITU should become the supervisory authority.

Thank you.

>> CHAIR: Thank you very much, United States.

The floor is now open for comment.

Philippines, please.

>> PHILIPPINES: Madam Chair, let me be very ‑‑ in discussing document 16/36, the response of the United States, it is document C16/82E on ITU, on the supervisory authority, before this discussion I had a chance to talk with certain Delegates to Council to delegate and asked them frankly if they have any sense of what's going on and the subject matter, the uniform answer to me was they don't have any sense as to whether we're going.

Madam Chair, we have a problem. Our problem involves a subject matter much discussed during the last four‑year term of former Secretary‑General and now we're on the second year of discussing this under the new Secretary‑General for a term of two years ‑‑ almost six years now. Let me, therefore, analyze this subject matter put in some historical background discuss our inability to decide on the merit about the subject matter and propose some solutions to the problem we have here now. This is a little long and I would ask for your patience and indulgence, given as I observe now there are so many new Delegates in attendance and they may not know what's happening on the subject matter. Document 16/36A speaks of two actions required of us to do. Number one is for us to endorse the matter of ITU becoming supervisory authority under certain circumstances and number two, to authorize the Secretary‑General or his representative to continue to participate in the work of the preparatory commission and its Working Group as an observer.

The reason why we're not able to discuss immediately the matter of deciding whether ITU will assume the post of supervisory authority was discussed in item 1 under this document which says that there were open issues to be resolved, and these are stated in item one of document 16.

In item two, the document says that the three issues had been resolved and in item 3 it says the preparatory commission has provisional authority and will continue working under the assumption in Resolution 2 of 2012, that the ITU will become the supervisory authority in the 27 timeframe subject of certain conditions. The deadline is spoken of in item 3, it is 2017.

In document C16/82E of the United States of America, ratification argues that the first of the two actions required which is for us precisely to decide on whether we're going to assume the position of supervisory authority is premature and this is the result given that the identification of a registrar is a significant task to be resolved before ITU can decide on whether to become the supervisory authority and given that the plenipot there, the position that the issue must first be submitted and discussed at the earliest, plenipot 2018. On the matter we have guidelines, the assumption of the preparatory commission and the decision in Busan of 2014 that the issue must be submitted to plenipot 2018.

Thus, the problem or dilemma, what must Council do in the meantime between now and the 2017 and 2018 deadline for Council to endorse the matter of ITU becoming the supervisory authority.

The American document proposes a reversal to Council 2015 Resolution but again the Secretariat only expressed interest in ITU becoming as you were advisory authority and number two, that this Council now will respond to any questions and members of the states between now and the next plenipotentiary conference.

Madam, about six years ago this matter was introduced to the floor, questions were raised for and against as a supervisory authority and the issues, questions, they were in fact discussed and in fact the legal counsel of ITU helped in the formulation on how to answer the questions. If I may recall, the first issue on the matter was whether assuming the supervisory authority will be legal or within the contemplation of the constitution and this was a question raised by Turkey and the Council said yes, the project is legal if it is Constitutional. Second, very important issue raised, six years ago was whether or not this project would have legal implications or an effect on ITU and the answer on the floor then was that there is definitely none. If at all, and this was a suggestion of the Philippine Delegation then, that if this project will have certain financial implications on the part of ITU then perhaps in o you are agreement with our principle if we're to assume the supervisory authority there must be placed a free and harmless clause to the effect that if there are financial implications on ITU in being the supervisory authority the principles will hold us free and harmless as to the financial implications and that the principle should not only be as guarantor of the financial implications but that the principle must also be assurity of the financial implications.

Number three, question raised on the floor, what happened to the mandatory process in the protocol of the Convention of our principles stating that the supervisory authority and stating that portions of the protocol may be amended and the amendment may be adverse to us handling the position of the supervisory authority, the answer on the floor was that there be an agreement between us it and the principles to the effect that if the protocol creating supervisory authority is amended as to adversely affect ITU as supervisory authority then the amendment can only bind us if and only if we have agreed beforehand expressly inviting that kind of amendment.

Here we are back. We entertain the question again, what are these questions?

I am proposing that given the 2017 and the 2018 deadline we must fix our own deadline on how we will resolve the problem on the merit, whether we're going to assume the position of supervisory authority and I propose that if we fix now the deadline because of the 2017 assumption that we'll be the authority and given that plenipot 2018 we're supposed to make a Recommendation to plenipot 2016.

I must say now that apart from the questions already resolved, that if there is any further question, and we're reminded to assume the position of supervisory authority in advance, in advance because of our looming deadline we should already ask our principles and have an agreement if you're to assume the position of supervisory authority defining therein the terms and conditions, the rights and obligations of the principle and ITU as supervisory authority as well as stating the aim, the problems as we have discussed this during the previous discussions.

Without us giving ourselves a deadline we'll never make it to the 2018 plenipot.

May I, therefore, make this warning ‑‑ not necessarily a warning, but a gentle warning ‑‑ that if Council in 2017 cannot decide and endorse the plenipot 2018 the action required in document 36 that we endorse the matter of ITU becoming the supervisory authority enforce of the protocol, then we'll never be able to make the deadline for plenipot 2016. Let us not temporize so long and for the administration of the Secretary, we must now decide on the merit of the position and if the only obstacle proposed or stated by the United States of America is in the inability to decide a registrar, let us decide all of the other issues raised and if we should decide if we should be the supervisory authority then at least we will say so because we have resolved the issue subject to the identification of the registrar. That way we can have met the assumption of the principles that we will assume a position of supervisory authority in 2017, but if we cannot make it because of the Busan Resolution that this matter must be referred back to plenipot 2018 then we must be ready to make a Recommendation for plenipot 2018 without us doing it now, without giving us a deadline for ourselves we will not make it to plenipot 2018.

>> CHAIR: Thank you very much, Philippines.

Spain, you have the floor please.

>> SPAIN: First we would like to thank the Delegation of The United States for the documents and the excellent presentation made by the Honorable Delegate of the Philippines.

The position of this administration is that the theme of whether or not you will become supervisory authority is a very important issue and therefore we think that it is an issue which must be addressed at the plenipotentiary conference.

Thank you very much.

>> CHAIR: Thank you, Spain.

Germany, please.

>> GERMANY: Thank you, Madam Chair.

This space protocol certainly provides a significant economic advantage at least for some, Germany is highly interested in this protocol coming into force and that a smooth implementation of this protocol.

ITU to become the supervisory authority upon entry into force of this protocol is an integral part of this implementation. So far we do not consider this as premature. Consequently Germany strongly supports document 36 and the actions required by Council listed therein.

Thank you, Madam Chair.

>> CHAIR: Thank you.

France, please.

>> FRANCE: Thank you very much, Madam Chair.

ITO has played an important role in space activities through the communication Bureau particularly and management of the orbit. Today on the international scape the tut is a unanimous organization recognized by the major role it that it plays in the development of space activities and we think it is essential that the Union has a strategic role in order to see how it may be able to meet even ‑‑ to meet today and in the future, to meet the needs of the members of the international community in terms of space activity. We congratulate the ITU in that it continues on the path for a number of years the work of the preparatory commission to create this International Registration system for space assets under the space protocol. I would like to thank ITU for this as well as for the document 36 which was presented.

Since the last Council session the work of the Council has really moved forward, nevertheless, with regards to the legal and financial implementations that might be ‑‑ which might have an impact if ITU was to be the supervisory authority for space assets and the strategic framework of this topic, it would seem important to leave this to the next plenipotentiary conference to decide by ITU in this regard to give the impression that Council would not want to preempt this decision, understanding that there is no urgency because the protocol is not yet in force such is our understanding. Therefore, Madam Chair, and as proposed in the United States and supported by Spain we would prefer, document 82, it stay in the position of Council of 2015 and the Union continues to participate in the work of the preparatory commission and to confirm the Union's interest on space assets.

I would like to thank you, Madam Chair.

>> CHAIR: Thank you, France.

Japan, please.

>> JAPAN: Thank you, Madam Chair.

I would like to express my thanks to the sec stair I can't tell and U.S.

In plenipotentiary 2014 it was agreed that the council will monitor further developments on this matter. I would like to support the Secretary‑General continue to participate in the work of the preparatory commission and its Working Group as an observer. However, I believe that in the matter of ITU becoming supervisory authority would be a mandate of the council, in this point of view I believe that final decisions should be taken at next plenipotentiary conference.

Thank you, Madam Chair.

>> CHAIR: Thank you.

India, please.

>> INDIA: Thank you, Madam Chair.

The space protocol is to provide legal framework to enable asset based financing in a space environment, thus financing deployment and utilization of the space segment. This will support to provide validity and priority linking and enforcement of security and these rights. As we see, this will continue to bridge the divide by expending telecommunication services and application in developing countries and importantly analysis, LDCs, others in terms of Broadband, access to the remote and non‑accessible area and space‑based application.

As for the summary record of the plenary of 2018, numerous had expressed broad support and wanted to take on the role of supervisory authority and contribution from the Member State on the subject would be welcome.

Madam Chair, taking the facts into consideration, there is a good progress in the preparatory commission work in becoming supervisory authority and in the WSIS+10 review, that bridging the digital divide will create greater and sustainable investment in infrastructure and services and we support ITU as the supervisory authority for the space protocol. Active consideration of the proposal by Council without any further delay on the subject is important. It will send positive signal to the preparatory commission and to the stakeholder pending the final decision by plenipot 2018.

Thank you.

>> CHAIR: Thank you, India.

China, please.

>> CHINA: Thank you.

I thank the Secretariat for its detailed report. I also thank the contribution from United States.

China is of the view that ITU's role as the supervisory authority of the International Registration system will promote the influence of the ITU. It will also help states explore outer space, therefore for improving the human kind survival in development. We thank the Secretariat for active participation in the prep commission and we also thank the Secretariat for its detailed analysis and clarification regarding the supervisory role. We notice that there is no financial and legal obstacles, therefore we support ITU for acting as the supervisory agency even though the registrar has not been confirmed but taking into account we have merely agreed to the consensus on the selection method and the rules of procedure for the expert commission in order to promote this registration process.

We support document 34. We also of think that the Council can reach a general consensus for the supervisory role and then we can submit this for the 2018 final confirmation.

Thank you.

>> CHAIR: Thank you, China.

Canada, please.

>> CANADA: Thank you, Madam Chair.

I would like to thank the Secretariat and the United States for the respective contributions 36 and 82. Madam Chair, we would align ourselves with previous interventions about I the United States, Spain, France, Japan and India.

Although we fully recognize the relevance and importance of this issue we need to bear in mind several factors. First the need for further information, secondly the fact that that the state protocol has not entered into force and has only been signed or ascribed to by four Member States.

In regards to document 36, Madam Chair, we could conclude that on item number 6 that what Council may be invited to do is to continue addressing the issue of the ITU becoming the supervisory authority with the caveat that a final decision or any decision to the matter should remain the purview of the plenipotentiary conference.

Finally, on another matter, related matter on paragraph 4 there is a statement to the effect that it is confirmed that the number of the ITU Member States having ratified the protocol is indeed unrelated to the role of ITU could play as a supervisory authority for International Registration system for space assets. As information, it would be useful to know how chapter 3 of the space protocol, particularly Articles 28 to 32, respective of the fact that the space protocol has not entered into force, those specific Articles refer to the work and function of the supervisory authority so not precisely a matter for discussion right now, but it would be interesting to know how to balance that provision in the space protocol with the fact that only four countries have acceded or signed the protocol.

Thank you.

>> CHAIR: Thank you, Canada.

Bulgaria, please.

>> BULGARIA: Good afternoon, everyone.

Madam Chair, I should like to promote your own professional competence. In your own past capacity as member and chairperson, you know so well what the impact and the possibilities of the subject we're discussing now would be. There is no need to convince you on the importance of that matter.

Madam Chair, unlike Internet and other issues, satellite regulatory part is to great extent concentrated traditionally in ITU. We know all of this very well. The development and the progress of work done until now, it is very encouraging so that we would like to see all this in preparation completed and, of course, we would be delighted to note this on behalf of the Council.

A good decision should be done on the level of the PP2018. This concerns everyone, every country, every operator, it should be done in the right place on the right time.

Thank you very much, Madam Chair.

>> CHAIR: Thank you very much, Bulgaria.

Pakistan, please.

>> PAKISTAN: Thank you, Madam Chair. I think as highlighted by the Philippines and the discussion, now it needs certain treatment. It has been clarified that there is no legal or financial implication to ITU in this regard. We can see no reason as to why this cannot be concluded in this Council, of course, final endorsement will come from PP proposed by ITU in 16/36.

I think ITU would also need to participate meaningfully and with confidence with member countries with the proceeding of the preparatory commission. The Philippine Delegation has endorsed what ITU proposed in the document with addition of subject for identification.

Thank you.

>> CHAIR: Australia, please.

>> AUSTRALIA: Thank you, Madam Chair. We would like to thank the U.S. and Secretariat for contributions and would like to associate with the views expressed by Japan, Spain, France, others about the way this matter should be handled. We note that discussions have been underway for a long time, however we note that significant issues still remain unresolved. We believe that the Secretariat should continue to express an interest and that a decision should be one for the PP.

Thank you, Chair.

>> CHAIR: Thank you, Australia.

Senegal, please.

>> CHAIR: Thank you, Madam Chair. Senegal would like to commend the general Secretariat on the document and the United States on their contribution.

In our view work needs to continue as a follow‑up, we need to ‑‑ we need to come up with a precise and clear‑cut proposal for PP18 taken on board the legal and financial implications.

In terms of the conclusion here, at to the Council, since the final question is whether the ITU will be able to play the role of registrar will be taken up in the next plenipotentiary and given our support and acceptance of the ITU of the supervisory authority role. The final decision, it is still to be made.

Thank you very much.

>> CHAIR: Thank you very much, Senegal. Mexico, please.

>> MEXICO: Thank you, Madam Chair.

Good afternoon to you all.

Mexico would like to above all commend the general Secretariat who has presented to us this document as well as the United States for their contribution, which is very interesting, we would like to support the comments made by Canada, Japan, Australia, others. We believe that we should respect the mandate given to us by the plenipotentiary conference to continue the study of this matter bearing in mind that the final decision will all be taken by superior bodies such as the plenipotentiary probably at the next session in 2018, but also bearing in mind that there are certain questions in abeyance and that I think it is still pretty much to define this question in a final form, we need to an lies other aspects before we take a decision as important as this.

Thank you.

>> CHAIR: Thank you, Mexico.

Saudi Arabia, please.

>> SAUDI ARABIA: Thank you, Madam Chair.

Well, we are aware that this subject has already been discussed at Council's sessions. I believe the time has come to make a decision at the current Council and we thank the Secretariat for their willing part in the work of the preparatory commission.

Saudi Arabia is of the view that this Council should decide the body when the council is in force.

We need to ‑‑ clearly the final decision with regard to the role of the ITU will be taken at the next plenipotentiary, but we need to assure a conformity in this wording, that the ITU is designated as supervisory authority as in the provisional manner I'm going ‑‑ I'm going to repeat that.

The ITU will become the supervisory authority while at the same time we should take into account that this will be taken up at the next plenipotentiary in 2018.

I thank you, Madam Chair.

>> CHAIR: Thank you, Saudi Arabia.

Nigeria, please.

>> NIGERIA: Thank you, Madam Chair.

Good afternoon.

I would like to add our voice in thanking the Secretariat and the U.S. for the documents in C16/36 and 82 respectively.

Madam Chair, after the analysis by the Philippines and administration we would like to associate ourselves with India and allow for subsequent approval at the next PP18 however, Madam Chair, the Council should allow the ITU to continue to go ahead with the move on becoming the supervisory authority.

Thank you.

>> CHAIR: Thank you, Nigeria.

Rwanda, please.

>> RWANDA: Thank you, Madam Chair.

Rwanda thanks also the Secretariat for this report, C16 is/36, we support the action required in this document which are to endorse the matter of ITU becoming supervisory authority upon or after the entering into force of the protocol taking into account that the final decision become the supervisory authority will be taken at the next plenipotentiary conference.

Also we support the Secretary‑General and his representative, we encourage you to continue to participate in the work of the preparatory commissions and its Working Group as observer.

Thank you.

>> CHAIR: Thank you very much, Rwanda. India, please.

>> INDIA: Thank you, Chair.

Thank you for giving us the opportunity to speak again.

I will be brief while sharing our views on this related subject because we have had the opportunity once.

Something here, Madam Chair, like in 2012 when we look at the final acts of the Diplomatic Conference, 34 countries endorsed and resolved under the Resolution 2 inviting ITU governing bodies to be the supervisory authority, among those countries many of the of countries which expressed view their significant Tories to the final act, the document I'm referring to is March 9, 2012, Diplomatic Conference hosted about I Germany, thank you very much for their generosity.

During the conference, 34 countries participated and approved the final acts and all countries just wanted to name a few, it is exhaustive, Canada, France, Germany, U.S.A., Spain, Japan, Mexico, many more countries, they agreed and resolved under the Resolution 2 that ITU could be invited to consider the supervisory authority. We all agreed at that point in time that ITU was one of the suitable candidates and afterwards I recall there were many discussions and many deliberations, I remember in 2013 I think India also asked many clarifications for which we thank the Secretariat who generously provided for so many answers, the legality issue, we raised the issue of financing, so many questions we ask, they responded. I would like to draw the attention of the clarification note that was part ‑‑ so many questions were asked and they responded. I would like to draw the attention of the clarification note and it clearly stated the experience of other supervisory authorities, what they do, what they're generating, the resources, the financial impact, and dealing with information and other responsibilities as well. We also note that the commission, they're doing the work rather significantly and it was ‑‑ the issue, the issues raised, the normal issues, so many were clarified already and the Diplomatic Conference, we supported that and we should continue to have the consensus of the international view we have taken once and we should continue that. Keeping that spirit in mind and also it is a very, very important subject, especially as a focal point shared about financing opportunity and enhancing investments and also how it will help grow the space industry in developing countries because we all agree that the broadband in remote areas is important and thirdly is one of the mechanisms to increase penetration and reach keeping that in mind, ITU's active participation in the preparatory commission meetings now on, it will bring forth a lot of understanding and agility about the issues for ITU. I have seen some of the regulations passed and created by the current preparatory commission which says subject to approval of the supervisory authority, which means in 2018, we may again develop other things if we don't take this on now. Keeping this in mind, there is a need for five participation of ITU. We have invited ITU, many Member States were here, we've invited ITU for the suitable candidate for the supervisory authority. Active participation as many colleagues shared, it will influence this and being the members ever ITU, we want to prosper and we're a part of the decision‑making process keeping all of this in mind we strongly support and endorse the report that we should endorse and should actively participate in the deliberation it is of the supervisory authority and we should continue to remain with that in focus.

Thank you.

>> CHAIR: Thank you, India.

I would like to close the list. I have Philippines and South Africa.

Philippines, please.

>> PHILIPPINES: Madam Chair, let me try to simplify the issue we're in now.

The document 36 simply says action one, that the Council now endorse the matter of ITU becoming a supervisory authority upon or after the entry into force of the protocol and the very much important qualification here is noting that the final decision on the matter of whether ITU could become the supervisory authority would be taken at the next plenipot 2018.

In other words, the document submitted by the Secretary General is a very guarded document. It says expressly that the final decision on whether ITU will assume the position of supervisory authority will depend on plenipot 2018. All that is required of us now is to decide whether we are for or against the project. If we're for, then we have to make a Recommendation with reason and report this to the plenipot of 2018. If again what happened in Busan, we throw the platter to the plenipot without Council without having discussed this matter for six years, making even a report or Recommendation for or against the project, we should not expect the plenipot to have an informed decision on the matter if we ourselves, Council, cannot make a decision when we have been discussing this for six years. All we want here is to make a decision now subject to the confirmation of the plenipot. If there are problems that are contained mitigating against the approval of the report in favor of a supervisory authority we make that favorable report subject to certain conditionality, like this report in favor of supervisory authority is subject to the condition that the registrar is identified for the time being we continue our work with the preparatory commission, we show interest as supervisory authority. All that we want here is our decision, recommended authority to the plenipot because between now and want plenipot of 2018 we have just two more Council sessions. If we do not start reasoning out now our decisions, for or against we can't make that Recommendation to the plenipot and without that Recommendation for or against, the recent Recommendation, expect plenipot again to throw the question back to us. I say let us decide now, but our decision is merely recommend authority to plenipot 2018 and that Recommendation can be subject of certain conditions if you have certain misgivings about the project.

Thank you.

>> CHAIR: Thank you, Philippines.

South Africa, please.

>> SOUTH AFRICA: Thank you, Chair, for allowing South Africa as an observer to take the floor.

Chair, to be very brief, I think we share the views that have been shared by other Member States. We would like to thank the ITU secretariat for the work and for bringing this document to be tabled before Council and we join those in support of ITU becoming the supervisory authority to carry out the duties as per the 2012 decision. South Africa fully supports the ITU Secretariat under the leadership of the Secretary‑General to carry out this work and to support within their mandate and we urge them to continue in active participation.

We're mindful, Chair, that obviously this would be our Recommendation in preparations for PP2018, but however I think work is ongoing and would urge them to make the necessary contributions.

Thank you.

>> CHAIR: Thank you very much, South Africa.

There's much we can agree on. We can agree that the final decision belongs to plenipot 2018, we can agree that the Secretary‑General or his representative can continue to participate in the work and express interest but I hear that there is disagreement on the matter of whether we endorse today the ITU becoming supervisory authority upon or after had entry into force of the protocol. What I propose is to ask Council to continue to address the matter of ITU becoming supervisory authority noting that the final decision on the matter of whether or not ITU could become the supervisory authority would be taker taken at the next plenipotentiary conference.

We authorize the Secretary‑General and or his representative to continue in the work of the prep commission and its working groups as an observer and to continue to express interest in the ITU becoming the supervisory authority and instruct the Secretary‑General to address the issues raised during Council 2016, in particular the conditions and limitations that may be necessary should the ITU assume the role of supervisory authority and report to Council 2017. As my friend from the Philippines so wisely noted, there are questions about financial liability and about being held free and harmless and so on that are an important part of the decision‑making process. These are questions that we have not yet answered. That is my proposal. I think we have made a lot of progress. I see no repetition of questions that were asked in the past. I think we're getting to the bottom of things.

India, please.

>> INDIA: Thank you very much.

At this time I request that this is not closed. I thank you for summing it up.

My question here is that also to mention that there's support for endorsement of the Secretary‑General's report and I kindly make it a point to mention in order and secondly, we agree issues were raised, if we keep those issues aside, I'm not finding any new issues which need to be raised and limitations to be asked. I'm not finding them. Perhaps the Council is a platform and we should deliberate as the Philippines shared, that we should go to PP2018 with a Recommendation, having a proposal. Leaving it to PP to discuss and deliberate will postpone the decision again for four more years in case we have anything that we have not discussed, which are new, perhaps this is an opportunity for us to discuss an on those specific things Secretariat can work, we're keeping them open to the Secretariat to work on, continue to work and which issues, many of the clarifications we also asked, many people asked, perhaps those are addressed. This is a time to raise the issue, what are the pending issues taking into consideration agreement developed during the 2012 Diplomatic Conference as well as the clarifications sought by Member States in earlier meetings and those issues are discussed and are not raised again, let's look at the new issues and ask the Secretariat to work on and in the meantime they can work to report to the next Council.

Thank you.

>> CHAIR: Thank you very much, India.

Saudi Arabia.

>> SAUDI ARABIA: Thank you, Madam Chair.

As we're summing up, the question that comes to the floor, what are possible implications for the ITU not to undertake this and not to pronounce ‑‑ this task and not to pronounce its view on this matter. Would that signify that the ITU is not serious in approaching this matter even though we have been discussing it for a number of years.

At any meeting of the Council we hear about this issue, given the time elapsed if we're going to make a decision now at the risk of making an impression that the ITU is not serious about this. I do believe this is not an appropriate cause of action for the ITU.

I urge you to answer my questions before we move on to discuss other matters, perhaps the general Secretariat could enlighten us on the different steps already taken in this direction and remove our concern.

I thank you.

>> CHAIR: Thank you, Saudi Arabia.

Germany, please.

>> GERMANY: Thank you, Madam Chair.

I will be very short.

We support strongly the statement by the Distinguished Delegate of India. We would even say that it is not only that some were in favor of the ITU becoming the supervisory authority and endorsing this subject to the conditions in document 36, at least we consider that nobody really was against that the ITU becomes a supervisory authority. It is only the question that when this topic should be looked at carefully and decided upon.

Thank you, Madam Chair.

>> CHAIR: Thank you, Germany.

Philippines, please.

>> PHILIPPINES: The resolutions made by the Chair on the floor is well taken. If we may just add some little modifications that even ask the Chair or the Secretary‑General to make further study on the subject matter on whether or not we will be the supervisory authority, and following the motions of the gentleman from Germany, perhaps we can also have a deadline as to when we will decide on the merit of this subject, that way if we're for or against the subject matter although nobody is contesting us being the supervisory authority, nonetheless, if we've made a decision giving ourselves a deadline, say 2017, that Council then you may be able to at least give a recent Recommendation to the plenipot on why we are recommending this way and not that way because we just have to make a report to the plenipot and unless we make that final decision and deadline on ourselves we cannot make that report to the plenipot. That's why I'm seconding also the statement made by India, Germany, Saudi Arabia, that a decision has to be active now in the very least between 2017 and when we start making already our Recommendation to plenipot 2018. 2018 is just around the corner.

>> CHAIR: Thank you, Philippines.

I would like to ask the interpreters for 10 minutes, please.

Senegal, please.

>> SENEGAL: Thank you, Madam Chair.

The invitation to the Council is already a compromised position because the final decision belongs to the plenipotentiary in 2018. We are only asking the Council to accept in a provision manner to accept this authority before the space protocol comes into force, because otherwise we risk it to arrive at the plenipotentiary in 2018 without clear orientation as to how we should act on this matter.

Thank you, Madam Chair.

>> CHAIR: Thank you, Senegal.

I will now ask you to address the point made by Saudi Arabia.

>> BR DIRECTOR: I think that the intervention by Saudi Arabia was to raise the question of what's the risk for the ITU of not accepting to become the supervisory authority. Am I right?

Maybe you would like to reformulate?

>> CHAIR: Saudi Arabia, please.

>> SAUDI ARABIA: Thank you, Madam Chair.

My question, what are the consequences on not having the ITU taking a decision to become the supervisory body while the years are just passing by, and we had expressed in the various meetings that we're concerned with this topic.

Thank you.

>> Director of BR: Now I understand the question. I believe the consequence would be that the community has been expecting from one Council meeting to another a response from the ITU, the credibility of ITU, of course, is going down as years are passing and we don't formulate a position.

Listening to the intervention my feeling is that however the situation has changed somewhat from what it was last year and the years before even last year there were still a lot of questions and we had a chapeau open for members to formulate that. At this meeting, apart from the question raised by Philippines on the liabilities of the ITU which was in some way already addressed in the responses from the Secretariat I think there is no other question raised, which means that the Member States now have in general no objection of principle, it is more like Germany mentioned a question of timing and I can feel that the reason behind that is that the Diplomatic Conference three years ago created a new animal and it took us some time to understand what it was or what it should look like.

If it was dangerous, if it could bite, and the answers are, well, it seems to be okay so now I think the shift is, okay, let's not preempt the decision of the plenipot and let's see if the material is in ‑‑ this material, it is actually starting to live, and maybe with that we can wait for another year continuing to express the interest in becoming the supervisory authority and maybe with a bit more convinced position than we had before, at least that's the feeling I have from the discussion of this meeting.

Thank you.

>> CHAIR: Thank you.

UAE, please.

>> UNITED ARAB EMIRATES: Thank you very much, Madam Chair. Since we're taking the floor for the first time on this topic, we would like to say that the State of the UAE does support that the ITU become a supervisory authority with regards to the protocol having to do with the space assets.

I have a question, Madam Chair, with regards to the plenipotentiary conference of 2014, they had taken the position at the time that the ITU does not ‑‑ does not become a supervisory body with regard to the international number registration until 2018 and that the final decision has to be taken by the plenipotentiary conference of 2018, however having gone through the previous resolutions I did not see something similar to that Resolution.

I have a question: Was such a Resolution taken previously and where? That is to say that no decision or Resolution had to be taken until the holding of the plenipotentiary in 2018.

Could I have some clarification? That is to say that the previous plenipotentiary had taken a decision that no decision should be or that this ITU should not become a supervisory body until the holding of the plenipotentiary conference in 2018. Could I seek some clarification on this topic?

Thank you.

>> CHAIR: Please.

>> BR DIRECTOR: Think this condition was on the table since the first discussion remember the sentence recognizing that the plenipotentiary conference as the final decision of that. I think this has been explicit from the beginning of our decisions.

Thank you.

>> CHAIR: Thank you.

I'm noting that we have 2 minutes of interpretation left. At 5:40 I propose that we continue our work in English and that we finish this item and we continue on our Agenda until 6:30.

Is that agreeable? We'll have a very long day on Wednesday and Thursday if we don't make more progress today. Otherwise we'll have to close the meeting now and pick this up tomorrow when we have plenary.

I sigh nodding about closing the meeting. ‑‑ I see nodding about closing the meeting. Okay. Thank you very much.

I wish you a pleasant evening and we'll resume plenary tomorrow.

Thank you.

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