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>> CHAIR: Good evening, ladies and gentlemen. If you can take your seat.

I want to turn to the Chairman of Committee 2 on credentials to start with, to give me the report of the Committee.

India?

>> INDIA: Thank you, very much, Mr. Chairman. Mr. Chairman, Distinguished Delegates, good evening to everybody.

With regard to the credentials, I am pleased to inform you that since the publication of 56 rev 1, I have received credentials of Malawi, Angola and Argentina which have been found to be in order. Therefore I would like to propose to the modify document by moving Malawi, Angola and Argentina from part 4 to part 1 of this report.

With this modification, we have a total of 152 Member States. 134 have presented credentials and are entitled to vote and to sign the final acts. (?)

Four delegations are not entitled to vote but are entitled to sign the final act. (?)

We have one transfer of powers. Seven delegations have not submitted or presented. (?)

With this agreement, with your agreement, document 56 will be revised and republished.

Thank you, Mr. Chairman.

>> CHAIR: I put it to the meeting to move the countries to the first part of document 56. And I'll ask the people in the back of the room to please be quiet and take their seats.

>> IRAN: Thank you, Chairman. We are very happy that we are more credentialed.

Mr. Chairman, I would like to kindly ask you, I know the pressure of the work and I know that human beings have capacity. After saturation, no more reactions. Saturated, no rely, no response. Maybe agreement, maybe oppositions. Is it possible that you slightly modify the plenaries programme tonight? We have no problem if you start tomorrow at 8:30. But please, kindly consider we are human beings. Mr. Chairman.

>> CHAIR: We will start tomorrow at 9:30. And we will try to -- to continue our work until 1:30 today.

I want to give the floor to the Director of the TBS to give us results and I hope that we have solutions.

>> MALCOLM JOHNSON: So the text we are looking at is revision 1 to document DT/50, revision 1 to DT/50. I believe there was some confusion, some delegates were looking at DT/51. So looking at the text of revision 1 of DT/50, the consultation during the break on the wording of the "resolves" came to the conclusion to amend the "resolves" as follows:

If you delete the words "If necessary to take action" and replace by "Decide to take necessary action as appropriate."

"Resolved to invite the 2014 plenipotentiary conference to consider this resolution and decide to take necessary action as appropriate 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."

Thank you, Chairman.

>> CHAIR: Thank you. With that modification, can we agree to the "resolves" and approve the entire resolution?

Algeria?

>> ALGERIA: Chairman, thank you. I wonder whether you could ask Mr. Johnson to be kind enough to repeat the text at dictation speed, please, and then perhaps could he tell us exactly where the text is to be inserted.

Thank you.

>> CHAIR: Thank you. Go ahead.

>> MALCOLM JOHNSON: Thank you, Chairman.

So look at revision 1 to DT/50, 50, the amendment is to the "resolves." And the text to be deleted is "If necessary to take action." So delete the text "If necessary to take action." And replace by "Decide to take necessary action as appropriate."

So the resolves would read: "To invite the 2014 plenipotentiary conference to consider this resolution and decide to take necessary action as appropriate 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."

>> IRAN: Thank you for replying to my request. "As appropriate" should be between two commas. And then continue. This is a standard text, in way of writing the text. Thank you.

>> CHAIR: Thank you. Shouldn't be a problem.

Okay.

I see positive response to that. If there is no objection, we can go and approve the text.

Thank you now the resolution is approved.

I turn now to Mr. Horton on the issue of establishing a new Appendix. Please, go ahead.

>> ROBERT HORTON: Thank you, Chairman.

>> CHAIR: Please, we have Ukraine. Is there an issue on the resolution before we go to the Appendix? Ukraine?

>> UKRAINE: (no audible answer)

>> CHAIR: Okay. Mr. Horton, go ahead.

>> ROBERT HORTON: Thank you, Chair, and thank you for the opportunity for us to finalize on this matter. I know your time is valuable of the -- of the plenary, and to have an hour was just sufficient to finalize this matter.

We discovered that we probably don't need an Appendix, an additional Appendix, in the Treaty. In fact, probably don't need Treaty text in this area, and that the most useful approach will be to develop some guidelines especially for developing countries that are coming in or already are in the area of commercial agreements.

And we put together a statement for the minutes of the plenary, Chairman, which I can dictate to you slowly and see if you agree with that, which essentially directs this issue towards the ITU-T Study Group 3. And we had the benefit of Mr. Selichi Tsugawa, who is incoming Study Group Chairman, to give us advice on what is necessary. And he fully appreciates the situation and I think we will see much more useful progress in this area in the development of a recommendation well ahead of any text in the Treaty coming into effect by 2015.

So, Chair, if I could read that paragraph to you, I think that then finalizes the matter.

>> CHAIR: Thank you, proceed. Go ahead.

>> ROBERT HORTON: The words are "On behalf of the African Group, Cote d'Ivoire, Senegal and Burkina Faso raised the issue of the need for guidance through the development of a recommendation by ITU-T Study Group 3 on invoices and termination rights and other matters which come under commercial arrangements for countries which exchange International traffic in this regime. The plenary is invited to convey this request through the Director of The TSB." Chairman, that is the full extent of the request.

>> CHAIR: Thank you. And thanks for your work.

Cote d'Ivoire?

>> COTE D'IVOIRE: Thank you, Chairman. I didn't want to start an argument, but I did tell the ad hoc group Chairman that I would report the results to the representatives of the African Group. I am not able to make a decision, so I simply needed to report this to the African Group. And it's up to them to make a decision.

So I would not like the name of Cote d'Ivoire to be mentioned, since I am unable to make that decision.

>> CHAIR: Thank you.

Egypt?

>> EGYPT: Thank you, Chairman. I'm talking on behalf of the African countries, in consultation with the parties and others, and we have been asked to develop this Appendix to deal with the commercial issues of the interest of developing countries, and this has been done. And the African Group wants this text to appear in the Treaty, one way or another, either in the main body or as a resolution or explicitly referenced in the Treaty. But it cannot just be guidelines, because of the importance of having this -- not guidance, some rules that apply for the commercial. It's not just left without any referencing within the ITRs.

Thank you, Mr. Chairman.

>> CHAIR: Thank you. But Mr. Robert Horton just came from the meeting, and they have an agreement not to develop an Appendix, and they -- he has read what has been agreed to be included in the summary record of the plenary meeting.

>> EGYPT: Thank you, Chairman. However, I have seen some Member States of the African countries still have the reservation of this ruling or of this decision, and I think there is some serious issue. And as said by Cote d'Ivoire, this should be pending until the region comes to final decision on that. However, I see that Cote d'Ivoire as well as some other countries have reservation on that.

Thank you, Chairman.

>> CHAIR: Thank you. Iran?

>> IRAN: Thank you. I apologize to Dr. Horton that I made a request to do something. I suggested that, first of all, the text he read is not a suitable text for any minutes of the plenary if the entire plenary needs to agree with that. He could not say on behalf of country A and B and C. We should formally be different.

However, the Distinguished Delegate of Egypt mentioned Appendix or any other form such as resolution.

I think Mr. Horton would be sufficiently, as usual, intelligent and collaborative to draft a short resolution of one or two considerings, and one recognizing, and one simple resolve, instructing the Director of the TSB, in collaboration with the Director of the Development Bureau, to take action and to develop that guideline. That is a course of action usual for such a Treaty making conference. We should not just put plenary meeting on behalf of country and say that directs the Director of the TSB to do what, instructing the director to do what. We have to put it in a more spirited manner. So I propose a short resolution. Thank you.

>> CHAIR: Sir Horton, I'll come back to you, and... please advise.

>> ROBERT HORTON: If it's your instruction, we can go and write a short resolution and then bring that back to the plenary at some stage, in the very near future, maybe give us half an hour or so. And then that may accomplish about as much as we can do, without any contributions on this subject, and in light of the timeframe that we have got.

>> CHAIR: Sir Horton, the thing is that we assigned this task, and then we came back with an agreement not to have an Appendix. So I want to hear about the time plan as well.

>> ROBERT HORTON: The Appendix is off the agenda. What Mr. Arasteh is saying is that we can develop a short resolution, which would instruct the director to take action with recommendation in the form of a guideline.

>> CHAIR: Okay. If you can proceed and if you would -- with the limited time that we have, you can produce a resolution in this regard.

Thank you, Mr. Horton.

>> ROBERT HORTON: Thank you. We will get on with that and be back very soon.

>> CHAIR: Thank you.

Do you have reservation, Cote d'Ivoire, or a comment about proceeding of having a resolution?

>> COTE D'IVOIRE: Thank you, Chairman. I have the feeling that a decision has been made as to the need to have a resolution or otherwise to have a resolution, and the group has -- it appears that the group has already decided not to have an Appendix. So I'd like to know, has that decision been made? Has it not been made? Will there be an Appendix or not? Sir, an Appendix has been prepared but we haven't decided as to whether it will be withdrawn and whether a resolution is preferable? Could somebody clarify?

>> CHAIR: Mr. Horton?

>> ROBERT HORTON: Thank you, Chair.

No, there is not an Appendix. We did not have any text which relates to an Appendix. And I -- we don't even have any text for a resolution right now. We have to draft it on the run. And that is about I think as much as we can accomplish in the time we have.

>> CHAIR: Egypt?

>> EGYPT: The text is available in the French language if Mr. Horton can handle it. The text is ready.

>> CHAIR: I'll give it back to him. And, Sir Horton, please advise back tomorrow to plenary. Thank you.

I just wanted to have a quick update from South Africa on the nondiscriminatory access issue.

South Africa?

>> SOUTH AFRICA: Thank, Chairperson.

We had a very short meeting after the last plenary. And progress is quite difficult, but we have had a number of suggestions to soften positions to try and find some kind of consensus. There has been a suggestion that we should rather look at a resolution. This suggestion, it's actually -- the proposal is not really as an alternative, but it's either concurrent or alternative proposal, it still has to be decided. And there have been suggestions about how we could modify the proposed text for the Regulations as well.

So I think the group would need a little bit more time. So I think, Chairperson, we need your guidance, really, about how much time do we have and whether we can have another meeting to try and resolve this. Thank you, Chairperson.

>> CHAIR: You can have a meeting tomorrow morning before the plenary. Can you do that?

>> SOUTH AFRICA: We will do that, Chairperson.

>> CHAIR: Thank you. And we will announce the room. Thank you.

I wanted to come back now to the proposed text. I've called it the Panama compromise that we have discussed today. I want to read it back again. And this text was modified by APT. And this is going to be placed after 1.1 A after "Services." I'm going to read it back again, just to refresh the memory of the meeting.

"These Regulations contain revisions applicable to those operating agencies, authorized or recognized by Member State, to establish, operate, and engage in International telecommunication services to the public, hereinafter referred to as authorized operating agencies."

And as far as I recall, we have moved this into rather than a footnote, to the beginning of the purpose and scope of the Regulations of Article 1. So it's now a provision. And the only discussion that still is pending is with the word "Public." That's my recollection of the issue.

And I want to go back to the meeting and say they thought about it. And if we can proceed with this text as it is, okay. So you are in agreement. United States?

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman. And thank you, Mr. Chairman, for returning us to this issue.

We have made considerable progress with respect to this provision. We have, of course, absorbed into the text the recommendations of APT and we believe that those recommendations -- those -- that new language has enhanced this paragraph and we appreciate that.

Mr. Chairman, we still believe that "public correspondence" is the term that clarifies the scope of the ITRs. We have mentioned that the definition of "Public" in the ITRs includes Government entities. We have also indicated that the definition of "Public correspondence" fully is consistent with our understanding of which agencies, telecommunications agencies, are covered by the ITRs.

Mr. Chairman, we believe that to bring the term "Public correspondence" to this paragraph brings a kind of clarity that we can all enjoy after we leave on December 15th. Without that term, there remains ambiguity in the coverage that may be difficult for us to explain to our respective constituencies.

We're adding a term that is fully defined. It's consistent with the tradition of ITU telecommunications, and it is one that, in summary, we believe brings us to a conclusion on this issue and that we can all embrace, and that we can move on to the other issues that you have before you in the ITRs, with the spirit of can compromise.

Mr. Chairman, we will need to have colleagues consider this proposal by the United States in that spirit.

Thank you very much.

>> CHAIR: Thank you. I don't want to provoke anything, but Canada, I'll come to you, and if possible, find a middle ground with the word "Public" again. I don't want to open the discussion for the entire text. I would really appreciate it.

Canada, you always have a solution.

>> CANADA: Thank you very much, Chairman.

Chairman, we, too, prefer "public correspondence," but we would like to ensure that the record indicates that when we use the word "Public" it applies to the general public, and excludes private networks, business, and Government. So we would like to ensure that that is reflected in the summary record of the meeting.

But again, we would prefer "Public correspondence" but we do -- we would like our statement reflected in the record of this discussion.

Thank you.

>> CHAIR: Thank you. Bahrain, Jordan, Russia, Cameroon. I don't want to open a debate. Please be very, very brief. We had this discussion before.

>> BAHRAIN: I read out the definition of public correspondence, I stated that we do not feel that this actually addresses the concern of the various Member States, which we are not dismissing, but we just don't feel that "public correspondence" is quite doing it. So, unfortunately, I'll have to disagree with the delegate of the USA when he states that we will all be comfortable with including this. Because, quite frankly, we will not.

However, as Canada stated, they are willing to put a statement in the minutes of the plenary, which I think perhaps can provide a way out for us.

Thank you.

>> CHAIR: Thank you.

Jordan.

>> JORDAN: Thank you, Mr. Chairman.

I have looked closely. I have listened very carefully to the delegate of the United States. If we use the word "Public" without "Correspondence" it means that the -- that the private networks will be covered, perhaps even the military networks. Whereas if we use the term "Public correspondence" the provision will be focused on certain networks which -- to which the general public has access, and so it would be limited to those operators which provide services to the public.

But I think that the United States and Canada have to understand that this will have considerable impact.

I apologize, Mr. Chairman. I'll repeat. I'll switch to English.

>> JORDAN: What I said is that I believe that what the United States has provided as a compromise, it's not a compromise. If we use only the word the "public," without adding "correspondence," this means that this will apply in all Government to Government communications, and will include the private networks. "Correspondence" means that telecom networks must be available to the public. And the only explanation for this is that this will include only the public telecommunication networks that were provided for the Government, for the public, which is a private telecommunication.

So I believe that the request of the United States is a valid request. Thank you, Mr. Chairman.

>> CHAIR: Russian Federation and if possible to focus on "public." Be brief. And if there is a solution, we appreciate it. Thank you.

>> RUSSIAN FEDERATION: Chairman, thank you very much. Well, I'd like to touch on one or two points if I might.

First of all, in 2.3, definitions, Article 2, we're talking about Government communications, which means that we are saying de facto that there can be different situations, particularly situations of an emergency nature, when it is necessary to meet certain requirements, certain levels of quantity or quality, et cetera, et cetera.

The second point I'd like to flag up is that if certain delegates have a problem, then they can take their approach as is done with military equipment, for example, Article 48 of the Constitution, we know that that works perfectly well as a model. In two years we will have a plenipotentiary and if it turns out to be necessary, then that might take away the concern of some delegations.

Now, I do remember that the United States, if I remember correctly, put down a reservation in 1988. They then refused to take it upon themselves any obligations in respect of the implementation of any provision of the Regulations in services of correspondence. So we seem to be coming back to the problems that the previous generation discussed about 25 years ago. If the United States has difficulties, then perhaps they should have another look at the experience of their predecessors.

Thank you very much. We would prefer the word "Generation"

>> CHAIR: Can you repeat which word you prefer?

>> INTERPRETER: Chairman, I think that was a correction to the interpreter into the English language. Thank you.

>> RUSSIAN FEDERATION: I would like to leave it as it is with the word "Public." Thank you.

>> CHAIR: Cameroon, if there is a suggestion for the word "Public."

>> CAMEROON: Thank you, Mr. Chairman.

I should like to have your guidance, because "public correspondence" is in the Constitution, 1004. It is a service. Whereas here we are rather speaking about a group of people. So I would like an explanation so I can understand.

>> CHAIR: Thank you. Iran. We will come back to that.

>> IRAN: Thank you, Chairman.

The Delegation of Canada proposed to put something in the minutes of the plenary, and this afternoon when you mentioned that about the scope of the ITR to refer something, that this does not address the issue of content, we also with some other colleagues proposed to put text in the minutes of the plenary. It was not accepted. So we should have one standard but not double. Either we accept and put something in the minutes of the plenary, or we don't accept.

Thank you.

>> CHAIR: Before I deal with this issue, I want Canada to repeat the statement for the summary record. Sir Bruce?

>> CANADA: Thank you very much, Chairman. What we had indicated was that, first of all, that we prefer the formulation "Public correspondence." But, secondly, we wanted a statement in the summary record which indicates that as far as we're concerned, the term refers to the general public and excludes specifically Government, private networks, and business. So that was the statement we wanted in the summary record.

Thank you.

>> CHAIR: Thank you. And UK? Finally?

>> UNITED KINGDOM: Thank you, Chairman. I listened very carefully to the Distinguished Delegate from Jordan. And I found his comments very persuasive when he mentioned that he felt that the United States' intervention was valid. We have also been concerned that the phrase "To the public" could include Government and private networks, so that we also would have a preference for "Public correspondence." And we also would like to associate ourselves with the remarks of the delegate of Canada.

Thank you.

>> CHAIR: I think this issue we will not reach a conclusion. No one is proposing any way out to the word "Public." We want to zoom into this word.

Everyone is standing to his side.

So Cote d'Ivoire, Iran, Mexico, Lebanon. I just wanted to close this until Lebanon, so we can just move to the next item.

It is 11:30.

Cote d'Ivoire.

>> COTE D'IVOIRE: Thank you, Chairman.

We do not share the views expressed by the preceding speaker with reference to the word "Public." We believe that "Public" refers to the nature of the service provided, and not to the operator providing that service.

And what we're talking about here is qualifying an operator who is capable of providing a service to the public. So obviously we're not going to include Government networks or military networks.

This is an operator who is providing a service to the public. And obviously the Government and the military are not providing a service to the public.

So we believe that we must look at the word "Public" in context, and its context is that the service -- the nature of the service being provided. We would not be in favor of adding the word "Correspondence."

>> CHAIR: Thank you.

Iran?

>> IRAN: Thank you, Chairman.

We need to kindly request through you that the legal adviser to the Secretary-General clearly mentioned that what is the legal implications of referencing 36 different provisions to something which is in the middle of the plenary with respect to the obligations to imposing the observance of the ITR to these agencies.

If it is in the matter of the plenary, excluding or including, it's a serious question. It's not a simple matter. This is the heart of the business and we need to have the legal implications of that and validity of that. And if it's included in the plenary, excluding private system or military system or commercial system or Governmental system. It's a serious action and we need to have a legal view on that.

Thank you.

>> Mexico doesn't have to withstand the reasoning for the delegate of UK. He seems to be saying that the word "public" can include governmental questions. Well, obviously it can include them. It does include them.

1.2 says as much, in these Regulations. The "public" is used in the sense of the population, including governmental and legal bodies. That is what it says. And that is pretty clear to me.

The question here is you've got one person receiving the service and the other person providing the service, and those two things are different one from the other.

As Mexico has already said on other occasions, we would prefer the services offered to the public, but we would support, as we also said, before any compromise solution that can be reached on this issue.

>> CHAIR: Lebanon.

>> LEBANON: Thank you, Mr. Chairman.

Simply, why can't you put an asterisk and just put "excluding private networks and Government to Government networks?"

>> CHAIR: We have just solved the problem of moving a footnote to provision, and we don't want to get to another footnote.

Lebanon?

>> LEBANON: But if it solves the problem, we could have an asterisk. So what? If you are looking for a solution, let's just find one and move forward.

>> CHAIR: I'm afraid it will not, listening to this very carefully. Uruguay, finally.

>> URUGUAY: Thank you very much, Chairman.

We would like to make an observation. We cannot in general exclude Government, although clearly you've got to separate private networks and Government as well. I just don't think we can exclude this business about Governments entirely, because in my country, we certainly do have an operator such that is the Government, that is effectively providing the service.

Thank you.

>> CHAIR: Thank you. I think we need to move on.

Bahrain, do you still insist to have the floor? I've listened to what you prefer. And I don't think that we are reaching anywhere here with the word "Public."

Bahrain?

>> BAHRAIN: I'll keep it brief, Chairman.

There is one thing I'd like to bring up, which is under 1.2. It States in these Regulations "the public is used in the sense of the population, including governmental and legal bodies."

I would seek the Secretariat's legal advice on this, but my reading of it is that we are talking about large groups of people, the population. Therefore, the smaller networks are by definition excluded.

Thank you.

>> CHAIR: Thank you. Let's move on.

Let to back to -- so we will leave the text. We have made some progress. We still have an issue with the word "Public."

And I want to move now to jump to what I have left in a very contentious discussion. And I want to take -- go back. I remind the meeting about the Article 5A on the security of networks, or the adjustments of that. Security or robustment of the networks, as I suggested.

And I started by saying that we -- I suggest to have or I propose to have a new A bis under 1.1. And it reads: "These Regulations do not address and cannot be interpreted as addressing the content."

And then I propose to change the title of Article 5A to "Security or robustness of networks" and leave the text as it is. And that is what I see as a compromise for clearing the doubts of many of the Administrations who are worried that these ITRs will get into content.

So is there an agreement right now? Is there any objection to proposed 1.1A bis with the text, and modify the title?

Saudi Arabia?

>> SAUDIA ARABIA: Thank you, Mr. Chairman.

As I had already clarified in the previous meeting, the use of the term "content" in an absolute manner would raise problems within the text itself. Because the content has not been defined.

Of what content are we speaking? As an example, we ask from operators to send the correspondence that indicates the tariffs and informs roamers about the prices of telecommunications. And that is considered a content. So can we say that whatever is stated in this agreement does not or is not related to the content? In such a case we will find contradictions in the texts that we have formulated. And therefore we have clarified our point of view and said that this text is inappropriate, sir.

Thank you.

>> CHAIR: Thank you.

Zimbabwe.

>> ZIMBABWE: We appreciate the efforts you are making in trying to find appropriate and compromising texts to the situation, but Mr. Chairman, we are finding it very difficult to accept your proposal. The difficulty is we need these to be clear, forward-looking, and easy to interpret. Your proposal, Mr. Chairman, to us seems to be expanding this scope of this IT with what consequence we don't know. Therefore, Mr. Chairman, it is a bit difficult for us to incorporate the text you are proposing into the ITRs and to and support the argument, Mr. Chairman. We can look at Article 5, the one we have approved, the old text. It looks at issues of distress and surfeit of life. Where do we draw the line to say we are not dealing with content? These are the issues we are finding very difficult to accept the text you have provided, because we have to be very clear, Mr. Chairman, that we should not find compromise at any cost.

I thank you.

>> CHAIR: Thank you.

Iran?

>> IRAN: Thank you, Chairman.

We are also very grateful to you. You make your best efforts, Chairman.

Under Article 2, you have so many definitions for simple things, like "relationship," like "accounting," but now you come to "content" and without definition you want to put content. Chairman, we are very sorry and apologize to you. We cannot agree with your text. Thank you.

>> CHAIR: Thank you.

Bahrain?

>> BAHRAIN: Thank you, Mr. Chairman.

We share the views of the previous three speakers. As Zimbabwe in particular explained, a lot of issues we have in accepting a blanket statement under 1.1.

Further, I would like to draw attention to Mr. Arasteh's comment from earlier in this session where we are dealing with issues in different areas. Some go to the minutes of the Plenary while others are being put in the Preamble.

Frankly, we are quite concerned with this approach. We feel like we are trying to accommodate at all costs, particularly since it was previously stated that this would not resolve everything.

To also clarify the position, we previously proposed to have a statement about no content specifically on provisions that were touching on elements that may be misinterpreted to involve Internet. In good faith we offered that to calm any doubts or fears.

However, Mr. Chairman, we were rebuffed on those attempts, saying basically that this was not enough and it would not address concerns. So I question why now we are being asked to put this in when clearly when we offered it, it was not enough. I'm sorry, Mr. Chairman, but we can't agree with this proposal. Thank you.

>> CHAIR: Thank you. I'll take my proposal and let's go back now to the -- I take the proposal to add 1.1 A bis and I just want to offer the last thing which is adjusting the title of Article 5A, "Security and Robustness of Networks" and if that's acceptable as a start, Algeria?

>> ALGERIA: Thank you, Chairman.

I thought I had understood that you were withdrawing your proposal in order to insert it as a unilateral statement from the Chairman in the records of the Plenary. That is something that is perfectly possible to do. I thought, then, that you were modifying 5A by adding robustness.

Have I understood correctly, at least as far as 5A is concerned? Apparently I have. Then if you are not making any declaration of statement and if you are not inserting the words you suggested in 1.1 bis, then we can agree entirely. Thank you.

>> CHAIR: Thank you.

So is there any objection to adjust the title of Article 5A and adjusting it with the text by annotating Security and Robustness of Networks? Is there any objection?

Iran?

>> IRAN: Chairman, not to that, but asking you, please, kindly clarify what do you mean by "I take my" -- you take your text back? You withdraw it? What's the situation? Perhaps I didn't quite understand the intention of you. Are you taking it back with you? You are withdrawing it?

>> CHAIR: I simply proposed the text which seems to be objected to by a number of administrations and therefore I simply would withdraw the proposal. That is it. Thank you.

Is there any objection to adjust the title? I see -- Sweden.

>> SWEDEN: Thank you, Mr. Chairman.

I think we heard a very good way forward proposed by you. We have not taken --

>> CHAIR: Sweden, I have withdrawn my proposal. There was strong objection and I really don't want to prolong the discussion.

Let's focus on the security and robustness of networks.

>> SWEDEN: Thank you, Mr. Chairman.

I had a comment combining the two issues.

We really support your idea of trying to find a way combining the issue and ensuring that there is no content issues in this treaty and trying to find the solution to the title.

I don't think they can be done separately.

>> CHAIR: Thank you.

Can we go back now to the title? Any objection to adjust "Security and Robustness of Networks"? Uganda, objection to that?

>> UGANDA: We could accept your proposed title because you are repeating it from the text, but that is on the condition that the text remains as is. Not what is changed. I thank you.

>> CHAIR: I am planning to take it one-by-one. So I have seen -- I see six countries asking for the floor. Is that to object to the proposal? Focus on the title of Article 5A only, please, it is 11:45 and we really need to make progress.

Spain?

>> SPAIN: Thank you very much, Chairman.

As far as the title is concerned, we would like to express our thanks for the efforts that the German and other countries have been putting in on this. We have noted the very valuable comments that have been made on this throughout the day, including by our colleagues from Bahrain and other countries to whom we have just listened and shown a great deal of openness and engaging in dialogue. We in Spain understand this is a sensitive issue but we are much more comfortable and ready for dialogue now.

We were quite happy with the proposal made by the Chair and we hope that we will be able to come up with text on the basis of that which will enable us to receive a positive conclusion on a issue of great importance to all of us.

>> CHAIR: Thank you. Poland. Can we focus on the title, please. Poland?

>> POLAND: Mr. Chairman, thank you very much for your efforts. I think that we should think about combination 1.1 and 5A, so I support the Sweden statement.

>> CHAIR: Iran?

>> IRAN: I thank you very much, Mr. Chairman.

We request you kindly to go through the entire section 5A and give all your proposals. We could not be in a position to agree one-by-one. We have to have the clear picture of the entire Article 5A. Thank you.

>> CHAIR: The proposal is just to change the title, leave the text, as has been discussed at length in previous meetings. Iran?

>> IRAN: Thank you, Chairman. We support the Chair. Thank you.

>> CHAIR: Thank you. Jordan?

>> JORDAN: Sir, we support you also, thank you.

>> CHAIR: Trinidad and Tobago.

>> TRINIDAD AND TOBAGO: Trinidad and Tobago supports the title and believes the language of the provision should stay exactly as it is. Thank you.

>> CHAIR: Thank you.

South Africa.

>> SOUTH AFRICA: We also support the text and ask you to return the language exactly as it is without any deletion or rethought.

>> CHAIR: Costa Rica?

>> COSTA RICA: Chairman, thank you. It seems to us that it is a pity that you had to withdraw your previous proposal, but there you go. We are very grateful for the efforts you made with it. We were actually quite happy with the text of that proposal.

As far as the change to the title is concerned, it appears to us that it is something to which we can agree. Thank you.

>> CHAIR: Thank you.

Nigeria?

>> NIGERIA: Thank you, Mr. Chairman. We really sympathize with your situation and so we want to go along with your proposal. Thank you.

>> CHAIR: Thank you. Iraq?

>> IRAQ: We value the efforts that you have undertaken and those working with you, and we do support your proposal, Mr. Chair. I beg to differ from my colleague from Nigeria.

>> CHAIR: Portugal, briefly, please, and I am closing the list.

Azerbaijan.

>> AZERBAIJAN: We support your proposal, Chair.

>> CHAIR: Portugal?

>> PORTUGAL: Thank you, Mr. Chairman. On behalf of Europe, let me start thanking all the efforts here that you have made to bring Member States represented in this room closer. The wisdom and patience that you have been demonstrating is an inspiration to all of us.

From our side, Europe is also delivering efforts to demonstrate to all our dear colleagues that we are in good faith negotiating this treaty. We are listening to everyone's opinion with great respect and we are evolving from our initial position.

Several provisions that we have already agreed to tonight are the footprint of our good faith. Having said this, proposals for additions in 5A raise significant difficulty in our regions and we are working overnight to understand all implications of the proposals that we have in front of us.

At the moment, I shall state that the proposal we have made to include the new provision when 1A bis regulations cannot be interpreted as addressing content seem to be facilitated, facilitating our considerations and our better understanding of what we are talking about here.

So, Mr. Chairman, I would ask for your indulgence and wisdom again in order to reconsider you from withdrawing the proposals and also the title in this Article 5A.

Thank you very much.

>> CHAIR: Thank you. Mexico and Brazil.

>> MEXICO: Thank you, Chairman. Mexico supports your proposal as you made it with the changes to the title and with retaining the other paragraph as how it was and we hoped that can be a compromised solution. Thank you.

>> CHAIR: Thank you.

Brazil?

>> BRAZIL: Thank you very much, Mr. Chairman. We fully support your proposals, not only regarding the title, but also regarding the amendment to Article 1.1, and if others may agree, we may find in the resolutions of Study Group 17 definition for content and that may be put to the consternation of our colleagues and then we could find appropriate time and place in definitions Article 2 making use of this content, of this definition of content, that we can find in Study Group 17.

Thank you.

>> CHAIR: Thank you. We have heard objections to the 1.1 A bis and I'm afraid that I have tried and I hope that we move ahead with this work.

I have Japan or Uruguay and I really want to move Article 5B for the sake of time.

Japan. Briefly, please.

>> JAPAN: Thank you, Chairman. I would like to just support your previous proposal to add this 1.1 A bis. At least to our administration, this is very helpful. In 5A we are using the word "security" and using the word "Security of Networks" and I understand the concern from the European colleague that this -- this word "security" may have implication in content.

By your proposal, this 1.1 A bis, this will be I think clear to the satisfaction of everyone at the high level. So Chairman, I think you should keep this proposal. I think we should have some effort to accept your proposal as a compromise. So far you have not had any dramatic way of making compromise so far. This is maybe the only way we can make compromise; otherwise, we are going to have a very difficult time for us to get consensus on 5A and 5B. We support the proposal. Thank you very much.

>> CHAIR: Chile?

>> CHILE: Thank you, Chairman. We would like to express our support for the proposal which you made to 1.1 A bis and also support the change to the title. We believe these proposals are the kind of solution which could satisfy everybody and therefore you have our support. Thank you.

>> CHAIR: Iran, and please, we need to move on. Please.

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

You kindly proposed something and you have withdrawn it so your proposal is no longer existing. If someone wants to take your proposal they may put it under their own name but not under the name of the Chairman. Thank you.

>> CHAIR: Thank you, Iran.

Argentina.

>> ARGENTINA: Argentina would like to seek clarification on what has been stated by the Distinguished Delegate of Japan. I believe he said that the (indiscernible) countries have a problem with the text of 5A. Now, there may be countries or may not be countries that have a problem with 5A but there are other countries who do not have such problems and some CITEL countries have expressed support for the text so that is my clarification. Having made that point on behalf of Argentina, I would like to emphasize Argentina's support for 5A as it stands, thank you.

>> CHAIR: Thank you. I think we still have issues with this text but we move on. I have tried.

We can go to Article 5B. It has never been discussed and I want to open it. This is also one of the Articles that we debated in the closed group. I opened it up to Plenary for approval. Please, for the previous speakers, if you can take your request from the floor. We are now at Article 5B. Botswana, United Arab Emirates.

>> BOTSWANA: I have listened to the speakers taking the floor before us with regard to your proposal which has been withdrawn. We will be able to consider only 1.1 bis if 5A and 5B are included.

>> CHAIR: UAE?

>> UNITED ARAB EMIRATES: Yes, there is a mistake here and on the second line it should be "and facilitated by electronic communication," not "messages." By mistake it's in there. And of course we support to keep the text as it is without any change.

(Pause)

>> CHAIR: Venezuela.

>> VENEZUELA: Thank you, Chairman.

I just wanted to express our support to the proposal in Article 5B and I would like to take this opportunity while I have the floor to say that we also support 5A on security and robustness of networks. Thank you.

>> CHAIR: Thank you. Uganda.

>> UGANDA: Thank you, Chair.

Chair, since you withdrew your proposal, content, which would have given us difficulties in the electronic messages, we can now support 5B, of course noting that you are withdrawing your proposal content.

I thank you.

>> CHAIR: Thank you. Algeria?

>> ALGERIA: Yes, thank you, Chairman. We wanted to draw your attention to the word "messages" to be replaced by "communications," and having taken part in the drafting of this text, we cannot but support it and we do, however, regret the disappearance of "spam."

>> CHAIR: Thank you. Yes, "spam" was there, it was removed as a compromise and we have used the same exact wording that is coming from the ITU study groups and, yes, I think that there is a mistake and "communication" should be used instead of "messages."

Iran?

>> IRAN: Thank you. We agree with 5B, provided both 5A and 5B be accepted as you have proposed. You cannot take it in individual. Otherwise we have difficulty with unsolicited bulk communications. We would like to go back to "spam" if 5A is not accepted by colleagues as you have proposed. Thank you.

>> CHAIR: Saudi Arabia.

>> SAUDI ARABIA: Thank you, Mr. Chairman. As you said earlier, the title was "spam"; however, after some debate, considerable debate, we drafted this language which does not respond to our initial hopes. In fact, only meets some of our needs but we do accept this text as a compromise which will allow us to move forward.

Thank you.

>> CHAIR: Thank you.

>> Thank you, Chairman. We, too, support the adoption of this compromised language and compromise was reached after lengthy discussion and we feel that in this version it is acceptable. Thank you.

>> CHAIR: Thank you. I'm going to close the list. Portugal, Nigeria, Trinidad and Tobago and Sweden. Thank you. Portugal?

>> PORTUGAL: Thank you, Mr. Chairman. If I correctly understood where we are, you have withdrawn your proposal on 1.1 B, which is clearly excluding content issues from these regulations. If my understanding is correct, Europe has more difficulties to understand what this provision 5B is about. That's why we cannot proceed in this debate as we are not fully understanding these provision. Thank you.

>> CHAIR: Thank you. Nigeria?

>> NIGERIA: Thank you, Mr. Chairman. Nigeria would have loved the title to read "spam" but in this spirit of compromise we will align ourselves with this proposal and above the heading and the text to go the way it is without any change except changing "messages" to "communications."

Thank you.

>> CHAIR: Thank you, Nigeria.

Trinidad and Tobago.

>> TRINIDAD AND TOBAGO: Thank you, Chair.

Trinidad and Tobago, recognizing the sterling work which has gone into making compromises that have led to the package which includes both Article 5A and 5B. Notwithstanding sir, we do have a concern, we do have a concern with regard to the concept that the Member State or the EOE would be able to determine what is unsolicited, which suggests probing, which suggests a breach of our privacy laws in our jurisdiction.

Our only recommendation would be to remove the word "unsolicited" and insert after the word "communications" the words "which cause negative impact to the international telecommunications network," and remove all words thereafter.

So we continue to have a provision regarding bulk electronic communication. However, we reserve the discretion to determine whether that communication is unsolicited or not. Thank you.

>> CHAIR: Sweden.

>> SWEDEN: Thank you very much, Mr. Chairman.

Sweden very much appreciates the efforts that you are doing to find a compromise and a way forward.

However, we share the same views as expressed by or concerns expressed by Portugal. We do not see how this paragraph can apply without looking into the content of the messages and then we are discussing content.

And I thought everybody agreed, we should exclude content from the -- (indiscernible) -- but we also heard in the execution of the previous Article that is not the case. We have a big difficulty with this text and we cannot agree on it as it stands now. We believe there is need for further discussions to see if it is possible to find a compromise, which I think everybody hopes for.

Thank you.

>> CHAIR: United States, and I'm going to move on.

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman.

We understand this is a late hour and we would like to also help you in moving along the discussion.

Mr. Chairman, we will try to be brief. We have repeatedly stated during the discussion of this issue during Working Group 2 of Committee 5 that there is a difficulty we have that is significant in accepting this concept in the treaty text. We do understand that colleagues have been attempt attempting to find language acceptable but we believe to a great extent that that has failed to satisfy our requirements as to what is appropriate to be included in this treaty.

First, Mr. Chairman, we would agree with Sweden that it would be that the discussion of "spam" is inseparable from content. Secondly, Mr. Chairman, we would note that whereas this issue has been undertaken during the WTSA but it is precisely on that level this should be addressed and there has been significant progress made in overcoming congested networks as a result of what may be termed "spam" as broadly understood as a broadly understood concept.

However, Mr. Chairman, we believe that in contrast, including a provision in the treaty text, this issue should remain at the technical level where progress has been made. We could also share, as we have indicated, a number of occasions and best practices that have been developed and we would wish to participate in that exercise as we have on numerous occasions. And lastly, Mr. Chairman, there are now a considerable number of organisations and fora where this issue is being addressed that are available to colleagues and we would also recommend that course of action.

Mr. Chairman, for those reasons, we do not believe at this point that this subject is appropriate in treaty text.

Thank you, Mr. Chairman.

>> CHAIR: Thank you. I have closed the list and I just wanted to remind everyone again that this issue was discussed in the closed group and a compromise has been reached and unfortunately we are opening a much bigger debate right now.

Nevertheless, I will skip now Article 5A and Article 5B and I want to go to Article 6 and start discussing Article 6, remaining part of Article 6, under "Other New Provisions."

There are a number of square brackets we need to deal with and we take it for the first time in Plenary and I appreciate the reduction of this text.

I will start with 42Q and ask the floor if there is no objection to removing the square bracket and retaining the text.

Spain, on this issue. Spain?

>> SPAIN: Thank you, Chairman.

I had asked for the floor to speak to the first reading of 5B and I should like to speak to it now; however, if you feel it is not timely, I can wait for the second reading.

>> CHAIR: Thank you. No, it's not the time. Thank you.

Turkey?

>> TURKEY: Thank you, Mr. Chairman. We believe (indiscernible) is a national member. Member States always try to make their own wholesale regulations so we don't see the necessity of the inclusion of such provision to it. Thank you.

>> CHAIR: Cyprus.

>> CYPRUS: Yes, thank you very much, Mr. Chairman. I think a lot of work was done in the ad hoc group on Article 6 and in particular many states of the EU were active and constructive in this and much progress was made.

I agree very much in particular with the distinguished colleague from Turkey which I would like to note for the record perhaps -- that this provision on Member States shall promote wholesale pricing would not be really appropriate. A compromise has already been found in what was 42C, and is now Article 6.1.1 agreed earlier, which is Member States shall endeavor to encourage investments in telecommunications networks and promote competitive -- excuse me -- that wholesale pricing for traffic -- excuse me a minute. I have the wrong one. Yes, that's right, sorry. "Wholesale pricing for traffic carried on such telecommunication networks."

We feel it is covered already in the new Article 6.1.1. Thank you.

>> CHAIR: Is there any objection to strike out 42Q? Can you remove your request for the floor, please? Uruguay. You object to striking out the text?

>> URUGUAY: Yes.

>> CHAIR: India?

>> INDIA: India does not support this.

>> CHAIR: Does not support striking it out or doesn't support this provision?

>> INDIA: We don't support this provision, Chair. Thank you.

>> CHAIR: Thank you.

Algeria?

>> ALGERIA: Thank you, Mr. Chairman. We would not support the suppression of 42Q whose content is quite different from that of 6.1.1. We are talking about cost orientation and 6.1.1 is promotion of competitive wholesale pricing. It is quite different.

>> CHAIR: Mexico.

>> MEXICO: Thank you, Chairman. Mexico would support the suppression of this provision which is contradictory with regard to 6.1.1 where we are talking about competitive pricing and here we are talking about cost-oriented pricing. We are for freedom in the issue of pricing and we would not be in favor of anything that would be market-distorting; consequently, we could not support this provision and would ask for its suppression.

>> CHAIR: Algeria, you proposed modification of this text to read "competitive." Did I read you correct or are you just -- Algeria?

>> ALGERIA: Thank you, Mr. Chair -- no, no, no, we did not propose. We did not propose. Rather, I was responding to the intervention by the Distinguished Delegate of Cyprus who had supported the suppression of 42Q on the basis of the content of 6.1.1, saying that 42Q is already covered in 6.1.1 which is not the case, as the Distinguished Delegate of Mexico has reminded us.

It is "competitive pricing" whereas 42Q refers to "cost-oriented pricing." It is quite different so I have not added anything. I have simply said we should remove the square brackets around 42Q and allow the text to stand.

>> CHAIR: Thank you.

Australia?

>> AUSTRALIA: Thank you, Chairman.

Like a number of previous speakers, Australia would also support suppression of 42Q. We believe this is a national matter for national regulation. We also consider these terms differently which could result in undesired or ineffective outcomes.

Thank you.

>> CHAIR: (Indiscernible)?

>> I think we are going into too much detail and I frankly see the labeling of this cost-oriented wholesale pricing. In fact the way it is labeled it would be negative. Not be good for operators. Because instead of promoting competitive pricing, or trying to avoid price dumping, competition, selling below cost, that is not what this is saying here in reality. We want to avoid cases where bigger operators will sell below cost so smaller operators will be hurt. And that's not good. And we are trying to avoid that. Therefore, if we strike this thing, it is 42Q, it is even better, because it will avoid limiting them at cost-oriented. If you are selling at cost, you are not making profit, and of course you are not being competitive at the same time.

So frankly I would say that since we have already the competitive part taken into account in another paragraph, therefore it's not needed. I was trying to test if any of the operators, large and small, want to evolve with them. Those are the ones we are trying to defend here and it won't work.

So I beg you to see whether you can eliminate 42Q, especially at this late hour. It does no harm, I can tell you. Thank you.

>> CHAIR: United States.

We have a long list of speakers and we really need to get on with our work. Let me rephrase that and I don't want to prolong the discussion here.

I think we are getting into too much of the way in this specific text, the way the regulators are doing their connection and specifically talking about cost-oriented method. So I appeal to everyone, if there is no objection to strike out this text and I would like to ask everyone on the list to remove the request, because it's -- I'm rephrasing the question.

These matters are generally at the hand of every regulator and it's a national matter. It does not impact the international communications. It deals with operators within the country itself.

Colombia?

>> COLOMBIA: Thank you, Chairman.

Colombia would not agree to the maintenance of this language because cost-oriented prices is about the only power that regulators have.

>> CHAIR: Iran?

(Silence)

>> CHAIR: Iran? No?

Algeria?

>> ALGERIA: Mr. Chairman, this provision was included, member countries proposed it, and I'm sure it wasn't proposed by the Secretary-General. I'm sure he was planning to suggest its suppression. This was here because it had been proposed by Member States or the Chairman of the working parties as there are new provisions.

I would like somebody to report on the discussions which led to the inclusion of these new provisions. We cannot at this stage decide to suppress a provision of the Delegation proposing. They may not even be in the room and will come back later so perhaps we could ask the person who chaired the work of the group to tell us why this provision was proposed and by whom.

>> CHAIR: Thank you. Mr. Horton, are you here? Can you take this?

>> MR. HORTON: This came to me in this form from Mr. Babou in his original ad hoc group but I will make the observation there are really two areas that most of these provisions fall into. One is a regulatory sort of advice or guidelines and largely they would normally be of a national responsibility.

The other area is in broadband infrastructure and that is of course a very important area. So maybe we could think of collapsing some of these within a common heading rather than have a whole series of these we go through and decide whether we need to be offering regulatory advice which is usually of a national responsibility.

I hope that helps, Chair.

>> CHAIR: Yes. I just wanted to add that wholesale pricing in any country is up to the regulator to make it on a commercial basis or cost-oriented basis, and it has competition rules where dominance is in it. It's really a complicated matter and it is left to the assessment of the regulator to deal with it.

So I suggest that we strike it out. I see -- there is any objection? Algeria?

>> ALGERIA: Thank you, Mr. Chairman.

Since our Delegation has lost some of its members, we may come back to this tomorrow. I will consult our experts but I think we are talking about two very different things. Here is 6.1.1 dealing with investments in international broadband and 42Q is dealing with a national pricing. So please keep the square brackets. We will come back to it tomorrow.

>> Chairman, this original proposal came from Cameroon and Cameroon is here in the room. They can enlighten us if they are -- their requests were not satisfied with the competitive pricing, because in discussing the time, the issue was exactly for the price-dumping and I hope that their issue is taken care of in the thing.

Cameroon may probably take us and see since there is -- it's their proposal of this document, proposal. They may probably save us. Thank you.

>> CHAIR: Thank you.

Cameroon, if you can --

>> CAMEROON: Yes, indeed. Cameroon had made a proposal simply talking about the wholesale traffic and there was also an African proposal which was speaking about wholesale... so I think that the Algerian proposal is a wise one, and in order to allow those who made that proposal because what is in 6.1.1 came afterwards. But the proposal was for a cost-oriented pricing. But some Delegates in the room said that we should really be basing that on commercial agreements, the two subjects were there fo discussed intensively.

I think the Algerian proposal is a wise one so that those who made the proposal speak to it.

>> CHAIR: Thank you. I think you guys made the proposal. So anyway, we leave it but there is a majority to strike it out. We'll leave it and come back to it first thing in the morning to deal with it.

I'll go to the second square bracket.

Member States, can you now take your request for the floor? I have still five. Still three. Now it's increasing! Is it on the second one? Okay. Member States shall take measures to ensure reasonable compensation is for -- (indiscernible) -- traffic. I have a request for the floor from India.

>> INDIA: Thank you, Chair.

This ad hoc group dealt with that. That is why I want to give input. The previous clause, "wholesale pricing, fair compensation," both clauses came from the Arab Group as well as African Group and during the consultations there was insistence to bring it to Committee and further to the Plenary, just for information, please.

Thank you.

>> CHAIR: United States?

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman.

On 42R -- we of course believe 42Q should be struck; 42R has the same quality of ambiguity. We are not quite certain what we are to do with this statement. "Reasonable compensation" is something we could spend a lot of time debating and it's as much an economic as a philosophical discussion.

But, Mr. Chairman, if you would note through this series of items, there are some that have already been dealt with and it would seem we can dispense with them. 42Q talked about landlocked countries, that we already have a resolution on 42W.

There is a reference to "fraud" and we have already done "fraud" in the sense of trying to address it within the context of the treaty. We have had maintained quality of service in 3.1 and the other provision so 42S also has been dealt with.

Mr. Chairman, it seems to us this is a collection of odds and ends that may have been brought forward. They have no context. They seem to have been gathered together randomly but I would suggest that we look at them and I believe we can dispense with them very quickly. We have excellent text in Article 6 accounting for charging an accounting, and both sides of the issue, including hybrid systems that have commercial as well as accounting-rate operations are taken care of in Article 6 so, Mr. Chairman, in summary, we believe these items can be dispensed with very quickly as they have either been already taken care of or they are more appropriate perhaps in a Study Group context but not in a treaty conference in the last day of the conference.

Thank you, Mr. Chairman.

>> CHAIR: Thank you.

Japan.

>> JAPAN: Thank you. We fully support the comments made by the United States. With regard to the draft text of the 42R, the way to ensure that reasonable compensation is received for traffic would primarily be determined by the free commercial arrangements. That is our notion.

So from this point of view, we believe that this Article can be an excessive obligation for the Member States. In that sense, we are not in favor of this and we believe that it should be struck out, stricken out. Thank you.

>> CHAIR: Thank you. I think we have nine provisions and I think we can send them back to Bob to bring them down. There is no problem because we are dealing with many of them in cost-oriented wholesale pricing and we have the commercial agreements between purchasing agencies and we have investment in high band information and fraud and so on and so forth.

So there is no objection if we can give it to Mr. Bob to bring it down. Bob? Can you take it?

>> MR. HORTON: Yes, Chairman. No problems. When do you want it delivered back?

(Laughter)

I know you said for the draft resolution, you said tomorrow morning. Did that mean one minute past 12:00 or...

(Laughter)

Do I have a time line on this?

>> CHAIR: Thank you. Can we have it by the first coffee break? Okay. Thank you.

>> MR. HORTON: Yes, Chairman. That means 10:30-ish, that sort of time?

>> CHAIR: Yes, thank you. Can I ask the countries who are asking for the floor to take their requests for the floor. I still have three.

Uganda.

>> Chair, let's not complicate life for Bob, he's very hard-working but 42Q which refers to "cost-oriented wholesale pricing" from the African proposals and the Arab Group proceedings and we had an ad hoc which was chaired by India and we crafted a new proposal 6.1.1 which refers to competitive wholesale pricing.

Now crafting 6.1.1, it overtook 42Q so actually we can strike out 42Q comfortably and retain 6.1.1.

I thank you.

(Applause)

>> CHAIR: Iran?

>> IRAN: Thank you, Chairman.

Some of these provisions refer to the Member State to do something with respect to the -- (indiscernible) -- 42S. I think we should leave this matter to the Member States and not give them any unnecessary guidance. I think this is a sort of thing that provided in the Preamble of the Constitution, whether they ensure that the regulatory framework promotes the establishment. This is up to the country, not up to the governing -- to the WCIT. Perhaps that should also be quickly deleted. Thank you.

(Applause)

>> CHAIR: Trinidad and Tobago.

>> TRINIDAD AND TOBAGO: Thank you, Chair.

Mirroring comments of the last speakers and Mr. Horton's statements on review of the -- (indiscernible) -- many are as Mr. Horton said regulatory guidance which should really be under the -- under national oversight and, secondly, treaties relating to broadband information rollout which is a broadly domestic issue getting to the home of the end user.

So both are national in nature, and this is a treaty for international telecommunications so in short, on reviewing the provisions in question, most can be struck at this time. Thank you.

>> CHAIR: This has to be looked at by Mr. Horton and he can come back to us tomorrow by midday. Thank you.

(Applause)

(Laughter)

Let's go to resolution part. I have page 17 Draft Resolution, "Changing Telecommunication Environment." I want to start consideration of this draft new resolution. One-by-one we will take it, starting with the title.

Uruguay?

>> URUGUAY: Chairman, before we actually start going through the resolution point-by-point, I just would like to express our position concerning the resolution in its entirety, resolution per se. It is the "Resolves" part I'm talking about, where it says "Resolves to invite Member States," et cetera. There are points there which refer, for example, to liberalization of markets, progressive liberalization of markets, things of that kind.

Given the real situation in the market, we have a hybrid market where there is a public enterprise which operates on the basis of a law ratified by a public purpose and monopoly on certain parts of the market -- although we have competition on other parts of it -- it would be for us at least extremely difficult to go along with a resolution which deals with these issues in the way in which they have been dealt with in the body of this text.

We would therefore like to make our position clear and it is that we cannot agree with the points made on the subject in the resolution.

Thank you.

>> CHAIR: Thank you.

UAE.

>> UNITED ARAB EMIRATES: Thank you, Chairman. I'm actually surprised this resolution is still there. We have many times indicated that this resolution speaks about some administrations to encourage within their country the investment and infrastructure. This is a right of administrations to promote whatever through the regulations or other guidance, the investment in their countries for infrastructures. I don't think we need a resolution to tell Member States that you should or you shall allow investments on your infrastructure.

This is something that I think is really a civilian right of every country to encourage others to invest in their infrastructure. So I seriously don't see that the need for this and we really have raised this concern throughout the establishment of this resolution and it still comes back.

I think in line with what was mentioned previously by Mr. Arasteh, this is really a national matter. If some countries would like to of course do this in different ways, as you mentioned, and it's really also speaking about liberalization and so on, which is a little bit broad of a scope to be discussed in here.

So with this, Mr. Chairman, I don't see that this is the right place for such a resolution.

Finally, I think the title was referring to a previous title from a resolution in ITRs but the content of this resolution does not really deal with this, the previous title at all. It's really a different thing.

I think with this, I can support what was mentioned previously by the Distinguished Delegate from Paraguay. Thank you.

>> CHAIR: I'll refer to the Chairman of Committee 5 to give me advice on this resolution.

(Pause)

Chairman of Working Group 2, is he here? I'll take the speakers.

Egypt, briefly, please, if you can, speak to the timer. We are running out of time.

>> EGYPT: Thank you. My interventions are short.

Hearing what was said by other colleagues, first I would like to -- I was surprised with the design to liberalize markets which is a very specific issue, because it is not covering all markets, so this would be not be considered.

However, looking also at the "Resolve" part it does not talk about international content. It's an international matter. To be brief, I think this resolution needs to be reconsidered or considered for separation. Thanks, Mr. Chairman.

>> CHAIR: Argentina, you are on, Zimbabwe, and then I'll make a proposal.

>> ARGENTINA: Thank you, Chairman. I would like to endorse what was said a little bit earlier by the Delegates of Uruguay and the United Arab Emirates.

I have a general concern about this resolution, in particular with Resolve 3. The right to liberalize markets is a sovereign right held by each individual nation so I must again express my concern about the terms in which the resolution is couched and I have a reservation, particularly on Resolve 3. Thank you.

>> CHAIR: Iran. Briefly, please.

>> IRAN: Thank you. We are in favor of suppression; however, if you don't have agreement of everybody, I suggest to put it as a recommendation and allow -- this would not charge Dr. Horton but charge the author of the resolution to convert that to a recommendation only.

Thank you.

>> CHAIR: -- (indiscernible) -- briefly, please.

>> Thank you, Chairman.

>> ZIMBABWE: For the same reasons as those for which we wanted to suppress all the articles under 42 a little time ago, we feel the same way about this because we find a very similar thing coming up in this resolution. We are not here to give instructions to Member States so for the same reason we would like this resolution to disappear.

>> CHAIR: Any disagreement to delete this resolution?

(Pause)

Cuba, is there any objection to delete the resolution. UK?

>> UNITED KINGDOM: Thank you, Chairman. I'm a little puzzled by the extreme antipathy this resolution seems to have brought about. It seems to me to be entirely within the scope and mandate of the ITU and there have been a number of references that people have made to telecommunications infrastructure at various points.

This is about general telecommunications infrastructure and therefore need not necessarily be restricted to national markets and we support the resolves that speak to promotion of competition and progressive regulatory ratings.

Thank you, Mr. Chairman.

>> CHAIR: Thank you. But there is no general agreement to keep it. That's the issue.

Zimbabwe?

>> ZIMBABWE: Thank you, Chairman. As colleagues like the UAE and others said, this is not the right forum to lecture Member States on a regulatory regime's investments and competition.

Therefore, Mr. Chairman, we don't agree to the inclusion of this resolution. Thank you.

>> CHAIR: Thank you.

Mexico?

>> MEXICO: Thank you very much, Chairman.

Mexico would also ask for the suppression of this resolution. Unfortunately, we did not have the opportunity to participate in the work that was done on its preparation. We don't have time to go through it on a point-by-point basis but we don't see the value add that resolution would bring.

>> CHAIR: Venezuela finally.

>> VENEZUELA: Thank you, Chairman.

Venezuela would like to endorse the position expressed by the majority that this resolution be suppressed or deleted. Thank you.

>> CHAIR: We'll proceed with deletion of this resolution. I have the United States.

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman. We wish to thank all colleagues who have graciously taken the time to consider this resolution at the ad hoc level and at the Committee.

We believe that at those, and in this Plenary, we believe during those ad hoc and during the Committee level where we had more time for discussion, that there was a very interesting and constructive discussion on many of the themes contained in this resolution but of course we accept the judgment of the Plenary, Mr. Chairman.

We would note, though, we believe that many of these themes in this resolution which are fundamental to the development of infrastructure to advance telecommunications globally are ones that are most appropriate for the ITU to embrace and we have done that in the development sector in the substitute groups of the -T sector and we continue of course in the same regard in the -R sector.

Mr. Chairman, as a general matter, of course, we take the judgment of the Plenary, but we would note that at various other fora coming up, we will reintroduce many of these themes for further discussion with colleagues.

But in conclusion, in addition, we wish to thank all colleagues for their consideration of this resolution.

Thank you, Mr. Chairman.

>> CHAIR: Thank you for accepting the theme of the meeting.

Secretary-General?

>> SECRETARY-GENERAL: I want to say there are a couple bullets here in this document regarding broadband that we did not repeat in one of the resolutions simply because it was already here so I would have wished that we -- I always want to keep broadband in the back of our mind in everything we do, because the future of telecommunications is broadband and that's one area where we could probably see evolution. If not, telecommunications by themselves will be dead in the near future.

Therefore, it is very high time to have a new attitude toward broadband. There were references to the broadband commission work here and also some references of mobile broadband which is a feature. Therefore, I would be very happy if we are able to throw in some of those ideas in any of the upcoming documents or before we finish the conference.

Thank you.

>> CHAIR: I think the Secretary-General -- if Mr. Horton can take some of the elements in terms of fostering encouragement of broadband in this discussion to bring to us on the ITR it would be great.

Is there any objection to deleting this? I see Togo and South Africa.

Togo, you object to deleting this resolution?

>> TOGO: No, no, no. Thank you, Chairman. Togo would like to see it deleted and has always wanted to see it deleted but just what the Secretary-General said, when we talk about telecommunications network I would like to know why we are constantly referring to broadband. Why are we giving that some kind of special treatment? We don't need in the ITRs to keep referring to broadband. We are talking about telecommunications. Broadband goes on from that. So I don't necessarily think that it is necessary to keep referring to broadband.

If we talk about telecommunications, that's sufficient. That covers the network capacity as we have it today. Thank you.

>> CHAIR: Thank you, Togo, and the meeting in general -- agree to delete this resolution. Thank you.

We go now to the Primary Draft Resolution to Foster an Enabling Environment for the Greater Growth of the Internet. This resolution has been also part of the long discussion with the regional groups and this was part of the compromise text that was put forward to you but the meeting was carefully written. It was -- we have taken it in the group, line-by-line, as a matter of fact as a matter of fact, Secretary-General read it line-by-line to the group, and it's put before you for consideration.

I'll proceed with the title. I see no objection. Recognizing A. I see no objection.

Recognizing B. Thank you.

Recognizing C. Thank you.

Recognizing D.

Egypt?

>> EGYPT: Yes, we would like to suggest another text for D that reads the following: "Recognizing that the existing arrangements for Internet Governance have worked effectively to make the Internet the highly robust, dynamic and geographically diverse medium it is today, with the private sector taking the lead in day-to-day operations and with innovation and value creation at the edges."

This is paragraph 55 from the Tunis Agenda.

>> CHAIR: Bulgaria?

>> BULGARIA: Yeah, I was just going to suggest exactly the same text, Tunis Agenda.

>> CHAIR: Thank you.

Saudi Arabia, please.

>> SAUDI ARABIA: Thank you, Chairman. I would like to ask why this text is replacing the current text of D because D also refers to the Tunis Agenda. So why are we getting rid of that text and replacing it with other text? Could Egypt please clarify its proposal? Thank you.

>> CHAIR: Egypt?

>> EGYPT: We can have both texts but we thought the other text was relevant to the subject.

>> CHAIR: Thank you. Is there any objection to include the Tunisian -- Egyptian proposed text as a new recognizing? Turkey, then Algeria,

>> TURKEY: The conference is wrong. "Conference On International Telecommunications." Thank you.

>> CHAIR: Thank you.

Algeria?

>> ALGERIA: Thank you. Chairman, thank you. We are very grateful to Egypt for its proposal. In recognizing D, perhaps we should save a little bit of ink and say "In paragraphs 35 and 55 of the Tunis Agenda." If we do that, then we don't have to replace the text of the Tunis Agenda in extenso. Thank you.

>> CHAIR: Thank you. We'll add paragraph 35 and 55 of the Tunis Agenda if there is no objection.

I see no objection to that. Saudi Arabia?

>> SAUDI ARABIA: Thank you, Chairman.

We are also suggesting an addition, what is in the Tunis Agenda, that being: "All governments should have an equal role and responsibility for international Internet Governance and ensuring the stability, security and continuity of the existing Internet. We also recognize the need for the development of public policy by governments in consultation with all stakeholders." The text I'm suggesting respects the letter of what was adopted at the summit. Thank you.

>> CHAIR: Thank you. It is in E, which we'll come to you, exactly the text.

Canada?

>> CANADA: Yes, thank you very much, Chairman.

Chairman, we have heard the Secretary-General remark or make remarks just recently with respect to the importance of broadband and the broadband agenda that has been now extensively discussed in ITU.

What we'd like to suggest, Chairman, is that in this particular paragraph, that we make specific reference to the evolution, function, and development of high-speed broadband services. I think that would be a more appropriate reference instead of limiting it to Internet and in fact we would suggest that in the title itself, we refer to high speed broadband connectivity in lieu of the sensitivity of course with respect to references to the Internet.

So again the work associated with the broadband commission that the Secretary-General has been extensively involved in, we would think that kind of work should be referenced in this resolution. So that would be our suggestion, Chairman, that we make reference to high-speed broadband connectivity as well as the evolution functioning and development of high-speed broadband services in this particular paragraph. Thank you.

>> CHAIR: Thank you. We have dealt with this issue in detail. I will really be reluctant to start changing and removing titles. If we can go along what was proposed now by Egypt. Is there any objection to add 55, 55 of Tunis Agenda, and proceed with D?

Sweden?

>> SWEDEN: Thank you, Mr. Chairman.

We have no problem to adding 55 from the Tunis Agenda proposed by Egypt; however, we would also like to support the proposal by Canada to change the title of the Draft New Resolution. Thank you.

>> CHAIR: I have moved from the title of the draft resolution. I have started this by saying this was part of the compromised text that was discussed at length. I really need the help by all Member States to proceed in the removal of this resolution. Thank you.

Uganda, briefly.

>> UGANDA: This is improving the resolution, and we would support Canada's resolution.

>> CHAIR: Saudi Arabia?

>> SAUDI ARABIA: Thank you, Chairman. As far as the proposal to add paragraph 55 is concerned, there are I think a few paragraphs that emerged from the summit which are equally important as paragraph 55 so we'd like to add one or two others as well. However, instead of doing so, perhaps we should proceed slightly differently and not add paragraph 55 and leave the text of the resolution as proposed. Thank you.

>> CHAIR: United States?

>> UNITED STATES OF AMERICA: Thank you very much, Mr. Chairman.

Mr. Chairman, we have a number of outstanding issues we need to address within the context of the ITRs and you still need to return to 55A and 55B and also to the issue of public correspondence.

So there are a number of outstanding issues left with respect to the ITRs that significantly will determine the nature of what the ITRs may be. Many colleagues are reviewing the ITRs in light of those remaining issues. In addition, we are concerned about this resolution because it begins to be -- it is a resolution about the Internet. We have rightly done resolutions at the plenipotentiary 101, 102, 133, which are going to be the subject of the World Telecommunications Policy Forum, and we will have the WSIS review coming up in 2014 and 2015.

Now, Mr. Chairman, we are concerned that this document as currently drafted is inadequate to deal with those significant issues that will be coming up in those future fora. It would be our preference, Mr. Chairman, not to have this resolution but rather to focus our efforts on the World Telecommunications Policy Forum and on the WSIS review. Many colleagues in this room were participants in the WSIS process and they are dear colleagues and we have spent three years together in this process.

But I recall very well as we would debate these paragraphs, that there are many issues that still will need to be debated. This now at 1:00 AM, this is not the time to do that.

My dear colleague from Saudi Arabia wishes to not include paragraph 55. He probably anticipates that I will insist on paragraph 55 being included and he will be absolutely correct.

Mr. Chairman, rather than go back and forth on these issues, rather than raise the issues of the Internet once again, let us deal with these issues where they should be dealt with, at the appropriate time and preparatory process, and that time is at the World Telecommunications Center Policy Forum during the WSIS review and during the plenipotentiary in Busan, Korea.

Thank you, Mr. Chairman.

>> CHAIR: Thank you, United States.

I'm so surprised to hear this while yesterday I thought we have reached a consensus where United States agreed to remove text related to Internet from the body of the ITR and put it in a resolution and the Secretary-General went through that line-by-line.

And I think I'm going to stop this discussion at this moment because we are not moving forward. My worry is this entire compromise we had is now at risk. I repeatedly said that over and over again; I've been trying as hard as I can to take this conference to a safe conclusion, and I really hope you guys help me with this.

Algeria and then Finland, and I'll close the discussion and debate. I think we need to -- I don't see a point of discussing it. It is 1:00 now in the morning and the Delegations, all Delegations, deserve rest.

I'll give the floor to Algeria, please, briefly, one minute and then take Finland and then delay the discussion on this resolution.

>> ALGERIA: Thank you for having given me the floor, Mr. Chairman.

Subsequent to two of the interventions of the Distinguished Delegate of Egypt, I had suggested the addition of paragraph 55. I now withdraw my proposal out of respect for those who have drafted this resolution. I would encourage all of us to adopt the text as it appears here and with no modifications.

>> CHAIR: Thank you.

Finland?

>> FINLAND: Thank you, Mr. Chairman. We have followed Secretary-General Dr. Toure's wise advice and agreed the ITRs don't tackle Internet Governance. We think it is only logical that if the treaty is not about Internet Governance, the attachments are not about Internet Governance either.

The reason for that is that we are dealing with the highly political and sensitive issue which does not fit in the context of a treaty which is of a technical nature.

As you pointed out, Mr. Chairman, we also have a problem of time limitations. It is clear that the proposal would lead to extensive negotiations. Personally, I would love to spend the cold Finnish winter here in Dubai, but we are running out of time.

So we suggest we follow the same method we did with the previous proposal from the United States. If the resolution does not enjoy the consent of all Delegations, we will suppress it. Thank you, Mr. Chairman.

(Applause)

>> CHAIR: I have closed the discussion. Please take the request. I'm going to the Preamble, Document DT51, Corrigendum 2. I open the Preamble.

(Pause)

Secretary-General.

>> SECRETARY-GENERAL: I simply wanted to, before you temporarily close this document, I simply, while the idea is still fresh in the efforts, I made sure in negotiating on the Article that was to be put in the body of the resolution, of the ITRs concerning the Internet. This resolution is a basis of that compromise. You know? So if we were to eliminate this, that was a compromise that will come on the table.

That is the risk we are running, and at this late hour we don't want to put that back on the table. Please, if we can add a few references of broadband on this text and make it work, this current text doesn't harm anyone. All the things that are in there were things that are already existing in different texts, in different documents that were approved by our bodies in any case.

And I beg you not to say, not to think, that we cannot even pronounce the name "Internet" in this meeting. We do. In ITU we can pronounce the name "Internet" because we are working and Internet is running on telecommunication platforms. It's not taboo to pronounce that. The two words needs to work together. This is very clear.

It's not a crime to talk about Internet inside the ITU. Just like inside the bodies dealing with Internet they talk about telecommunications. Some of them are certain members of ITU and they are here in this room. Therefore, it should not be taboo. Let's not make an unnecessary or artificial fight between these two bodies that have been working together.

(Applause)

>> CHAIR: Yes!

>> SECRETARY-GENERAL: Thank you. We've been saying this thing in very good faith. There was nothing between the lines when we were drafting this document. I have been consistently saying what I have said already, back in the plenipotentiary conference in 2010 before being reelected, and the membership trusted me; they reelected me. There is nothing wrong with this.

Please, we are trying to build bridges so we work together so the consumers benefit better. Please, everybody, help us to continue to bridge that, build that bridge. We have been trying to build this. There is nothing wrong with it. Please.

So I will certainly recommend to you, Mr. Chairman, that we go back and we add in the "Resolves" part, I can add in the "Resolves" part, Resolve 1, "to continue to take the necessary steps to ITU to take an active and consultative role." I will add there "the development of broadband," and continue the text, in the multi-stakeholder model of the Internet as expressed in 35 of the Agenda to enrich it more, so the broadband reference that was in the previous draft resolution that we have missed comes back here and it will enrich it.

The future is broadband and the future is Internet, and the future is Internet and broadband/Internet. And those are two societies that will continue to work together, one providing the platform, the other one providing the access and other things.

They are complementary. When you talk about information, information without the carrier will not be reachable. And an empty carrier will not have information, that is nothing. So two will continue to work together.

So please, I just wanted you to keep that in mind and encourage us so we continue to build bridges and it really will work. Trust me. And somebody was saying we can't, and we can. We can do that. Please.

(Applause)

>> CHAIR: Thank you, Secretary-General.

Can we continue approving the resolution? We have stopped at D. If you care to move the requests. Can I proceed with approving D?

(Pause)

Algeria, can you remove the requests? We are trying to approve the text. We have 15 minutes to go.

>> ALGERIA: Thank you, Chairman.

I simply rise to say that the Secretary-General has crossed the red line three times. He said the taboo word three times, a word which I dare not say myself. So we would of course support the entire resolution if that will allow you to gain some time.

(Applause)

>> CHAIR: Thank you.

South Africa.

>> SOUTH AFRICA: We also support the whole resolution as put forth and as modified by the Secretary-General in line with all the discussions that we have had on the package earlier on. He is right that if we dare remove these, we then have to go to our old issues that we raised as the African Group and the Arab Group. So we really would plead for them, for the Plenary to recognize these issues, that they are part of the package deal, for us to arrive at this whole package. This was the Assembly we put together to recognize. Thank you.

>> CHAIR: Thank you.

I want to take it from D, please. Can you take your requests for the floor so we can proceed.

(Pause)

Is there any objection on D after inclusion of 55?

Cuba?

>> CUBA: Chairman, I just wanted to support the entire resolution as it stands. I believe that there has been consensus to support the resolution as a whole.

>> CHAIR: Thank you, Cuba.

Can we approve the entire resolution now?

(Pause)

Nigeria?

>> NIGERIA: Thank you, Mr. Chairman.

We want to add our voice to the support of what the Secretary-General said. Actually if you look at the major business of telecommunication, it is to deliver services through open access, which we believe the Internet is one of those avenues, which service is delivered by telecommunication.

To be candid, we are always disappointed when the issue of Internet has been restricted here in ITU because these two, they go hand-in-hand. One cannot go without the other.

So we want to support the approval of the entire resolution with the addition of paragraph 55 of the Tunis Agenda. Thank you.

>> CHAIR: Thank you.

United States?

>> UNITED STATES OF AMERICA: Yes, Mr. Chairman. Thank you for your time.

I would like to say, as head of the U.S. Delegation, we appreciate the work you are doing to advance the conference. We think there are significant opportunities to advance the telecommunications opportunity; however, we do not believe the focus of this conference should be on the Internet, and we did not come to this conference in anticipation of a discussion on the Internet. As my colleague Dick Baird mentions, there are plenty of other fora for that, and we oppose this resolution.

>> CHAIR: Saudi Arabia?

>> SAUDI ARABIA: Thank you, Mr. Chairperson.

I have already requested the floor previously to express our non-acceptance to add paragraph 55 because adding paragraph 55 means opening the topic and introducing other paragraphs that have been approved in the outcomes of the international summit or the global summit.

To be brief, in order to accept middle-ground solutions as Mr. Secretary-General has requested, we can accept this resolution as it is formulated and presented in document TD 51 Rev 1, and no harm in introducing the proposal made by the Secretary-General with regards to the broadband.

Thank you, Chairperson.

>> CHAIR: Thank you.

Mexico?

>> MEXICO: Thank you, Chairman. One minor point. We would like in F1 to invite Member States and reference is made to ITU-T and ITU-D. I believe we should include ITU-R. If we want to promote the model, it is extremely important we take into account spectrum issues which are very important. In a not-very-distant future, we will have people asking for two gigabits per second, per square kilometer in our city and that will be impossible without appropriate spectrum. It would be very important, I believe, to include ITU-R in this paragraph.

>> CHAIR: Thank you.

I have a very long list. I just wanted to have the feel of the room on who will accept the draft resolution. If you can use the big board, please, to have the resolution included.

(Pause)

  I want the feel of the room, who is against this resolution.

(Pause)

You can lower now. The majority is with having the resolution in.

(Applause)

Thank you. Now we can go to Corrigendum 2. That is the Preamble and the text which deals with the human rights obligations. And the Preamble, the first part of the Preamble, was agreed.

The second part of the Preamble states that, "Member states affirm their commitment to implement these regulations in a manner that respects and upholds their human rights obligations." Do we have agreement?

We have a point of order from the UK?

>> UNITED KINGDOM: Thank you, Chairman, for giving me the floor. I would be grateful if you would clarify what just happened in respect to the resolution. Was that a decision to include a resolution and return to the text at a later date? Or have we just passed a resolution by majority? Thank you.

>> CHAIR: Thank you. The majority agreed to adopt the resolution as amended.

(Applause)

Canada?

(Silence)

>> CHAIR: Spain?

>> SPAIN: Thank you, Chairman.

As a point of order, I would like you to clarify whether the temperature you were taking was simply a taking of the temperature or has it now been interpreted as a vote? And had we known that it was a vote, we might very well have acted differently.

>> CHAIR: No, it was not a vote, and I was clear about it. Thank you, Spain.

Cyprus.

>> CYPRUS: Excuse me. That is a mistake.

>> CHAIR: Thank you.

Mexico.

>> MEXICO: Yes, thank you, Chairman.

We, too, would like to determine whether the ITU-R has been included in the resolution, if ITU-R as we have requested has been included in the resolution.

Thank you, Mr. Chairman.

>> CHAIR: Yes, we'll have an ITU Study Group so we will not get into these details. Thank you.

Algeria?

>> ALGERIA: Mr. Chairman, I thought that we had settled the issue of the resolution and had moved to the Preamble.

>> CHAIR: I'm trying.

Sweden?

>> SWEDEN: Thank you, Mr. Chairman.

We note that you have adopted this resolution and we have to go back to the transcripts to see how it was adopted, but we reserve the right to come back with a statement for the Minutes when we have looked at the discussion of the meeting. Thank you.

>> CHAIR: Definitely. Thank you.

Saudi Arabia?

>> SAUDI ARABIA: Thank you, Mr. Chairperson. We have understood that the resolution has been adopted with the amendments which have been proposed by the Secretary-General which has had support and the proposal made by Mexico because there have been no objections and thanks to the amendment that you have proposed which is to mention the Study Groups rather than to mention each unit within them.

But any amendment which has been refused, this should not be introduced into the resolution according to the way we have understood things. Thank you.

>> CHAIR: Finally Algeria and I will close the meeting. Algeria, you were asking for the floor?

>> ALGERIA: Have you solved the issue of the resolution, Mr. Chairman?

I would like to speak to the Preamble. In view of the hour and the importance of the subject, could we not perhaps postpone discussion of the Preamble to tomorrow?

>> CHAIR: This is what I was going to say. We have reached the end of the time. We will postpone the Preamble discussion until tomorrow morning at 9:30.

Thank you, and have a good night.

(Applause)

(Adjourned at 1:30 AM)

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