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>> Ladies and gentlemen, please take your seats. We are about to begin the session.

>> CHAIR: Interpreters, good evening.

>> INTERPRETER: Good evening, sir, how are you?

>> CHAIR: French, Spanish, Russian, Chinese, good evening. Arabic.

Where is everyone? I think it's time for us to approve the entire ITRs.

(Laughter)

(Applause)

Now we can go home.

(Laughter).

Okay. We will start. We have left with ‑‑ we have been left with provision 3.9. And we had a long list of countries and we had the long debate. I'm going to ‑‑ we have talked with a number of the delegates during the coffee break and we want to put this, if we want to include the provision 3.9. It has been discussed at length and it was part of the compromise. So Oman, do you have an objection to include this in the text?

>> OMAN: It was pressed by mistake.

>> TANZANIA: As it has been explained by the Secretary General, we discussed this at length and we see its importance to be included and even it has no square bracket. So we ‑‑ we encourage that you include it. Thank you.

>> CHAIR: Thank you. So I see no objection. Sweden?

>> SWEDEN: Yes, thank you, Mr. Chairman. Just we just got our head of the delegation. Can you read us the text again that you proposed now as a compromise? Thank you.

>> CHAIR: We are 3.9. There is no compromised text. This is the compromised text that has been beaten to death. So it is the 3.9 as it is without any changes. As put forward for the meeting, and I don't see objection to it so far. So we need to proceed to Article 4. Japan?

>> JAPAN: I think I just had some compromised text as far as Member States should create an enabling environment for the implementation but whether it should be invested by Member States or private sector, it's enabling environment that we foster competition. Is it correct? Is that the compromised text?

>> CHAIR: The text that you see here in 3.9 is the compromised text. We have not changed anything. It's DT51 rev 1. Sweden?

>> SWEDEN: Thank you, Mr. Chairman. Well, we still have concerns about this text and we need further consultations.

>> CHAIR: Sweden, the Europeans have been part of this small group. They agreed to this text. We went to the bigger group. There was no objection to it. And we are coming back to it. We have to move forward. South Africa.

>> SOUTH AFRICA: Chairman, we ask that you move forward.

>> CHAIR: Thank you. I need to move forward.

(Applause)

I will assume this is an approval. Thank you. Article 4. The title has been approved before. And I go now to provision 4.1. I see no objection.

4.2. I see no objection. Thank you.

4.3.

And now 4.3a. I see no objection. Thank you.

4.3b. Thank you.

4.3c. Czech Republic.

>> CZECH REPUBLIC: Thank you, Mr. Chairman. My question of clarification, if you allow me, concerns not only this provision under the c but also under the ‑‑ because it is not clear what is the purpose of this provision, if it could be clarified. Thank you very much.

>> CHAIR: You want 4.3c? Czech Republic?

>> CZECH REPUBLIC: Yes, Mr. Chairman. Yes. Thank you.

>> CHAIR: This is the same text as the previous ITRs. So we are not changing anything. Czech Republic, is that okay? We are not adding or changing anything.

Iran?

>> IRAN: Yes, Chairman. Exactly what you have said, this is all text, only service has been added. So are we going to all the ITR text in 1988? That's not productive. Thank you.

>> CHAIR: Thank you. We have to approve, though. Okay?

4.3d. I don't see any objection. Thank you.

4.4 was approved before from previous plenary.

So we'll go to 4.5. I see no objection. Thank you. 4.6. Thank you.

4.7. I see no ‑‑ Jamaica?

>> JAMAICA: Only on numbering clarification. I think it should be 38d and not e.

>> CHAIR: We will do that editorially. Togo.

>> TOGO: Pardon me. I would hike to take you back a little bit, under 4.4, there was a bracket. I wonder what happened to that.

>> CHAIR: There was no bracket. I mean this was approved before, 4.4. And I hope we do not open the discussion. It has been approved. We have closed the discussion on this. Burundi.

>> BURUNDI: Mr. President, under 4.6, there was a concern in the French text, for example, with regard to the term "tax." The beginning of the conference, up until now, we have been ‑‑ we have been concerned about this issue of tax or tariffs or duties, and I think probably the editorial committee will give us some clarifications on this. May that be possible?

>> CHAIR: I'm afraid they cannot do that here. And I will encourage you to ‑‑ we leave the text as it is and we don't get into the details of it, otherwise we will start having charges or prices or rates or if you don't mind, we have ‑‑ we are in 4.7 now. Argentina and then Algeria.

>> ARGENTINA: Thank you, Chairman. Just going back to 4.6, I think the matter is a translation problem with the Spanish version, we are talking about charges in English and that doesn't correspond entirely to the word expenditure used in the Spanish version. Thank you.

>> CHAIR: Thank you. We will take that and align the text with the English version. Thank you. Algeria.

>> ALGERIA: Yes, thank you, sir. With regard to the issue of taxes, I'm obviously taking the floor because I consider that we adopted ‑‑ obviously, I'm speaking realizing that we have approved 4.4, but having said that, I did have a discussion with the legal advisor and I would like to thank him for his help and he said that in the Constitution, this issue exists. In fact, in the Constitution, the term tax with regard to telecommunications is used too. I'm afraid we should never use any other terms other than the term tax, even if we don't like this term right up to the next PP. And maybe during the next PP we will try to change things, but in the meantime, when we get the blue version of this document, we may make a statement that should be included in the minutes of the meeting, so that we can explain this particular issue there.

>> CHAIR: Thank you.

We're going back to 4.7. Is there any objection for 4.7? Thank you.

Now we go to Article 5. And the title of Article 5 has been approved before, and we take 5.1. Thank you.

5.2. Iran.

>> IRAN: Thank you, Chairman you have kindly, implicitly agreed, we have many references to convention. We need to put an asterisk with convention. Just a reminder, everywhere in the text, the convention in the text it will be produced later on.

>> CHAIR: Yes, we will lead with it when it comes to the preamble. Thank you.

So 5.2. I see no objection. Thank you.

5.3. Mexico?

>> MEXICO: Thank you, Chairman. We wanted to state that there is still a discrepancy with the Spanish version here of the Spanish version suggests that there's an obligatory nature in this provision. Please align the Spanish version with the English one. Thank you very much.

>> CHAIR: Thank you. We'll do that.

So 5.3 is approved. And we'll do the alignment.

5.4. Thank you.

Now article ‑‑ new Article 5A title, security. Trinidad and Tobago.

>> TRINIDAD AND TOBAGO: Thank you, Chair. As mentioned, we would like to first of all ‑‑ Trinidad and Tobago would like to thank you and the team for the work that has been done so far in getting this much progress done today.

On the matter of the article ‑‑ the new Article 5A, Trinidad and Tobago is very comfortable with the language as presented. Our one suggestion is the possibility of moving the article as it now treats entirely with the security of communication networks. Trinidad and Tobago would like to suggest that it's per positioned within Article 3 of the ITRs. Thanks a lot for your time and consideration.

>> CHAIR: Thank you. Poland?

>> POLAND: We understand that this proposal is a result of long negotiations, and we understand that the use of term security of networks is a compromise, which refers only to the technical aspects of infrastructure. I would like to express technical aspects of infrastructure. We are still not perfectly happy with the term "security." For us, it's too broad and general and could be interpreted in various ways. Such lack of clarity could lead to a situation in which many Member States would be forced to make a reservation to this provision. This lack of clarity is strengthened as in the first sentence we talk about networks and in the second part, we talk about services.

The European compromise suggests resilience and integrity of networks is much clearer. In order to clarify our concerns, maybe it would be beneficial to add the term technical before the word security. We would ask to put in the minutes of this conference what we want to address. Thank you, Mr. Chairman.

>> CHAIR: Thank you, and I think what your statement will be recorded in the minutes of the meeting, as you have rightly said, this text has been agreed as a compromised text, and addition, removal, changes to this text is ‑‑ will result in a substantial discussion and we are happy and I'm happy to take the statement and put it in summary record.

Australia?

>> AUSTRALIA: Thank you, Chair. Australia was quite heavily involved in the preparation of this text, and it, in part, reflects the APT common position, which was developed over some months. Australia is aware that there are a number of delegations in the room that, perhaps, have not dissimilar concerns as to the ones expressed by our Polish colleague a moment ago, and I'm not sure that you can all together avoid a conversation about this text going forward.

I was going to suggest that perhaps after the word networks, you could interpolate the word infrastructure to try to reinforce the concept that this is very much around the security of the physical infrastructure as opposed to a broader term. I think Australia would also be quite comfortable with moving this text to Article 3. Thank you, Chair.

>> CHAIR: Thank you. And I will also caution not to open the discussion on this.

Iran?

>> IRAN: Thank you, Mr. Chairman. First of all, I request our very distinguished colleague from Poland does not invite people for making iterations. Member States are free to decide within the time limit to take any necessary action that is appropriate there's no need for any invitation or provocations. Please make a statement. That's up to the Member States. Chairman, this is a meeting of Member States. We don't need to remind anybody else. People have credentials and they have full confidence from their governments to come here. They know what they have to do.

Number two, Chairman, please kindly under your guidance, and under the wisdom of Secretary General, we have agreed to this text after hours and hours and hours of discussion, and the text in the first instances was proposed by our distinguishes colleagues, the same distinguished friend that took the floor before me, and why now we come here in we totally destroy the essence of the text. Please, kindly, Chairman, take the position that this is as a result of hours and hours of discussions. Kindly remove the square bracket and forward the text without any change, Mr. Chairman. With no change at all. Otherwise, everything will be open, Chairman. Are we on the 3rd of December or 12 of December? Thank you.

>> CHAIR: Thank you. Sweden?

>> SWEDEN: Thank you, Mr. Chairman. We have heard interventions and we understand that the intention is that this will reflect network security or the physical infrastructure. We also heard a statement from Poland requesting to be included in the minutes. I think it would be important if the conference as such could confirm this understanding, what is the limitation of the securities that we are discussing here and maybe it could be used to get some further indication from those who have strong views on this issue, what is the real intention with the word "security." I think that may help. Thank you.

>> CHAIR: I totally disagree with that. And I'm not going to open a debate for interpretation of the words by the conference. We have discussed this before. The European Union were a part of these discussions. Heavily involved. Member States have compromised. Everybody participated. We came to conclusion. This was part of a bigger compromised text and I don't think that the discussions as I'm hearing right now is helping the conference to move forward.

I have a long list of speakers. I cannot even take them all. I seriously cannot take them all. I think we need to reiterate one thing, everybody is working very, very hard towards a compromise and I think everybody did that and we need to show to the world that we are moving towards a successful conclusion of the conference. I will definitely take a maximum of five because I really cannot take the entire list as I speak because ‑‑ the list that I have seen here is almost the list that was participating in the group that we had, exactly. And that's going to cause a lot of loss of time that we really need at this stage.

Netherlands, briefly, and I will time it one minute. Netherlands?

>> NETHERLANDS: Yes, thank you, Mr. Chairman. We had the impression that the text that was being presented, especially those in square brackets was still open for refinement, and improvements. And I think the Australian delegation made improvements that they would very much like to share. So we have the network infrastructure to make it really clear that it's about the security of the infrastructure, and in that sense, we are probably almost there. Thank you, Chairman.

>> CHAIR: Germany.

>> GERMANY: Also like Netherlands we have the understanding that this article is still in brackets because there was no consensus on that. And so far we come to ‑‑ we have to come to a decision, what are we going to do forward. And either with this on the text, like our colleague from the Netherlands mentioned, that is something we would like to do. It's difficult, and we cannot accept this text from our side. We still need some additions on wording and I think the proposal we heard that we should refer to the technical infrastructure, this is something which we ‑‑ technical securities is something we can go along with, but, frankly, this is ‑‑ we have to go back to the wording. And we also strongly urge the removal of any reference to harmonious in the second ‑‑ in the last sentence, as this connotes particularly a fear that this can be connected to content which we do not want to touch in this respect. And therefore, it's an easy solution for us, right, but this should be in the text.

>> CHAIR: Thank you. Do you realize what you are asking for is the opening up of a much bigger problem? We are opening up the entire ITRs now. And CEPT was part of this group and they have agreed to it. Exactly the same text and they compromised on the exact text that you see in front of you and we are very careful in dealing with it.

Secretary General, you were heading the meeting. I ‑‑ I invite you to tell us what happened to this text. Thank you.

>> SECRETARY-GENERAL: Yes, thank you, Chairman. We did this text as part of the overall compromises. If it was easy for the conference to move forward by removing, for instance, the word "harmonious," as well as ‑‑ and we keep the development of international telecommunication services to the public, this is really the main objective for development. So therefore, harmonious could be deleted. It will ‑‑ that will satisfy those parties, and I can affirm that the essence of this and the understanding is the security and the robustness of the telecommunication infrastructure and networks, and, therefore, that was the real understanding.

Now, some ‑‑ everybody understood that and that's why robustness was suggested by one party, but the other party really wanted to be sure at the world security is this. So we maintain both terms, but ‑‑ and, again, I confirm this is about the technical infrastructure of the networks. So it is about that. I don't think there is any doubt. It was not any suggestion to go in content side because it was unnecessary. But if we can put that understanding anywhere, it's better rather than editing the whole text again. But I would just strike the word "harmonious" and put it in the record of this meeting that it's about the technical infrastructure, if that's feasible for everyone. Thank you.

>> CHAIR: Thank you. United States.

>> UNITED STATES OF AMERICA: Thank you, and good evening to all colleagues. Mr. Chairman, we have expressed repeatedly during the process of the development of this language that our preference was for resilience and robustness and we did that because of our difficulty in limiting security. We have now a suggestion from Australia to include infrastructure and we have a suggestion as we heard it from the Secretary General to expand that to technical infrastructure. Mr. Chairman, we had wished to support that proposal. That would go a long ways to expressing an understanding of security. Having said that, our preference is resilience and robustness, but we would wish to see the term technical infrastructure included in this ‑‑ in this provision. Thank you, Mr. Chairman.

>> CHAIR: Jordan?

>> JORDAN: Thank you, Chairman. Firstly, I ask for the floor to express my support for you in your efforts. However, when there are many amendments, things become unclear. We had a clear wording and we arrived at a compromise. What do we mean here by technical infrastructure? What does that mean for telecommunication networks? We cannot approve this addition, Chairman.

>> CHAIR: Thank you. New Zealand.

>> NEW ZEALAND: Thank you, Chair. New Zealand would like to support the suggestions of Australia, and the Netherlands, the US, and some others about the inclusion of the term technical infrastructure, however, the purpose of my intervention is to draw attention back to the point made by our Australian colleagues about including this provision under Article 3. We think that this will clearly delineate the purpose of the provision, which is to focus it on international networks. Thank you.

>> CHAIR: Costa Rica?

>> COSTA RICA: Sorry, I think that was a mistake, Chairman.

>> CHAIR: Thank you. Mexico?

>> MEXICO: Thank you, Chairman. Mexico supports the solution of a compromise as it currently stands. I think here we're making up terms, technical infrastructure won't satisfy many of those in the room. We don't know what technical infrastructure means. We don't know where it's defined. Here we have critical security issues. We are getting into an endless discussion here.

I would also like to ask, Chairman for the Spanish version title to be altered slightly. We have security in networks in Spanish, and we would like that to be amended to security of networks. We think we have a compromised solution and we would like to retain that because otherwise, we will be unable to finish our work here, Chairman. Thank you.

>> CHAIR: UAE.

>> UNITED ARAB EMIRATES: Thank you, Chairman. Chairman, I'm really disappointed right now at this time. In the previous session, I was quiet when the issue was raised. At that time, we don't want to say anything. It seems to be that all the effort that you and the Secretary General have been doing for the last few days, it seems to be gone. It's useless now. Sorry for this word to say, because whatever that we have agreed on that one, we have compromised a lot, and now this is not a compromise. It's a compromise of a compromise. If it is like this, Mr. Chairman, it seems to be that we don't agree to change any single word in this one, any single word. And document 50, when it came, this one, there were two square bracket between security and robustness. That was it and now we are not going to again change any single word.

Therefore, Chairman, the changes to this one, and if our colleague also from CEPT or others, when they say that it is still under discussion, then we understand Operating Agency from Arab group, Operating Agency without any option, it is open definition and agree with Sweden that Article 2 should not go to editorial. I totally agree with them because we would like to bring back all definition that we have proposed in Arab group, including telecommunication/ICT and telecommunication/ICT services, fraud, spam, whatever. All the issues that we have in our proposal that we have agreed and we have ‑‑ at the beginning we have already compromised. We were first group, regional group who compromised and withdrawn some of their proposals. Now, Mr. Chairman, we would like to bring this all together and in our proposal, 3.5a, that misusing of numbering, naming, addressing, and the dedication of resources has to be bring back, has not been agreed. 3.5b has to be bring back, it has not been approved. The same that we have wording ‑‑ we put it in Arab group to control numbering, naming, addressing and identification resources. Our proposal is to bring back so we can discuss it. This is our proposal, Mr. Chairman, and we can move forward, as long as required by all the members here. Thank you, Mr. Chairman.

(Applause).

>> CHAIR: Czech Republic.

>> CZECH REPUBLIC: Thank you, Mr. Chairman. Regarding this article. We are in loin with other CEPT countries and there are other countries that have stated we should stick to network technical security or as the CEPT proposal says, robustness.

And we support this Australian proposal for transferring the provision under the Article 3 so it is clear what it's all about. And I have to state that this is a critical issue for us too. So it's really hard to compromise here. Thank you.

>> CHAIR: Thank you. Russian Federation.

>> RUSSIAN FEDERATION: Thank you, Chair. I would like to remind you that the RCC countries had only proposed eight proposals on security, just eight. We reduced this because 2.1 paragraph. So we have made a tremendous compromise to cover the concerns of our colleagues. The CEPT countries and others, we have been working under your leadership and that of the general secretary for several days in order to find an issue to ‑‑ to emerge from this situation. This work has been very, very complicated and our colleague from the UAE said this very clearly, that the brackets were just related to two words but this compromise is something that we agreed to, but we agree to both words and security and resilience.

You know this, what the mandate of the ITU is, that the Member States asked us to work on confidence and security for the ITRs. So we have to deal with this issue and we are making a very, very short paragraph and we are very displeased with this. Therefore, we consider that any change with, perhaps, the exclusion of the Secretary General's proposal is something we cannot agree to. Thank you, sir.

>> CHAIR: Nigeria.

>> NIGERIA: Thank you, Mr. Chairman. Nigeria wants to add its voice to all of this, especially the UAE, in order for this conference to progress further, Nigeria wants to suggest that we just remove the square bracket and allow the text to go the way because we proposed ‑‑ because we have been made to understand that this is a compromised text and having a compromise mean many administrations have given in on some of their positions and have accepted this particular text as a compromised position.

So all that you need to do, Mr. Chairman, is to remove the brackets and allow the text to go the way it is. Thank you.

>> CHAIR: Thank you.

>> SAUDI ARABIA: Thank you, Chairman. Over the course of this meeting, we have heard a number of remarks and questions about this paragraph, this paragraph here. Many paragraphs haven't been amended for 24 years and this is one of those we wanted to make it more explicit. We also saw a number of questions about what we mean by security following a lengthy discussion and a number of days at this conference. We are left wondering what we mean by security or at least that's what some people are wondering. Is this not a rouse by which to delay our work?

Secondly, at yesterday's plenary, I asked a question about the square bracket, which have been put around a number of paragraphs and this is one of those paragraphs. I say that because as the Secretary General just said, this paragraph is one which has been subject to long and detailed discussions. The title has been amended. Many times by the United States because before this was network security. And we were asked to change the title. That change was accepted.

The idea of moving this provision to Article 3 as also discussed. Following that discussion, we decided we would include it as Article 5A. So Chairman, what I wonder is whether there might be an intention on the part of some to delay the work of this conference. Alternatively, can we work in a spirit of cooperation?

We have made a number of sacrifices concerning our proposals the UAE representative said this was not the text to which we aspired in the first place. But to a view of cooperating we accepted the text in the current form. We would like to spend more time on this. We also need to remove the square bracket. Why have we put these square brackets in, indeed? We thought that this text was nearing a consensus. We thought that a number of improvements could be made, of course. But I call upon the Secretary General to ask the Secretariat who inserted these square bracket around this paragraph. This has caused a serious delay to our work. Thank you.

>> CHAIR: China and Venezuela. I will close the list and see a course of action on this. China?

>> CHINA: Thank you, Mr. Chair. The part of the proposal made by the Chairman and the comments made by the colleagues and we need not to reopen the discussions on this topic. I want to stress that the current text as it stands is based upon the compromise of APTC, PTC, RCC, Brazil, Cameroon, the CEPT and India. There are all together 36 proposals and it was discussed by working groups and ad hoc groups and it was reported from the committee 5 to the plenary. Yesterday at the closed door meeting organised by the Secretary General and the conference Chairman, we have the compromised text. And this text is really the business, the efforts over the past days. If I remember it correctly, the countries including the CEPT countries participated at the ad hoc group's work on the ‑‑ as well as, the working group 5.2 on security.

Yesterday, the day before yesterday, as the closed door meetings organised by the Secretary General and the conference Chairman, and each regional group have representatives and we have discussed the discussions, and we have a representative from each regional group attending. Now, in the spirit of cooperation, a lot of countries made compromise, and we agreed to have both words, robustness and network security. This title was also changed based upon the comments of the distinguished delegates from the United States and we have reached a compromise here.

And the ‑‑ this is really a hard won result. There are so many countries who are interested in the security issue. That shows great interest in this topic, and having a separate article on security, that is really to show the importance of security and we have been working days and nights so that we can work a successful conclusion, and we have ‑‑ we have a successful outcome and we have made clarifications and discussions on security issues on many occasions. We should be frank. We should be sincere, and we should respect each and we should respect the work of all of the delegates here.

With respect to the comment from the German colleagues and look at the word harmonious, if you Google on the word, there are two definitions on the word, arranged together in a pleasing way, so that each part goes well with the other.

Another definition is friendly, peaceful, and without any disagreement, no matter English or Chinese, we have no difficulties in accepting this word.

Finally, allow me to have a summary. We agree with the comments expressed by UAE, Russian and the comments made of the previous speakers. We don't agree to any change to this 5A and we don't agree to including to Article 3. Thank you. That's the position of China.

>> CHAIR: Thank you. India.

>> INDIA: Thank you very much, Chairman. I will definitely be brief. This is to have a formation in the ITR that helps in securing the network. The proposed compromised solution on security, therefore, requires to mention the term security and not only the robustness. The robustness is strong and healthy, whereas the security deals with the state of being free from danger and threat. Hence the security in building trust framework as defined in the principles. Therefore, we would be happy to support the compromised text as it is. Thank you very much, Mr. Chairman.

>> CHAIR: Thank you. I want to suspend the meeting. I want the regional groups to come to the stage, one person.

A point of order from Lebanon.

>> LEBANON: Thank you, Chairman. I ‑‑ I had requested the floor for a while, and you closed it without mentioning that Lebanon had requested the floor.

>> CHAIR: There is a list of countries, more than 10 asking for the floor. So I don't see a point of ‑‑ this is ‑‑ this is an issue that if I just leave the floor open, we will never end, the way we are looking at it right now. I see another point of order from Iran. Iran.

>> IRAN: Thank you. I apologize sincerely. Please kindly consider it is not appropriate to have one person from one region to represent the entire region. This is a very, very delicate issue. If you want to handle it in an ad hoc group or another way, it's not a regional group. That doesn't work. You kindly have concluded and come to the meeting, again, people disagree with that.

So please kindly consider and I apologize to take the point of order, but this is ‑‑ in fact, this is reality. This is one of major issues, Chairman. Please, kindly. I don't want to go out of point of order, but that's for this purpose only. I don't intervene on the subject. Thank you.

>> CHAIR: Thank you. I will suspend the meeting. We will come back in 15 minutes. I want the regional representatives for APT there is no one representatives, they can come as they wish. We just need to finalize this issue. Please, I will wait for you here. Thank you.

(Break)

>> CHAIR: We are starting. So gentlemen, if you can take a seat. Good evening, everybody. And I must say, when ‑‑ when we talk about network security, I can see he can feel the room and how it has turned to. There was a lot of heated discussion in the corner. I see Cote d'Ivoire, I hope you pressed ‑‑ yes, thank you.

After a lengthy discussion, I want to propose the following, a number of administrations expressing concerns that some of the text here in the ITRs and the interpret, some of the text here in the ITR refer to content, and this is part of the sensitivity about many of the provisions that we have. Despite the fact that we have clearly said the beginning of the conference, in the informal group, in the informal discussions even before the conference, that the ITR does not go and include content.

Therefore, I will suggest a global ‑‑ a global solution that might ‑‑ or it will solve and will remove fear that when we talk about anything, it will not have it read in context with content. So I'm going to propose the following, and that this ‑‑ and this proposal is coming from the Chairman.

We put in Article 1 the purpose and the scope of the regulations. We create 1.1a this, the following, and we put the following in 1.1a bis. These regulations do not address and cannot be interpreted as addressing content.

I'm going to repeat it again. These regulations do not address and cannot be interpreted as addressing content. We can slightly modify the text, and move on on this.

Now, this is the first proposal. Now, I hope ‑‑ Botswana, I will give you the floor in a minute, but if you can bear with me. I hope this will remove all concerns on the ‑‑ on everything in this document.

Now, coming back, and I hope this is a global solution. I will come back now to Article 5A. And I propose that the title of Article 5A be modified to the following, and align it to what is in the text, but not copy exactly or not copy the entire text to the ‑‑ to the title. So it will read, security and robustness of networks. That is what the title will read.

I see Mexico is asking for the floor. Mexico?

>> MEXICO: Thank you, Chairman. I simply would like to clarify what we mean by not affecting content. What will the status then be of other provisions which we have already set up where some countries have referred to content. We are not understanding all of these in the same way. So how would those provisions be affected by that? This could, perhaps, subsequently be used to modify those other provisions. So could you shed light on that? Thank you, Chairman.

>> CHAIR: I don't think that we need to modify any of the text. I think we are taking that it cannot be interpreted as addressing content. I think the text is extremely clear. So we ‑‑ we propose to have Mexico ‑‑ Mexico again. Mexico?

>> MEXICO: Thank you, Chairman. I'm referring to the item which we'll deal with later, namely unsolicited bulk electronic communications. Could that be referred to as content, perhaps? Thank you.

>> CHAIR: Thank you. This is exactly will solve the second Article 5B, that we are not dealing with content here. We are dealing with measures to prevent propagation of unsolicited bulk electronic messages but I don't want to prejudge right now and jump to the discussions in the next item. I see Sudan, UAE. I don't want to get into a debate here. And Saudi Arabia. I think I need to put this proposal and see the reaction quickly, South Africa as well. So Iran, we start with Iran.

>> IRAN: Thank you, Mr. Chairman. We are grateful to your very hard work and your effort trying to find a solution in order that this conference have success.

Chairman, at this stage, it is difficult for us, extremely difficult to agree to a text being included in the scope of ITR referring to a term that we don't know what does it mean, content. However, in order not to close all the door, we could agree that you create a footnote ‑‑ a footnote to the scope of the ITR and in that footnote, the text that you have read, slightly modified, these regulation should not be interpreted as addressing content. We put that in square bracket and we go to the end of the text or the ITR, if we agree with everything, we come back to that to see whether or not we accept that or not, Chairman. We cannot step by step giving all drops or blat and at the end of the day, we have no blat to move. So we can't agree with that, Chairman. With that condition, we can agree with that. With that condition, a footnote to the scope of ITR in the footnote, as I mentioned, these regulation should not be ‑‑ not cannot be, should not be interpreted as addressing content. Again, around content in square bracket. We need to seek a clarification and confer with the government. Its no the an issue of ITR, ITU, therefore we need some time, but put that in square bracket and then go to the remaining part.

If everybody and everything agreed by tomorrow night, then we come back to that, and perhaps we could have some agreement. Chairman, we don't want a step by step to give concession, concession, and get nothing. Thank you very much.

>> CHAIR: Thank you very much. Sudan briefly, please.

>> SUDAN: Thank you, Mr. Chairman. Very brief, content cannot be avoided in telecommunication networks because it will always be in transit. So how can telecommunication networks not deal with content? I cannot understand that, unless we have a very specific definition in content, maybe outsource and destination, that is something else. Thank you.

>> CHAIR: Saudi Arabia.

>> SAUDI ARABIA: Thank you, Chair. Actually, I agree with the representative of Mexico's concern with regard to this term. Now, if we address content here, this is a very large context. So we may need a definition, for example, for tariffs. Indeed, this additional text may have a consequence for the entire treaty, sir.

>> CHAIR: Thank you. South Africa and United Arab Emirates and then I will make a proposal to move for the. South Africa.

>> SOUTH AFRICA: Thank you, Chairperson. Thank you for the opportunity that you have given us to share our view. What you are proposing is not different to what was discussed on the negotiations. That debate is half of the night and the whole day the following day. So what is new about what we are putting forth there that has not been discussed yesterday? We see no relevance to what you are raising in terms of content, because it will go into the issues about the spam and the other issues that were raised later on about ICT and telecommunication issues.

Can we get some clarity. We support what Iran has raised fully, but we ‑‑ we see yourself going back to the issues that we knew, which were not agreed upon using a backdoor approach. Thank you, Chairperson.

>> CHAIR: Thank you. UAE.

>> UNITED ARAB EMIRATES: Thank you, Chairman. Perhaps to find a way for word, I think it was mentioned during time during your plenary and since the beginning of the conference and until today and probably until tomorrow, that ‑‑ that the issue of content regulation is not part of the ITR and maybe we could actually say this in the minutes of the meeting that this regulation should not be interpreted as on alteration to Member States content regulation and I think it's a clear regulation that this ITR should not be interpreted to alter Member States' content regulations. And I think also to ‑‑ to emphasize on the word content regulation, rather than just content. And I think that's ‑‑ that's the main idea and maybe that's probably in the minutes of your meeting, trying to move forward from this. Thank you Chairman.

>> CHAIR: Thank you. I think, as I said at the beginning of this session, this can be a solution, and I have proposed it. I just proposed it. I want you to think about it and I will ‑‑ if there is no issues, I can put this between square bracket.

I want to jump from the discussions on Article 5A and 5B to Article 6. Finish the entire document and come back so that we can ‑‑ you guys can think about it. I think it's a solution out. I think it's a global solution out. We might need to and I will ask the legal advisor to give me some adjust to the language. But I think we can come back to that at a later stage.

But if you don't mind, I'm putting this proposal. I want to skip Article5A and 5B discussions because we will go through the same thing and go to Article 6, to all the resolutions and come back.

United States.

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman. And as we have throughout this conference, we admire your efforts in trying to seek compromise and we very much appreciate the great effort that you are taking to do that.

We would add, however, as a reminder to the plenary that 5A and 5B we agree should be brought back after we have finished the document, but also we would wish to add to that the third key issue, which is the ‑‑ the definition used for Operating Agency, and the term that we have raised that is still bracketed, which is correspondence that would precede ‑‑ that would follow public. Mr. Chairman, as you have now given us a way forward, that issue becomes ever more important to look at the entire package.

So Mr. Chairman, we would ask that that be the their issue that also be brought back. Thank you.

>> CHAIR: Thank you. I think the entire document is between square bracket. So there's no first or second or third issues. I don't want that to provoke the meeting and start debating this.

I have UAE, Russia, if you have no objection, if you can think about it, we will come back to it, but it doesn't mean that we have one or two or three or four issues that we need to keep, but I need, for the sake of time ‑‑ and I will repeat, for the sake of time, I need to finish the remaining text, which I think it might have a general agreement to move on. UAE briefly.

>> UNITED ARAB EMIRATES: Yes, Chairman, just in order to help you on this one, and if we can start with Article 7, 8, and 8A and 9, because this is ‑‑ I think we can go along with it very quick and we can come back to 6 and others, and, of course, Article 10 also. So that will ease it. Thank you.

>> CHAIR: Thank you. I prefer to deal with Article 6 until we deal with the new provisions, we will stop there and jump to Article 9 and then 10, because there are appendixes which have relation to Article 6. Russian Federation.

>> RUSSIAN FEDERATION: Thank you, Mr. Chairman. I don't know if we ‑‑ whether I can help you or not, or how much, but ‑‑ but I'm very worried about this new package compromise. We seem to be going from compromise to compromise. We've been working with the US to add to the compromise, but I would like to remind us all that we asked the key part of our proposal, there was an article that was added to our proposal, that was related to the Internet network. And this issue we talked about, the rights of states and their ability to establish policy. So if we start the debate again and if the United States asks to add something else as a compromise, then we'll have to get back to this article and I think at that point, we may just have to take a vote.

>> CHAIR: Thank you, Russia.

With that, I will move to Article 6. And, again, I just want to remind everybody, just not to ‑‑ that the entire document is between square bracket but at least let's try to agree on things that we can move forward on.

Article 6 and the title, charging and accounting. I see no objection.

42a, international telecommunication arrangements. I see no objection.

6.1. I see no objection. Thank you.

6.1.1 has been agreed before. So I will go to 42d, accounting rate principles. The title. Thank you.

Now the terms and the conditions, 6.2, also one of the provisions that has been agreed before. So I will go to 6.2.1. Algeria?

>> ALGERIA: Sir, thank you. I'm referring to the title, 42d accounting rate principles and I would just like to remind you that when the document will go to blue, we will make a statement with regard to the term tax, tax in French.

>> CHAIR: I took note of it.

And 6.2.1. And, of course, the appendix will come later, at a later stage. Thank you.

6.2.2. Thank you.

6.2.3. Thank you.

Now the entire text of collection charges, services and telecommunication, it has already been agreed before. And on the other new provisions, I will pocket for now and move to Article 9, because Article 7 and 8 have been approved before. Article 9, the title was agreed.

9.1a. Thank you.

9.1b. Iran?

>> IRAN: Thank you, Mr. Chairman. Under Article 9.9.1b, if you kindly read the text, any such special arrangement should avoid we propose that should be replaced by shall. We agree not to change that because 5A and 5B was agreed in the small group chaired by you. So since that's in abeyance, we would like to put 9.1. b in square bracket since we have a global solution with this. Should is optional. That means there is a very likelihood that harm could be caused to the system. This is simple, like other colleagues, abeyance, square bracket, global package. Thank you.

>> CHAIR: Let me try that. Is there an agreement to use the word shall, Sweden?

>> SWEDEN: Thank you, Chairman. Well, we see should is still written in the text from the previous treaty and we understand that there's been no proposal in the debate up until now to change this. There's no square bracket, and we think should is appropriate. So we prefer to maintain the text as it stands in the previous treaty and with the word should. Thank you.

>> CHAIR: Iran, can we move on, on the principle that everything in this document is between square bracket? Iran?

>> IRAN: Thank you, Chairman. Unfortunately, no. I would like to put the square bracket around "should" and have a new square bracket around "shall" and come back to that when everything is settled. Thank you.

>> CHAIR: Dominican Republic?

>> DOMINICAN REPUBLIC: Thank you, Chairman.

In 9.1b it says such in Spanish, such special arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries. We think there might be a mistake in the drafting of this section, which could be revised. I'm referring to the Spanish version.

>> CHAIR: Thank you. This will be aligned. Thank you. Costa Rica?

>> COSTA RICA: Thank you, Chairman. As was just said by the Dominican Republic, in 9.2, we need to align the wording because in the Spanish version, or at least the version which we are looking at, we still have CCITT, so we need to make that change to this particular version. Please bring that in line with the English version. Thank you.

>> CHAIR: Yes, thank you very much. UAE.

>> UNITED ARAB EMIRATES: Thank you, Chairman. I'm really quite surprised that we are back on to this issue of 9.1b. Mr. Chairman, if we are saying in 9.1a, we are referring to Article 42 of the Constitution of the Convention and in that article, the word "shall" is used. I would advise you kindly, if you ask the Secretariat to read the Article 42, it's one paragraph, and the word there is "shall." And it has the same language. And if we say in the Article 42 shall, and the ITRs we say should, that will create contradictions.

Now, the Article 42 came in '98, ten years after the ITRs that was written in '88. In all cases, the CSCV will prevail. So why to fight on something and just create contradictions between ITRs and the CSCV? Can we just have the same wordings of Article 42? And it clearly covers this word and chooses the word shall and this is done for a reason. Thank you Mr. Chairman.

>> CHAIR: Sudan.

>> SUDAN: Thank you, Chairman. Just in line with UAE and Iran, I think it's better to use shall rather than should. Thank you.

>> CHAIR: Kenya and then Algeria.

>> KENYA: Thank you very much, Chairman. I think if there is something that we need to agree on, it's this one, because it draws us, the UAE has drawn from a provision in the basic document, and the plain construction of the word should gives the option that such arrangements could, indeed be allowed to cause technical harm to the networks of third parties. And I think that is the principle that the entire provision is meant to avoid. And so I think from purely a drafting point of view, should is ‑‑ I know for sure that it was negotiated, but I think the plain construction of this would mean that there is an option that such arrangements then would be allowed to cause technical harm. And so for that reason, Chair, I think there's ever good reason to agree on this and just use the plain words that I used in the basic document. Thank you.

>> CHAIR: Thank you. Algeria.

>> ALGERIA: Thank you, Mr. Chairman. I do think that even if there is a verb here used in the conditional in the original text, like we have said, but to err is humor. To persevere in one's errors is diabolical. I think what we have in the Constitutions is such arrangement, shall not be in conflict. So I think that we choose a more peremptory term and therefore this word "should" should be more indicative. We should use the future. So what we should use here is "shall" instead of "should."

>> CHAIR: Thank you. So we have support for replacing the word "should" with "shall." Sweden, can you please join the group in having the word "shall"? Sweden?

>> SWEDEN: We note that when reading Article 42, the text used in 9.1b is not the same text that is used in Article 42. There is a different ‑‑ a different context and different words used. So we note that there is a difference between the two text and I assume that the convention ‑‑ the Constitution text will be the supreme text and that's not exactly what is proposed to be in the ITRs.

>> CHAIR: I will just put it in square bracket and we will consultant with the legal advisor and we will come back to that. I don't think that we should take a lot of the conference for just one word "should" and" shall ." Thank you.

9.2. Thank you.

Now, can we go to appendix 1? And I will take 1 in its entirety, accounting rates, which includes 1.1, 1.2, 1.3, 1.4, and 1.5 and 1.6. I see no objection. Thank you.

Two in its entirety, which includes 2.1 till 2.6. I see a square bracket in 2.5, some square brackets. Mr. Horton, I think we need your help here. Mr. Horton? ITU staff?

>> ROBERT HORTON: Thank you, Chairman. No problem. First of all, if I can take you back to the title, 2.1, establishment of accounts there is a repetition of that title. So that is not necessary to repeat the establishment of accounts but going to the square bracket, you skipped over one in 2.2, and this was the force major statement, a period of 0 days. Now we made a little bit more aggressive demand by going to 30 days here, and we can certainly get rid of the square bracket right now, but we need an answer from Russia who needed to consider this overnight because 30 days may be a little bit imposing. If they say we should go back to 50 days, I would recommend that we accept that, Chairman, but they provisionally agreed to 30 takes but needed to go back to the delegation or back to the capital. That square bracket, Chairman, you could easily deal with by just asking Russia if they would like the 30 days or go back to the original.

>> CHAIR: Thank you. Russia? I give you the floor.

>> RUSSIAN FEDERATION: Thank you, Chair. Indeed, we did consult with our colleagues from the RCC and other delegations. The thing is if we leave 30 days, then the next provisions of the ITRs are in conflict with the recognitions 195 with regard to accounting, which was adopted at WTSA '12, 2012. Now, 30 days here is okay, but if the sides agree, otherwise, it could go all the way up to 50 days.

If we put 30 days in the ITRs here, then we will get into a conflict. So in summary, what I would suggest then, to avoid all issues at this point, we leave 50 days.

>> CHAIR: Okay. We will take it back to 50. Iran?

>> IRAN: Thank you very much. No comment. I'm happy with the 50 days. Thank you.

>> CHAIR: Thank you. So with that, can we approve 2.2 without square brackets? Thank you.

The second square bracket, Mr. Horton?

>> ROBERT HORTON: Now, this again, was left with the Russian delegation to see. They needed a little bit more time to go through the words because we ‑‑ we talked the meeting in English. So that put us at an unfair advantage and they went away to study these words and see whether we would wish to keep them in the text or if we could get rid of them because they are partially covered by 2.3. So, again, if you could ask the Russian delegation, Chairman, to clarify these or we get rid of them.

>> CHAIR: Thank you. Back to you, Russia. Can we keep them or remove them?

>> RUSSIAN FEDERATION: Thank you, sir. Indeed, we get back to this issue and we understood that in some accounting systems or settlement systems, this provision is used. So we would like the language to remain as is, if possible.

>> CHAIR: Okay. So the language will be remained and if you can remove the square bracket here. Iran?

>> IRAN: Thank you, Chairman. Really, please believe us, we are tired. We request you to take provision by provision, not section by section. This is very difficult to concentrate entire sections, at least for the first reading. Thank you.

>> CHAIR: No problem. Can we take it from here? Thank you.

So 2.5. Removing the bracket. Do we have any objection? Thank you.

Now 2.6.

I see no objection.

Next, 3. We go to 3.1.1. Of course, 3.1 is the title. Great. 3.1.1. I see no objection.

3.1.2. Thank you.

3.1.3, and I will take a and b together with it. Thank you.

3.2, the title. Thank you.

3.2.1. Thank you.

Agreed.

3.2.2. Thank you.

3.2.3. Thank you. And I will take sup and 3.2.5. And 3.2.5a. And 3.2.5b. Thank you.

3.3, Title. Thank you.

3.3.1. Thank you. 3.3.2. Thank you.

3.3.3. Thank you.

3.3.4. Thank you.

Now 3.4, Title.

3.4.2. Thank you. Agreed.

3.4.3. Thank you. Agreed.

Now we go to appendix 2. Mr. Horton, ITU staff.

>> ROBERT HORTON: That's not quite the end of appendix 1, Chairman. There were some provisions proposed relating to termination rights and also the invoicing process. Now, let me explain that in terms of the normal settlements of accounts process, which we just dealt with, that is very important to African countries, well, developing countries in general. This is the bread and butter of the industry is having these procedures in place. We heard they are very important still in Russia, as well, 20% of the cases. So it was exceedingly important to suppress these. What we arrived at, we took out three or four provisions on international rights and the policies for invoicing, because they are associated with the commercial process. That's the other type of process, which is provided for in Article 6.

Now, we had those proposals from Cote d'Ivoire. Many developing countries are moving more into the commercial agreements area. So what ‑‑ if we would have had another meeting, we would have suggested an appendix 3, which could have been very, very useful for developing countries, as they embark in commercial agreements more and more as they go on and they would have had some source of advice or regulations which they could turn to.

Now, I don't think we will have time in this conference now to have another go around and come back with an appendix 3, but what I would strongly suggest, Chairman, is that in our report and our recommendation to this plenary, is that we suggest to ITU Study Group 3, that they pick up the proposals that ‑‑ the provisions that were suggested in both termination rights and in invoices to take that interstudy in ITU Study Group 3 so that we don't lose that opportunity for very valuable advice for developing countries as they do move into this area. I think that's the best we can do in terms of looking at the interests, especially African countries who came to us looking for some support in this area. And I think they have agreed to that.

They have a draft text in French, and they have agreed to take that forward to ITU Study Group 3 and I think we should owe it to them to support them, Chairman, if that is acceptable to you.

>> CHAIR: Yes, that is. And I would like ‑‑ I would advise the DSB to bring to the attention of Study Group 3.

Algeria, Sweden and Iran, briefly, please so that we can take appendix 2.

>> ALGERIA: Chairman, could you please tell me something about Appendix 1. I'm sorry to go back to that, but what happened to 3.4.1? Terribly sorry for not having followed this, but I can't find it in the text. I can see 3.4.1 and 3.4.3, but I can't see 3.4.1. What happened to that?

>> CHAIR: Bob? Was 3.4. ‑‑

>> ROBERT HORTON: That was deleted because it's a repeat of what is already in the text.

>> CHAIR: So we need to amend the numbers. Thank you, Algeria, for that. We will amend the numbers. Iran.

>> IRAN: Thank you, Chairman, the reference was that we refer this back to the study group. I was told by some people that who needs to minutes of the plenary? Is that right? I fully agree that it may simplify our work by putting something like this as a pragmatic way in the minute of the plenary and a plenary conference. But I was discussing with some colleagues, and they said, who reads the minutes of the plenary. If people read the minutes of the plenary, I suggest we take it as a mechanism that we draft items. So could you please advise that people read the minute of the plenary. Thank you.

>> CHAIR: Thank you, Iran. Thank you. Okay.

We are now coming to Appendix 2. I wanted to advise ‑‑ I wanted to call for Greece because we have square bracket here the to work with us on the square brackets. Greece? ITU staff, Bob?

>> ROBERT HORTON: Chairman, this is the mandate that you gave to ad hoc group yesterday, and the lady from Greece, who was Ms. Elena Plexida joined the group and brought her experience in previous considerations of this to the group, and assisted me enormously.

>> CHAIR: Okay. Then let's ‑‑ let's go through that because there's a few square brackets but I will start. Cote d'Ivoire.

>> COTE D'IVOIRE: Thank you, Chairman. I would like to take us back to the minutes of the Chairman of the ad hoc group on Appendix 1. We worked yesterday from 10 p.m. to midnight, and in Appendix 1, the African Group, we discussed the systems and made a difference between invoicing and accounting and we decided to separate the provisions in appendix 1 and take some of them elsewhere so that we could potentially take them into account. So that's what we agreed to do when we agreed to suppress the provisions appeared in Appendix 1. So those proposals were submitted to the Chair of the ad hoc group.

We were hoping to see those provisions in the ITRs today. We are rather surprised to learn from the Chair the ad hoc group that it was agreed that these should be submitted to Study Group 3 for further examination.

Admittedly, there was only Cote d'Ivoire and Burkina Faso. Not many African countries but this seems to be some discrepancy here. We thought this was going to appear in the ITRs. So why were those provisions not able to be included given that this is a concern of the African Group and we really did want to see these provisions in the ITRs. Thank you.

>> CHAIR: Thank you. Burkina Faso.

>> Thank you. Time is, of course, of the essence, but we do need to take the time which we need to examine the issues which affect our countries. We agree that the provisions which we wanted to see here should be treated duly. These agreements on trade relates and so on.

Mentioning this in the minutes is all very well, but will this really be followed upon? We really want this issue to be duly dealt with. Thank you.

>> CHAIR: Iran?

>> IRAN: Thank you, Chairman. Sorry to take you back to 3.4.3 of Appendix 1. Thank you. Can we go ahead?

>> CHAIR: Yes.

>> IRAN: The text read if there should be a radical change. Raps we should say that should there be a radical change, not if there should be a radical change. Thank you.

>> CHAIR: Okay. I don't think that this is an issue. Senegal briefly, we have 15 minutes before we take a break, and if we can deal with some appendices here.

>> SENEGAL: Thank you, Chairman. I wanted to echo what was said by Cote d'Ivoire, the African did, indeed hope to see the provisions mentioned in the ITRs. This is going to be submitted to Study Group 3, it's been said but we would like it to be taken into account in Appendix 1. Thank you.

>> CHAIR: Thank you. I see more countries asking for floor. We will go to Bob. Sir Bob, I think you explained but I want you to explain so we can listen exactly to the time limitations that you had, but any way, Mr. Bob Horton.

>> ROBERT HORTON: We finished at 12:00 last night. I haven't seen the English text yet that would be proposed for appendix 3. I'm quite happy to get another meeting. I have a couple of days yet while I'm still here but we do have time limits. I think it would be nice if we could develop an Appendix 3, which is involving these other provisions. I'm here to talk to do that, if you gave me the opportunity and we had the time to do that. It's not a responsibility that I have set aside. I am available and I would go through another meeting with people and we would require that Russia and the USA would be along because they have very experienced people on their teams. They have been great help along the way. I mention Appendix 3. It's a fallback that we can go to but really the best is to include something in ITRs and I agree with Cote d'Ivoire and Burkina Faso.

Please, we will announce the room, room c, 9:30. Thank you.

>> CHAIR: Appendix 2, and number 1, general. Bob?

>> ROBERT HORTON: There were some words that disappeared and we need to resurrect these from the dead again. For some reason, they disappeared at the end of provision 2/2 where it says settling accounts under this appendix. There are some words which continue on which say insofar as the following provisions do not provide otherwise.

Now, it was drawn to our attention that this is still a legitimate phrase which is required in this provision. So if you are happy with that, Chairman, I would suggest that we reinstate that.

>> CHAIR: Can you read it please, at dictation speed where exactly.

>> ROBERT HORTON: You can see at the end it says "under this appendix, we would carry on with the words insofar as the following provisions do not provide otherwise, full stop.

>> CHAIR: So we start with general. Is there any objection? Thank you. The title accounting authority, two.

Thank you, 2.1, with a, b, and c. Thank you.

2.2, and with the words that Mr. Horton stated insofar as the following provision do not provide otherwise. United States?

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman, and we're not ‑‑ we're not seeking to delay your progress, good progress on Appendix 2, but we would reserve through you an opportunity to come back and comment on this proposal which we take to be an ad hoc group at 9:30 tonight on invoicing. We would ask your indulgence to come back on that decision. Thank you, Mr. Chairman.

>> CHAIR: Okay. I see no objection to 2.2.

Mr. Bob, square bracket in 2.3. Mr. Horton. 2.3?

>> ROBERT HORTON: Yes, Mr. Chairman, that square bracket should not be there and also the one around administration. As you know, administration has a different meaning in the context of Appendix 2 and this is explained here.

>> CHAIR: Okay. Thank you. 2.3, without the square brackets.

ITU staff? Thank you. You are asking for the floor?

>> ROBERT HORTON: There are some comments I would like to make when we get to 3.1, Chair.

>> CHAIR: Okay. 2.4?

Greece first.

>> GREECE: Yes, thank you, Mr. Chairman. Just to take you back to 2.3, I don't know if I heard this incorrectly. Mr. Horton said we should remove the bracket from administration and leave it as administration.

>> CHAIR: Yes.

>> GREECE: Well, it is true that administration is in a different meaning within this Appendix and it goes for 2.1, a, b and c, but in 2.3, the administration refers to Article 6 in Appendix 1, so it's ROA, or however we decide to leave them. Thank you.

>> CHAIR: Sir?

>> Yes, Chairman, you can see why I'm impressed with Ms. Plexida, she is absolutely correct. That should say not administration, take away the square brackets it should say whatever term, Operating Agency I think is going to be the new terminology. So thank you for that.

>> CHAIR: Okay. We will take that literal once we approve it. Thank you.

2.4. Thank you.

3, Title. Please, go ahead.

>> ROBERT HORTON: Sorry, Chair, you are just a little bit fast for me. Under 2.4, where we in the third line see list of ship stations we should have the full title there and Maritime service identity assignments. So it will say a list of ship sanctions and Maritime mobile service identity assignment. Thank you, Chair.

>> CHAIR: Iran.

>> IRAN: Thank you, we would appreciate Mr. Horton if he tells us what part of the Appendix this comes from.

>> CHAIR: Mr. Bob, go ahead.

>> ROBERT HORTON: This is the name of an ITU publication from which it was taken.

>> CHAIR: Thank you. So 2.4 with the addition after list of ships and Maritime mobile identity assignment. I see no objection. Thank you.

Now, 3.1. Go ahead.

>> ROBERT HORTON: You will see the words service provider involved in this provision and the same thing happens in 4.3. Now, there was some concern regarding the ‑‑ this terminology by Iran and Mexico because we have replaced the accounting authority description by the words service provider.

Now, Plexida went to see Iran and Mexico. Basically she's a lot better looking than I am and managed to get them to collaborate and agree that these changes are acceptable. So we have changed that to service provider and both Mexico and Iran would like us to make mention of that. Thank you, Chair.

>> CHAIR: Thank you. I take it there is no change.

>> ROBERT HORTON: The change has been made to service provider.

>> CHAIR: Thank you. Thank you. So 3.1. No objection. Thank you.

3.2. Thank you.

Title under 4. Thank you.

4.1. Thank you.

4.2. Agreed. Thank you.

4.3. Thank you.

4.4. Iran?

>> IRAN: Thank you, Chairman. We agreed with the distinguished lady from Greece because of the substance and the logic. That was the only way. Thank you.

(Laughter)

(Applause)

>> IRAN: The logic of the argument and the argument she suggested to us. That was for Mr. Horton.

Chairman, 4.4, you have difficulty to remove 18 and put it 12, Chairman. Serious difficulty for some country they have, they are not as fast as other countries. We have explained that to the colleagues and we may be in a position to propose your solution, but we leave it to you, if possible, retain or go back to 18 months. Thank you.

>> CHAIR: Thank you is there any objection to make it 18 calendar months rather than 12? Mr. Horton?

>> ROBERT HORTON: Chairman, thank you. He never says such words about my logic, so you can ‑‑

(Laughter)

So anyway, Chairman, yes, China certainly raised this as well. And they provisionally accepted 12 items but we said we will be happy to ‑‑ if they or anybody else would come back and find that this was too short, we would reinstate the 18 months. That was a gentleman's agreement at the meeting, and I think we should uphold that gentleman's agreement and go back to 18 calendar months. Thanks, Chair.

>> CHAIR: Is there any objection to bringing it back to 18? Thank you.

4.4 is agreed. Algeria?

>> ALGERIA: Thank you, Chairman. I believe we need to consult our regulations it seems ‑‑ I repeat, it seems that the central Algerian Bank, known as the Bank of Algeria refuses the payment of the settling of accounts which are more than 12 months old. So there might be a problem there. I would ask you, Chairman to allow us to check on this and come back to you tomorrow. This doesn't need to prejudge the outcome of our work, but we'll give you the answer to that tomorrow. Thank you.

>> CHAIR: China?

Thank you. So we leave the 18 months for the time being, but we will provisionally approve it. Thank you.

Can we go now to the draft resolution, the changing to communication environment.

>> ROBERT HORTON: That completes that work and we look forward to the next installment, and that's Appendix 3. This length of string that you have me on is an endless length of string but I'm enjoying it. Thank you very much.

>> CHAIR: Thank you. I got advice from the Secretariat that we should take now DT/50/rev1. I will give the floor to Ghana to present it, please. I hope this has a compromised text where we can approve quickly. Ghana?

>>> Thank you, Mr. Chairman. Our group met this morning and appears on the advice and the discussion that we had, we decided to change the ‑‑ especially the heading to read periodic review of international telecommunication regulations. Then basically, where we had lots of issues that we needed to deal with, was there is offsite, but eventually, we managed to get a resolution to that effect and now it says that we resolve to invite a plenary conference to consider this resolution and if necessary to take action to convene periodically, for example, every eight years. The world conference on international telecommunications to revise the ITRs taking in account the frontal implications.

So basically that is the new resolve we had this morning, Chairman. Thank you.

>> CHAIR: Thank you. And congratulations. Ghana, we don't have square brackets except under telecommunication/ICT and we can start the consideration. Canada?

>> CANADA: Yes, thank you, Mr. Chairman. One minor issue to begin with, it's on the title, it should read periodic review of the international telecommunication regulation. Thank you.

>> CHAIR: Thank you. So let's go to the title. Is the title okay?

I will ask the interpreters just to give us five minutes. I hope this will be fast.

>> INTERPRETER: Yes, five minutes, Chairman, thank you.

>> CHAIR: Thank you.

"Recalling." I see no objection. Thank you.

"Considering" and I'll take A, B, C, D, at once. Thank you.

"Recognizing" and I'll take A, B, C, D, and E. Iran?

>> IRAN: I thank you, Chairman. We are very sorry that we were not in a position to attend the meeting. In the earlier meeting, the reference was made to Article 13 of the Constitution. And we thought that is quite necessary.

We refer to Article 25 of the Constitution, provision 48 of Article 3, and also we need to refer to Article 13, which talks about the regularity or regular convenience of the WRC. It's a good reference for the plenipotentiary and we suggest that we take it back again in the text. That is quite necessary.

Thank you.

>> CHAIR: Is there any objection to add a new "Recognizing" and we put Article 13 of the resolution?

>> IRAN: Not be "Recognizing" you add under the "Recognizing" A, B, C. After B, you add B, which is renumbered, and refer to the Article 13 of the Constitution.

Thank you.

>> CHAIR: Thank you. A new Bis, which refers to Article 13 of the Constitution.

I see no objection. Thank you. Thank you.

Under E, can we delete "ICT" and remove the square bracket, provided that the entire thing is under square bracket anyway? Thank you.

"Noting," and I have A and B. I'll take it if full.

Algeria.

>> ALGERIA: Sir, even if the text is in square brackets, I would ask you to maintain "telecommunications/ICTs," because we haven't resolved that issue yet.

>> CHAIR: Yes. But we have cleared the text. We can come back to it at any time. We are trying to go towards a compromise.

Iran?

>> IRAN: Thank you, Chairman.

The appearance of "ICT" after "telecommunication" with a slash in the resolution has already been taken by many, many conferences. It's different from the Treaty text. So I don't see any difficulty why we should not put that one. There are many Plenipotentiary Resolutions with that. So we have no difficulty to retain that.

>> CHAIR: Thank you.

>> IRAN: It has been referred already.

>> CHAIR: Can we remove just the square brackets and leave "telecommunication/ICT?" Thank you.

Going to "Noting" A and B. Thank you.

"Resolves?" Approved. Thank you. "Instructs Secretary-General," 1 and B.

Iran?

>> IRAN: Thank you, Chairman.

I have a different text before me, but I don't want to make a mistake. In the text that was read by the Distinguished Delegate of Ghana, it is mentioned in the resolves that they "invite the plenipotentiary," the text, "if necessary," Chairman. I don't think that we should instruct the plenipotentiary conference of necessity or otherwise. We leave it to the plenipotentiary to discuss.

So please kindly accept deleting the term "If necessary.' We don't need to put that in the resolution.

>> CHAIR: Is there any objection to delete the words "If necessary?" Thank you. I see no objection. Thank you.

"Instructs the Secretary-General." Thank you.

"Invites member States." Thank you.

And thanks to Ghana, the resolution is approved for your work and hard work. We are final -- we have finally -- Japan. Japan.

>> JAPAN: Sorry for going back to the Ghana resolution. We prefer to keep "If necessary."

Thank you.

>> CHAIR: Canada?

>> CANADA: Thank you, Chair.

We discussed this extensively at the meeting this morning. And after discussing it again, later, we agreed that it was best to keep the term "If necessary." Otherwise, in the absence of "If necessary," the whole concept in the "resolved" would change, and would be "Inviting the plenipotentiary conference" only to take action to convene periodically at WCIT. We believe that it's important to keep it, and it is again the result of extensive discussions this morning.

Thank you.

>> CHAIR: Thank you.

We will leave it. Iran, can you go along with that, and remove the request from the floor? Please? Iran?

>> IRAN: Thank you, Chairman. The text, if it is as I have read that before, at the end of the text we have some words "As appropriate." That is sufficient. We don't need two times qualification, "if necessary" and "as appropriate." We invite the plenipotentiary to take this resolution and take necessary action as appropriate. It's sufficient. How many times can we say "as appropriate?" "As appropriate" is a very, very strong term and is covering the whole issue. So we don't need to have two times qualifications for the decision of plenipotentiary.

Thank you.

>> CHAIR: We are running out of time from the interpreter, please. It's DT/50 rev 1.

DT/50 rev 1.

I have Brazil, UAE, Canada. I plead to you, because we are going to reconvene the plenary at 10:30, we need to give everybody a break of one hour. And I have already exceeded my time with the interpreters. Can we go along with -- leave the words "If necessary" and approve the entire resolution?

Brazil and UAE, can we do that?

Brazil?

>> BRAZIL: Yes, thank you, Mr. Chairman.

I think the document 51 R 1 is not the language that we discussed this morning. I think this is the problem that we are having today. Because we -- I participated in the meeting with all the delegations. And we worked on this text. We raised option one. We worked on other text. I think the problem is that.

So we -- we reached a compromise text that was very, very good. So I think we are reading incorrect text. That's why we are having this kind of problems.

My proposal, Mr. Chairman, is just to, you know, publish a specific or ask the delegate from Ghana to read in dictation speech what is the correct "resolves."

Thank you.

>> CHAIR: We are referring to DT/50 rev 1. UAE? Do you still insist to take the floor? UAE?

>> UNITED ARAB EMIRATES: Thank you, Chairman.

We had the same issue as Brazil. Because previously we had the word "If appropriate" and now we have "If appropriate if necessary." And if we had "If appropriate" then we may be speaking about necessary actions if appropriate. But to have "if appropriate if necessary," or "as appropriate if necessary," it's really -- it really weakens the text, as if it is not really necessary. And this is not the whole idea of the invitation.

So I think we are happy with the text, but I think either we use "As appropriate" or we say "Necessary actions as appropriate." But not "as appropriate and if necessary."

>> CHAIR: Thank you. I'll interrupt you. Ghana, can you read the text? Thank you.

>> GHANA: Thank you, Mr. Chairman. I would like to take the "resolves" side. It does seem to be where the problem is. And I just want to read it with the dictation speed.

It says that: "Resolved to invite the 2014 plenipotentiary conference to receive the resolution and, if necessary, to take action to convene periodically (for example every eight years) a World Conference on International Telecommunications to revise the ITRs, taking into account the financial implications to the union."

>> CHAIR: With that, can we approve the resolution?

I see Mexico, Venezuela, Iran. Can we please approve the resolution and move on?

Mexico?

>> MEXICO: Thank you, Chairman.

I think this confusion has arisen from the fact that we're looking at 51 rev 1, says the speaker. That contains a previous version. We have -- we need to make sure that we're looking at the right version. I think that's where the confusion has come from.

Mexico was present at this meeting and approved the text as it appears in document 50 revision 1, or it supports it, rather.

Thank you.

>> CHAIR: Thank you.

Venezuela.

>> VENEZUELA: Thank you, Chairman.

Yes, I echo what was said by Mexico. We have been looking at DT/50. My Administration was present at the meeting of the working group, and my Administration supports the wording which was agreed this morning.

>> CHAIR: Thank you, Venezuela. Thank you.

Iran, please, can we move ahead.

>> IRAN: The text read by United Arab Emirates is satisfactory, to take next action "as appropriate," but not "if necessary." We leave that to the plenipotentiary to decide about the necessity. If people decide what is "as appropriate," what does it mean?

>> CHAIR: Botswana.

>> BOTSWANA: Thank you, Chair.

I would support what Iran is putting across and the UAE. Because "If necessary" is basically taking us to the same provision which we had in the Constitution, where the plenipotentiary is to decide when the conference will be taken. So...

>> CHAIR: Thank you.

Ghana, I'll ask you to have a quick meeting with the group and come back to me at 10:30 to resolve this resolution.

Thank you very much. I'll take a one-hour break and come back at 10:30. Thank you very much.

(End of Plenary 10, 21:43)

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