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DUBAI, UNITED ARAB EMIRATES

THIRD MEETING OF COMMITTEE 3

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>> CHAIR: Good afternoon, everyone. Welcome back to Committee 3. Control room, if we could have projection for the agenda so we'll be looking here for the agenda for this afternoon's session is document ADM20.

Not seeing ADM20.

Okay, thank you. ADM20 is the agenda that we have prepared for this afternoon's session. I'd like to note a couple of extra documents that are available with respect to some of the activity that we have had. We have a posting for the update of Resolution 22. I think we completed the discussion, but we wanted to put the text on the screen for everybody. That's in document DT37. One additional document that's available is a report of Working Group 3B. That is in DT34.

There are some other elements of work that are complete for which we don't yet have the documentation, and so likely we will take those early next week, so we're expecting a DT29 revision 1 for the revision of Resolution 67, and then coming soon, look for the documents, but we won't cover them today due to availability. There will be a modification for Resolution 45 and a modification for recommendation A.1. I don't have the numbers for those yet, but they will be handled in a future session.

So any other questions on the agenda as we have it? So can I take this agenda as approved for use in this session? Okay. I see no requests for the floor. So let's proceed. The first thing we'd like to do is take DT31, which is the report of the previous session. So if we can start moving through this.

We have the opening. Clause 2 is the reports of the subgroups. So we had come back with Resolution 32 from Working Group 3A, and agreed that content.

Moving on to clause 3, we considered Resolution 38, completed consideration of the proposals there, and sent that to the Editorial Committee toward the Plenary.

Resolution 45, we considered the inputs and agreed to the Ad Hoc Group which met this morning, chaired by Mr. Mukhanov, and that work is complete but the output document is not available for us in the session but look at it on Monday.

Next is clause 5, our consideration of Resolution 53. Here there was consensus agreement to suppress Resolution 53, and in fact, we will take that decision since we don't need to wait for the Editorial Committee in the Plenary this afternoon.

Moving on to Resolution 55, again we chartered a drafting group after consideration of the inputs, and the Resolution 55 drafting output is something that has not yet been prepared for us to review.

Resolution 57, we had only the editorial inputs, and we agreed to update with that, so we'll send that toward the Plenary through the Editorial Committee.

Resolution 66, we also reached an agreement based on the inputs and we finalized that work in our previous session, and completed that.

Resolution 68, we had a number of inputs and chartered a drafting group which has yet to meet. That will be Monday morning. You'll see that on the screens. Resolution 70, there's a drafting activity that does have a formal session this afternoon, but I understand some informal work has already begun. So Ms. Saks Chairing the ad hoc on the Resolution on disabilities.

Resolution 71, again, we had the need for the academia to charter a drafting group which will meet this evening, so that work is yet to come. So there's instructions that we had from our previous session toward that drafting group.

Moving on, Resolution 74, we were able to complete our work with only the editorial inputs, and sent that one onward toward the Editorial Committee. And then we came back to Resolution 11. We had some discussions, and I think after the previous session we more or less sorted out what we want to do with that, but the text hasn't been prepared yet. So I will look forward to revisiting Resolution 11 on Monday, hopefully with final proposal for the text. Then we came back to Resolution 22, and in fact, that's one of the documents we will look at as soon as we're done reviewing the report. So we've indicated from our previous session that we agreed to the content, but we hadn't seen the consolidated text, so we'll simply bring that up on the screen.

Item 15, we considered a proposed new Resolution, an additional Resolution related to academia. Since the drafting on Resolution 71 hadn't been completed, the convener had proposed that we not take a decision right away as to whether this was one or two Resolutions, and let that work proceed, and so we've taken the liberty of assigning both of these Resolution texts to the same drafting group, and the discussions in that group will lead them to conclude they should bring us back proposed text for one or two Resolutions. So again, that drafting group will meet this evening, 17:30 to 19:00.

And then finally, Item Number 16, we noted that a number of the Resolutions in the A‑series had no proposals for change and we could simply confirm that to the Editorial Committee so they could begin their work.

One thing that had come to my attention was that we had a discussion in the first TSAG meeting I believe it was of the study period concerning A.23, having been published in the red book without one of the Annexes, and I have been assured that we won't repeat that this time. We will make sure that the entire text is included in the published proceedings, but that's an editorial matter, and not a matter for any decision.

So any comments on the report of our second session, which ‑‑ or second meeting, which consisted of three sessions held during yesterday?

Thank you. I see no requests for the floor. So we'll take the report of our second meeting as approved. Then I'd like to move onward to simply putting up the text, although I think we agreed to the content, for Resolution 22. The text here is in DT37. So if we could bring that up, please. So I think so far it's mostly editorial and what you see on the screen, I think that we had reached ‑‑ there it is, okay.

So the text nor have supervisory authority or whatever the original text was over Study Groups. We had come to an agreement that a more appropriate phrasing with the help of the Chairman of TSAG was to say in accordance with Article 14A of the Constitution, so this was the text that we agreed that the conclusion of our meeting yesterday with the help of the TSAG Chairman to find the correct reference. So I think that with that, we have the agreement captured that we reached in our Thursday session.

So any comments? I'm not choosing to really re‑open any debates here, but simply to inform everyone of the progress of the work.

Mr. Dubuisson, please.

>> OLIVIER DUBUISSON: Thank you, Mr. Chairman. We could take this as an editorial correction but it's actually 14A of the Convention, Article 14A of the Convention, not the Constitution.

>> CHAIR: Thank you, and I think given the stage here that I'm happy to take that as editorial. Thank you. And I'm sure Com 5 would have caught that if we hadn't, so I appreciate that.

So with that, I'd like to move on to our next item of business, so we held an informal consultation group on Resolution 33, and during the meeting of that group, we had come to a proposed Resolution and in fact, the parties seem to have confirmed since that time that everyone seems to be happy with how we have resolved things, so DT30 has the report of that consultation and the proposed revised text of Resolution 33.

So to call your attention to the first thing, and ‑‑ no, first page ‑‑ part of the report, so Brazil had agreed, after some discussion, that it was probably not appropriate at this time to insert the reference they had proposed to the ITRs. I think that that would be a ‑‑ that would be viewed as a forward reference to something that hadn't been produced yet. It was suggested that perhaps this could be interpreted as meaning the current ITRs, but I think in adding text of this sort in this meeting, I'm not sure anyone would read it that way.

And so Brazil has asked for this statement to be included in the report, which we've done, so this is the report of the correspondent, but we're willing to withdraw their proposal for that particular modification.

So we had some discussion on some of the words that had been proposed in the Arab proposal, equitable and equal footing, and some discussion about what led us to consideration of some alternative wording.

The other thing we called attention to was something we'll look at a little bit later in this session, which is some text proposed for addition to A.4 and A.6 which bears on this same concern, so with that in mind, I had confirmation informally from the Arab group that of course we'll test it here, that they were content with this Resolution to the issue.

So with that, if we can scroll down to the Resolution itself. So the first things are editorial. In fact, almost everything is editorial until we get down to, and I considered striking out the word "seven" editorial here, TSB was going to change 7 to 4, but I think we make a more robust text. We don't need to say how many there are. We just refer to the objectives in the strategic plan.

And then we have a few edits in the penultimate bullet on this page which were from the original contribution, and then the words you see added here, for mutual benefit I think captures the sentiment of the participants in that informal consultation so this seemed to be a set of words that would were agreeable to all participants. So that's the report of the informal consultation.

Can I have your agreement to take that as consensus? And can we approve this as the proposed modification for Resolution 33?

I see no requests for the floor, so that's approved. Thank you.

That moves us on to the Working Groups, so we had a ‑‑ okay, I think I'm looking at the old one. Working Group 3A, as I mentioned, had completed some work on A.1, but we don't have the document yet. Mr. Dubuisson, is there anything you'd like to say as far as the progress of Working Group 3A? No, okay.

Okay, Working Group 3B, I believe we have a report. Is that DT34? So Mr. Gracie, please.

>> BRUCE GRACIE: Yes, thank you, Chairman. Actually, the DT34 is the report of 4B, not 3B. The report from 3B is not yet posted, but nonetheless, I can give you a rundown of the results of the work of the Working Group. I will be brief.

Just to tell you that the Working Group has completed all of its tasks with respect to the issue of the principle of the equivalence of the official languages of the Union, and secondly to review and revise Resolution 67. That task was completed this morning, and a revised Resolution 67 has been posted.

Now, with the understanding that certain editorial modifications would still be included in the revision to respond to the request of several interventions towards the end of our meeting. So as a result, there will be a revision 1. In fact, I think it had been posted as DT29, Rev 1, which shows the revisions. Now, I would like to simply point out that in response to a number of interventions to explain more clearly the terms of reference and activities of the SCV, we had decided to include an Annex 1, which was slightly revised from the terms of reference that appear in the original Resolution 67. So in that Annex 1 on Page 3, we have made certain corrections to ensure that the work of the Ad Hoc Group that was formed under the Russian Federation, that work was reflected in the revision to the Resolution, but also to include the terms of reference for the SCV in order to clarify its tasks.

So with that, Chairman, the work of Working Group 3B has completed its tasks, and we will have a report to be submitted to this Committee very soon. Thank you.

>> CHAIR: Okay, thank you, Mr. Gracie. When we began the session, there was a DT29 posted, but I hadn't yet seen the 29‑R1, and perhaps to give people a chance to read it, if we do have time, we may try to pick it up later in this session, but I won't propose to pick it up right now.

We did have one other drafting group which has completed its work, and has the documentation available. And this was the drafting group on Resolution 35. So Mr. Lee Chaired this. The document is DT21 so if I can ask Mr. Lee to introduce the results of this drafting. Thank you.

>> CHAE-SUB LEE: Thank you, Mr. Chairman. With the gracious help of our members we completed or remission to revise Resolution 35. This is in TD21. Before I'm going to go over this document, I indicate several areas we need some editorial corrections. So may I going through this editorial correction? The first one you can find in the second page, the starting point of the Resolution 35, under the considering item B, it start with, "with following," that's the cut and paste mistake so you have to delete, "with following with the colons," so this B start with, "Article 20 of the ITU Convention." So B should be starting," Article 20 of the ITU Convention, "so please delete," with following, colon."

And second correction to be needed, item E item E, while discussing Resolution 35 we tried to change shall to should but we following this principle we made some mistakes because of some text as referenced from the Convention. So in that case, we have to keep "shall" as much as possible, because that's following the Convention. We just referenced the Convention, so we found two areas. The first one is item E. We change "shall" to "should," but retain "shall." This should be "shall." Sorry about that. But that's reference from the Convention. We have to retain "shall" here.

Next one is item F, item F, the first line start, "that number 197G of the contention change that TSAG," again change shall to should, with after that a quotation Mark. So we have to start quotation after the TSAG. So TSAG, quotation, shall adopt its own working procedures. The correct language should be, after the TSAG, that TSAG, colon ‑‑ that TSAG, the quotation, shall adopt its own working procedures. That's the correct way.

Finally, the last page on Annex C with finalize this Annex C with the agreement of ‑‑ removal of one proposal, which is already covered in other descriptions, we forget to add about a footnote, so we have to add a footnote considering referring to Resolution 58 of Plenipotentiary. So the proposal is in Item Number 5 in Annex C, Item Number 5 in Annex C, start with, "regional representation." This representation should be add, footnote. This footnote should be number 4. Sorry for that, it's a little bit long, but I had to read it. You may have no problems with this, I hope.

This footnote is like this, "take into account Resolution 58 revised Guadalajara 2010 of the Plenipotentiary Conference in regard to the six regional telecommunication organisations, namely," then the name of 6 organisations, like APT, CEPT, CITEL, ATU, ALS and RCC. That's just a list of regional organisations. That's just referencing from the Resolution 58. So we can add footnote to make sure what meaning of the regional representation. That's all changed, all editorial corrections. Sorry for this inconvenience, but we have to submit it for translations, it was a little bit rushed.

With that it's all the corrections from my hand with this. I will briefly introduce this document. The first page you can see a very, very brief report referencing the 8 documents, 8 input documents. I believe we have great job, so we have finalized this document at one point, you can find with a bracket, bracket this the ‑‑ locating ‑‑  where is that? Come on. I will indicate.

So this bracket means one of our members, they expressed their objection of this sentence that's identified in the bracket. So I'm sorry, I wish to finalize of this but unfortunately we couldn't finalize with our mandate so this is a remaining issue which needs some discussing here. So our Iran colleague object of this statement.

Okay, with this, another minor point is that following many translations of this Resolution, the Arab language have some difficulties saying about, in the case of Annex A, B, and C, so they preference have Annex 1, 2, and 3. But I believe this is an editorial matter so we have to add to Editorial Committee to take into account this difficult case.

That's all. And let me introduce of this Resolution 35 that you can see very easily with Markup, B is newly added, just a reference to Article 10K, highlighting the equitable balance with some encouraging developing countries. That's the major part. And then we add one of the important Resolutions, special Resolution 166 of the Plenipotentiary identify a number of Vice‑Chairmen for Study Groups and advisory groups. And we had some noting here on the third page. We had some noting to indicate some of articles in the Resolutions, and then take into account, you also indicate the Resolution 55 of the Assembly, the importance of the gender balance, gender policies. That's another issue we had over here. And then the resolves, we add new Annex for guidelines of nomination for Vice‑Chairs and Chairmen, so we indicate some guidelines given in Annex C to this Resolution. That's the major part of what the change of this resolves.

And Item Number 4, in this resolve, the last part of this page, we indicate the term of office for both Chairmen and Vice‑Chairmen should not exceed two terms of office between consecutive Assemblies. So this is new additions on this Resolution.

I believe that's the major part. Yeah, we have one more addition. Item Number 6, next to page before Annex A, this is addition to indicate the special case of the Chairman and the Vice‑Chairmen who are nominated following number 244 of the Convention. We agreed in that case doesn't account on the terms of office.

And then following Annex A, we have some small modifications. I don't think is any serious so that you may easily identify what point as I did. Item B, now we are looking at item B is the point our member, one of the members, Iran colleague, want to object of this sentence, this part. Item B is the case. The ITU‑T Sector Member, they carry out ‑‑ they nominate their candidate of their nominations, we ask to take prior consultation to the Member States or administrations, but our Iran colleague indicate this is a National matter. This is not a subject for the international Resolution. So with this, he object of this statement, so we have to discuss on this point. That's item B.

And no other changes. In Annex B, we have a little bit more change but the content‑wise, not so different. We only merge ‑‑ previously we have two different criteria, identify the Chairmen and Vice‑Chairmen of Study Groups, and later part was identify the Chairmen and Vice‑Chairmen for TSAG. We agreed to merge it together, so in case of Chairmen and Vice‑Chairmen, we also Study Groups and the TSAG, so we can merge together.

And Annex C is the new one, so this is the guidelines for appointment of the optimum numbers of Vice‑Chairmen for the Telecommunication Standardization ‑‑ advisory groups and Study Groups so this is mainly based on our contributions. The first one is again as general high level guidelines we referred Resolution 166 and the second one is taking into account our competence of the expertise, and Item Number 3 is the workload is the key factor to determining the appropriate number of Vice‑Chairmen. And the number 4 is the total number of Vice‑Chairmen. It's fairly reasonable, so we have to observe the principles on this given by the Resolutions.

And the fifth item is regional representations, and Item Number 6 is the case of the reelection of Vice‑Chairmen. That's all our additions in this new Annex C.

So as I said, Annex C is the guidelines for appointment of optimum number of Vice‑Chairs. That's all our result done by these drafting sessions. Thank you very much.

>> CHAIR: Thank you, Mr. Lee. I see a request from the floor for the Emirates, please. Algeria? Well, I think the Emirates had the card up first. So take Emirates and then Algeria.

[ No audio ]

>> UNITED ARAB EMIRATES: Thank you so much, Mr. Chairman and good afternoon to all colleagues. First of all, I would like to thank the Chairman of this drafting group on this important topic, Resolution 35, and thanks for his report. We don't have any difficulty with the editorial changes that he has mentioned all in their correct place, Mr. Chairman. However, I would like to emphasize and highlight on the remaining or pending topic left on this Resolution that is the square bracket sentence, which is in Annex A, and as he has clearly mentioned, Mr. Chairman, during the discussions held in the drafting group, the Chairman has clearly mentioned and I was participating in the draft group. It was the consensus, Mr. Chairman, of probably all the room during the discussions with one administrations disagreed with this sentence. However, if I could, Mr. Chairman, just recall the attention of you and all the colleagues here in the room that a little bit back ground and history behind this sentence is that this is not totally a new sentence injected in this Resolution.

We were following, Mr. Chairman, clearly the guidance and the guidelines given to us by Plenipot Resolution 16 of Guadalajara 2010. Recalling the attention of everyone that Resolution 16 was calling all the Directors and all the Bureaux, all the offices of the sectors in the Union to do some measures in selecting the chairs and the Vice‑Chairs of all the relevant Study Groups, and we have successfully, Mr. Chairman, during this year RA Assembly 2012 in Geneva, we have successfully implemented a new measure and a new guideline in a Resolution called Resolution 15 of RA 2012. And this sentence, Mr. Chairman, drawing your attention and the attention of all the colleagues, that this sentence exactly identical and symmetrical to the same sentence which appears in Resolution 15 of the R Sector.

So we could succeeded in the R Sector, and we are trying best actually to success again in the T Sector, in the TSB, by injecting the same sentence in here in Resolution 35. So that was the essence, that was actually the rationale behind injecting such a text, and that was the clear indication even in the drafting room of Mr. Lee's group.

So I really wonder, Mr. Chairman, and I really have difficulty on behalf of the Arab group. The Arab group was contributing to this Assembly and have the contribution on modifying Resolution 35 by injecting this sentence again in Annex A, which is a procedure, a very important procedure for the appointment of the Chairman and the Vice‑Chairman.

So we have, Mr. Chairman, a difficulty to accept having this sentence between a bracket, and our proposal is to remove the square bracket. Thank you.

>> CHAIR: Thank you, Emirates, for that intervention. I'm seeing several more requests for the floor and I imagine several are on this point. But before we move into the queue, let me indicate two things about how we can proceed here. For one, I'd like to ‑‑ I would like to test consensus is everyone is happy with the description of the editorials without seeing a revised document posted.

I think for many of us, it was clear enough, but there were quite a few editorials. If people would prefer to see that in writing, we could get that posted and consider that on Monday, if people are comfortable with Mr. Lee's explanation, we can proceed.

In terms of how we treat the clear bracket consensus ‑‑ excuse me, the square bracket sentence, the drafting group doesn't have some of the authority that the Committee does, so the Committee has a number of ways of making a decision. So I think the Committee is able to decide based on a clear majority. We don't need unanimity, but a clear majority we are able to make the sentence a decision, and I would hope that we can not leave anymore square brackets than necessary for our Chairman so I would attempt to see if we could reach that level of agreement on the sentence.

So first of all, let me ask, simply by a show of hands, are there any parties who feel uncomfortable with the description of the editorials, and feel like they need to see those updates in writing before they can take a decision on this text? We can defer it till Monday if people want to see posted the editorials.

If everyone is happy with the description, we'll continue a short discussion on this sentence and then see if we can take a decision. So is there anyone who feels like they need to see the editorials in writing? Or is everyone comfortable? I'm not seeing any hands in the air, so I'll take that that we're able to move forward in the discussion.

So then we'll turn ‑‑ looking at who is intervening, I'm guessing most of the additional interventions here are going to be on the same subject of opinions concerning the square bracketed sentence. So with that, let's move on to is it Algeria or Germany? My display says Algeria.

>> ALGERIA: Thank you, Mr. Chairman. Of course, I recognize the work by this drafting group which I would admit is not a simple one, to define these regulatories very, very clearly. However, I have difficulties in understanding resolves Item Number 6, which says that the interval between Assemblies during which a Chairman or Vice‑Chairman is elected under number 244 of the Convention does not count towards their term of office. I tried hard, but I could not understand the contents. If you could clarify, please.

>> CHAIR: Thank you. I'd be happy to clarify that. The intent of the drafting group was to count the terms where the Chairman is appointed at WTSA, and so if between WTSAs a Chairman is unable to complete a term and a new Chairman is elected by the procedures that are in 244 of the Convention, so someone has been elected from among the Vice‑Chairs and then has served a partial term, that partial term does not count toward the term limits with this phrase. So any partial term would not count. You get two full terms beginning with WTSA. So that is the intent of that phrase, and that's what 244 of the Convention is about. I hope that clarifies.

Next intervention is from Iran.

>> IRAN: Thank you, Mr. Chairman. I would also like to join others congratulating Dr. Lee for his very efficient conduct of the meeting. However, with regard to the square bracket, the explanation that my administration would like to provide is as follow: The first one is that the expression "prior consultation" is not clear. Is very vague. That prior consultation means, prior permission? If that is the case, then we are questioning the independence of the Sector Members.

Mr. Chairman, as everyone knows here, in the membership of the Union, we have full member administrations and we have Sector Members who are independent members. We believe prior consultation if it means prior permission from the administration who are the Member States, it jeopardizes the independence of the Sector Members. That's the first one.

And on this part, I would like to recall that in many developing countries, the trend for privatization means to respect and provide independence which is appropriate for each Sector Member. And the second point I would like to mention, Mr. Chairman, is that whether ITU has the possibility or the permission to decide on behalf of the administrations, and here I would like to request if the answer is not clear, if through you, Mr. Chairman, the legal adviser of the Union can comment on this whether it is in the mandate of WTSA Resolution to tell administrations how to do certain things and how not to do.

I believe that it is within the area of administrations to decide how they want to deal with these internal issues, so a legal advice on this would be very useful.

And the last point, Mr. Chairman, is that if any prior decision has been made as was mentioned by distinguished delegate of UAE on previous Resolutions, that does not mean that we should follow the same example. As clearly has been mentioned before, also the Plenipotentiary Conference has emphasized on the role of, and the importance of, the candidates and the suitability of the candidates who are eligible for the job, but this does not mean that the Sector Members should get permission from their members. These are the reasons for my administration to request removal of the whole paragraph as it is. Thank you, Mr. Chairman.

>> CHAIR: Thank you, and before I move a little bit further in the queue, if I may inject my own reading of this. So first of all, I see the word "should," so to me, whenever I see the word "should," it means it's recommended but it's not mandatory, and so in the case where ‑‑ I see you in the queue ‑‑ so in the case where it is not normal practice in a particular administration to review the nominees that might come from Sector Members, there's nothing to force that to happen if that not normal practice. However, in view of the fact that the appointments and the selection among the candidates are made among Heads of Delegation, clearly those choices are made by the administrations. The Member States are making those choices so it would seem to me to be a good idea in general for a Sector Member to consult with their administration. Now, "consult" to me does not mean get permission. It means consult, so you should advise your administration in general, or it's recommended that you consider advising your administration of a possible nomination.

It doesn't mean you need permission, so I don't see anything that is that strict. I think within many administrations, it is customary that this practice is followed out, that Sector Members discuss with their administration candidatures ahead of submissions of nominations so I think that's a normal practice. It's not mandatory according to this, so it's to my reading actually quite soft in terms of its meaning, so it's documenting a normal practice. So that's my reading of it, as Chairman. So if that helps in some of the discussion, we'll then return to the queue.

So next in the queue is Russia, please.

>> RUSSIA: Thank you, Chairman. Chairman, we fully support what you have said, and indeed, right now if we look at list of candidates, then we see that we have candidates broken down by administration. That where the candidates are from. The candidates from the administration. We understand that it's not Sector Members but we do understand the concern put forward by Iran. We think that we should say "recommend" rather than should. We should say recommend Sector Members to carry out such consultations. We think that would be more appropriate. It would also open things up and be broader, more in line with what you've just been saying Chairman. It would allow us to give advice and after all, what we're doing here is recommending that ITU‑T Sector Members carry out such consultations. We understand that here at the Assembly we're looking at candidates, and of course we're going to be looking at candidates from administrations, despite the fact that within their country they may represent Sector Members. We understand that's how it operates here at the Assembly level. What we're trying to do then is to avoid needless competition.

But all we can do is recommend. They of course are independent, they're autonomous so we would suggest the word "recommend." Thank you.

>> CHAIR: Thank you. Cuba, please?

>> CUBA: Thank you. Thank you, Chairman. I have taken the floor to refer to part of the Resolution. This isn't something which is being debated, but you talked about the possibility of altering the Resolution in noting B. Here we talk about Resolution 58. This was discussed in Guadalajara, and bolstering cooperation between the ITU and regional Telecommunications Organisations. For us, the Cuban Delegation, in this Resolution 58, there was discussion of bolstering cooperation between the ITU and regions and countries. That was the concept there.

We fear that we might be left out of this, because we don't belong to any regional organisation. So we'd like, in the wording of Resolution 58, this concept of countries, as well as regional organisations, to be respected. We want it to be more general. We want all of the text to be adapted to that, so we don't just want a reference to regional organisations. We want the precise wording of Resolution 58 to be taken up here so that countries are mentioned, as well. Thank you.

>> CHAIR: Thank you. Of course, we have no authority to modify Resolution 58, as this is under the responsibility of the Plenipotentiary, so clearly we'll need to have that taken up at the next Plenipot, so I think that's not something we can address.

Emirates, please.

>> UNITED ARAB EMIRATES: Thank you very much, Mr. Chairman. Mr. Chairman, I would like to second you actually in your statement in regards to the square bracket sentence, and the clarifications that you have made, as well as seconding Russian Federation in their support for keeping and maintaining the sentence as it is in the Annex part. Plus the fact that hearing and having heard the explanations and the expressions by the colleague from Iran administration, I would like to highlight, Mr. Chairman, that the word "prior consultations" was even intensively discussed during the RA Assembly, and as a deal or as a compromise solutions, we have came through a discussion and agreement that prior consultations should not at all mean that there should be an approval by the Sector Member or the Member States.

However, it should be taken as an exercise for prior consultation between both entities: The Member States, the State that have the authority in sending the nominations officially to the Bureau, and the Sector Member available in that particular country.

Also, Mr. Chairman, I would like to highlight that I don't really see any difficulty by maintaining the sentence as it is in the Annex part. The sentence, in its reading, it's a guideline. It's in the recommendation phase of it, so I don't really see any hard in placing the sentence in the Annex part of the Resolution. We have discussed even this text before during the Assembly, and we were having the proposal to have it even in the body Resolution of the text. However, as a compromise, we have left by the agreement to place it in the Annex part of the Resolution, one of the Annexes, which talks about the procedure in here.

So again, Mr. Chairman, our view on behalf of the Arab group is to maintain the text without a square bureaucrat net in the Annex part of Resolution 35 that talks about the procedure. Thank you.

>> CHAIR: Thank you. Russia, please?

>> RUSSIA: Thank you, Chairman. Well, I just wanted to draw attention to one point, and this is a point I bring to the attention of our colleague from Cuba, at the PP when we prepared and drafted Resolution 58, the interest referred to where taken into account.

Look at resolves 2 in Resolution 5. It's very clear there, there is specific reference to taking into account the interests of those countries that are not members of regional organisations. So we agreed on that footnote. We agreed on that and we know what happened at the Council and other levels. All of that was taken into account, because we have these special words here, and indeed, appropriate, special terminology was used in order to ensure that all interests are taken into account, and Resolution 58 makes this explicit.

It actually does indeed reflect the concern put forward by our colleague. Thank you.

>> CHAIR: Thank you, and as I said, it's not for us to debate Resolution 58 here, and so let's not go down that road. Let's concentrate on what's in this Resolution.

So while I have the queue of interventions here, I'd like to take one from the podium from Mr. Lee first.

>> CHAE-SUB LEE: Thank you, Mr. Chairman. Concerning this Arab colleague's comment, when we started our drafting session, we have some common understanding whenever we have a subject as we can find in both sectors together, we try to keep alignment as much as possible. If the content‑wise is the same, the objective is content is almost the same case, we try to get alignment, even maybe some different understanding of the English or text might happen but as a collaboration and consistent point of view, we try to keep alignment as much as possible.

So in this regard, when we touch on this subject, we clearly understand, we'll look at the Resolution to develop the RA. We understand ‑‑ we identify this statement is just aligned exactly, identical with the Resolution developed by RA. So my observation is if we change the word from here "should" to "recommend" or any other words, might be ‑‑ give some confusion to the readers how we can understand the difference between should and "recommend." Even the same content, same objective, same condition, but two sectors have some different, slightly different, descriptions.

So if the content‑wise, the essence is same case, we are as we agreed during the drafting sessions try to keep alignment between two sectors, even we identify this Sector as well, we try to keep alignment as much as possible. That's for your information. Thank you.

>> CHAIR: Okay, thank you. I'm sensing that judging from who appears in the queue that we might be starting to go in circles, so I'd like to close the queue after Cuba. So Iran is next.

>> IRAN: Thank you, Mr. Chairman. Since I requested through you a legal adviser to comment on whether WTSA could decide on behalf of an administration how to behave, I would like to request you to do what I had requested.

And second point is that as a way of compromise, I would like to support the comment made by distinguished delegate of Russia to include the word "recommend" to the administrations, and that is I think a good way to resolve the problem. Thank you.

>> CHAIR: Thank you. I said I would close the queue after Cuba, so let me give the floor to Cuba, and then I'll ask the legal adviser to comment. Cuba, please.

>> CUBA: Thank you, Chairman. Chairman, I'd like to clarify what I said. I'm not asking to change Resolution 58. I was referring to Resolution 58 because I want the contents of 58 to be clear in this text. We want countries to be mentioned. I think the explanation given by the representative from the Arab States to include a footnote was a satisfactory one for us. We're not trying to change Resolution 58. In the Spanish text, which we're dealing with, there's a footnote, so if that could be done as a general measure, then that would be satisfactory for us.

We don't want to change Resolution 58. We want the contents of Resolution 58 to be quite clear.

>> CHAIR: Okay, if I can ask the legal adviser to comment on whether ‑‑ on the concern of Iran that this might imply something mandatory on behavior of an administration or even Sector Member. Legal adviser, please.

>> R.K. ARNOLD: Thank you, Chairman. Chairman, I think Iran referred to two issues. The first of those is linked to whether we should understand prior consultations, or whether we should really be referring to or understanding prior permission. The wording of this provision was studied very closely at the RA in 2012, and the terms were selected in such a way that no contradiction with the relevant provisions of the Constitution would arise.

We're really talking here about a consultation process, not a the situation making process by administrations or countries in question, so the response to the first question is: No. We're not talking about permission. We're talking about consultations. Permission would be in contradiction with 28B of the Constitution.

Secondly, I'd like to draw your attention to the fact that the conditional form is used throughout this, "should" in English. This means that it is obligatory neither for the Sector Members nor for the Member States.

Finally, to answer the question about the possibility of the WTSA's imposing a particular procedure on an administration. I'd like to draw your attention to the fact that one effect of the entity affected by this provision is not the administrations, it is the Sector Members who are required to carry out prior consultations before where appropriate they submit candidates or nominate candidates.

So here the WTSA is not being dragged into any type of internal domestic National procedure. I hope I've answered your questions, but I remain at your disposal if there are any further requests for clarification. .

>> CHAIR: Okay, so I do see Emirates in the queue. Can I ask what topic? Because I had closed the queue on the previous topic. Same topic or a new topic?

>> UNITED ARAB EMIRATES: Thank you Chairman. It's on the same topic actually. I would like Mr. Chairman to take the floor again and share what Mr. Arnold from the legal adviser of ITU has just said. The whole sentence was having intensive discussions on two main words Mr. Chairman on RA. The prior consultation and the word "should," and as he said before me, it was really, really intensively discussed, and conditionally approved by everybody in the Assembly at that time in Geneva, January this year, that word "prior consultation" and "should" are the appropriate wording for the sentence to go in the Annex part of the Resolution. It was a proposal to have "could" "would," "might." However at the end, we just conditionally everybody was in consensus agreement that we use "prior consultation," and we use "should" in the sentence, so I would really Mr. Chairman like you to through our colleague from Iran administration to reconsider his proposal on this sentence. Thank you.

>> CHAIR: Okay thank you. So I would like to first test with ‑‑ so the legal adviser indeed has confirmed my reading and my understanding of this sentence and so let me ask who would oppose? Is there more than Iran in opposition to accepting the text as brought back by the drafting group if we remove the square brackets?

Do we have more ‑‑ is there anyone besides Iran who would oppose that as a consensus judgment? Okay, I see no one else taking the floor, so it seems like we've had several speakers on the side of accepting the text as it's come from the drafting group, and so I do think we have a clear majority in favor of this text, so with your permission, I'd like to adopt the text, with the editorials indicated by Mr. Lee. We will remove the square brackets and declare that a clear majority decision of Committee 3. Thank you.

So with your indulgence, ladies and gentlemen, we are ‑‑ we took longer on this item than I had hoped, and there is, in fact, one item where I expected we would need to create a drafting group, and that is with respect to recommendation A.7. We have two proposals which I would like to invite a very quick introduction of. We do have edits from TSAG which have been extensively discussed and the proposals bear mostly on the selection of option A, B, or C for the financing option so if I can invite very quickly because what I'd like to do is agree to send this to a drafting group and see if we can charter that before the weekend so that we have some opportunity to have time for those meetings.

So Asia Pacific contribution, this is 35, Addendum 11. Could we have a presenter for that, please?

Interpreters, if we could have perhaps 10 minutes from now, I suspect we can conclude by then. So Japan, please.

>> JAPAN: Thank you, Mr. Chairman. This contribution is APT Common Proposal which intends to revise A.7 recommendation in terms of the use of TSB resources to help strengthen Focus Group activities. Actually we believe strengthening Focus Group is crucial to ITU‑T and also believe that enhancement of ITU‑T activities is beneficial for APT members, particularly for developing countries.

So in this contribution, APT proposes that A.7 be updated in the sense that the significance of focus groups should be assured sustainably. In Section 2 first of all let me follow the history regarding the description of A.7. In last TSAG meeting Japan and China proposed respectively to make TSB's resources available in Focus Group activities. Whereas Germany proposes to maintain the current principle which is the self‑financing of focus groups.

 there are several observations in the discussion of those contributions in the TSAG. The first observation is that for the support of Japanese ‑‑ supporter of Japan's and Japanese and Chinese proposal, adequate funding on Focus Group activities is important for further ‑‑ for the future of ITU‑T and to narrow the standardization gap.

The second observation is that for the supporter of German contribution, the Study Group is the mainstream of ITU activities and the principle of the Focus Group is to facilitate or accelerate Study Group activities and as such it should be voluntary instead of financing based.

The third observation is whether the issue of accessibility should be dealt at higher level or not. Those observations made us recognize that there are three options to be considered in the further discussion, namely, option A is to keep the current text, which is in accordance with German proposal.

Option B is to keep the current text with the addition of encouraging participation from persons with disabilities, taking into account resolves from Resolution 175 of PP. And also of Resolution 123 of PP.

And this option reflects sentiment for careful financial support for disabled people and participation from developing countries.

The last option is option C, is to have the text on financing prepared by Japan in support of Chinese contribution.

In the paragraphs of Section 2, please have a look at the actual text for each option that were examined in last TSAG meeting.

So in Section 3, we would like to discuss the issue of financial support for focus groups from four aspects. The first aspect is participation of disabled people. This is totally inconsistent with Resolution 175 whereas option A doesn't allow for use of TSB resources for this purpose. Obviously option B and C satisfy these requirements so from APT perspective, the text of option C is amended to refer Resolution 175, clearly as is done in option B.

And the second aspect is Bridging the Standardization Gap. We believe Resolution 123 needs to be considered not only for wider participation in Study Group but also in Focus Group. As far as options available now is concerned option C only allows to meet such requirement so we revised the text option C so it can be in accordance with Resolution 123, as well.

The third aspect is the technical competencies of ITU‑T as a supporter for German contribution admitted, Focus Group serves as an accelerator of Study Group activities, whereas enhancement of Study Group activities will lead to technical competencies of ITU‑T. In that sense if we strengthen the Focus Group activities by the use of TSB resources we could improve technical competencies of ITU‑T.

On the other hand, if competencies of ITU‑T is becoming insignificant, the measure placed on standardization activities will be in other SDOs which would incur increased cost for participation and widen the standardization gap. So close note that option C can only allow TSB to request support in consultation with the Chairman of the parent group and/or Chairman of Focus Group. The final observation is cooperation with other SDOs. As the nature of Focus Group it is privileged to be open to experts from non‑members. Focus Group can play a strategic role of leading standardization activities. We believe that with adequate financial support, Focus Group can best serve as a central place for collaboration on international standardization.

So please note that again that only option C can allow TSB to request the support in consultation with the Chairman of the parent group, and the Chairman of a Focus Group. So in conclusion, moving on to Section 4, APT proposes new text for clause 4 which is now merged with original clause 4.1, and is reflected in the proposed draft of revised 175 attached in this contribution. This concludes my presentation. Thank you, Mr. Chairman.

>> CHAIR: Thank you. Then if I can ask for a very brief, because we're interesting the interpreters' indulgence introduction of European Common Proposal 45 Addendum 7 and then I'd like to move quickly, very quickly to creation of a drafting group for this. So presenter for the CEPS proposal? Do we have a presenter? Is this for the European Common Proposal? Okay, yes, please, Germany.

>> GERMANY: Thank you, Mr. Chairman. Distinguished ladies and gentlemen. on behalf of CEPT Member States I would like to briefly introduce the CEPT proposal contained in contribution 45, Addendum 7, with a few revising the existing recommendation A.7 relating to the establishment and working procedures of focus groups. The proposal mainly based on TD395 provision 3 we I summarizes the latest discussion on TSAG. However in particular during the various TSAG meetings some issues remain unresolved and consequently alternative texts have been marked as potential options, in particular with regard to the financing aspects of focus groups. The following principles have guided the proposal of the CEPS Member States. Firstly, optimize the use of the technical experts. Second, avoid any duplication of work between the Study Groups and with other study bodies.

Third, avoid any duplication of work within the ITU‑T Study Group, improve the efficiency and expertise of the Study Groups and minimize overall costs of the ITU‑T.

The CEPT have done some analyzing. You can read it in the contribution. I think I don't repeat in the spirit of the time pressure. And bearing in mind the principles we set out, CEPT supports most of the changes of the ITU‑T recommendation as agreed at the July meeting of TSAG, which can be found in TD395, provision 3, except for some clause as presented in Annex A of the CEPT contribution.

Regarding the issue of financing, clause 4, CEPT is concerned of the order of magnitude of funding requirement to cover option C as given in TSAG TD395, provision 3, and consider such fundings cannot be handled through the existing budgetary appropriations without on going important work. As a concept CEPT supports option B as in given in TD‑395, Revision 3, the presented document which I do know because of the time pressure. CEPT requests the addition of new tax in clause 2.1 to clarify the process for the establishment of the Focus Group.

So Mr. Chairman, in light of the short time, this all, if one could read the proposed drafting group, we can emphasize the analyze so I stop here. Thank you.

>> CHAIR: Thank you very much. And as I said, I would like to create a drafting group, and I add had made some effort since the positions of Asia and Europe in this issue are well known, to find someone outside of those regions who could provide an impartial hand in that drafting group and I'm hoping that the request from the floor from Canada. No? So intervening on a different point, or ‑‑ so very quick intervention from Canada. Then I'll ask for a volunteer.

>> CANADA: Thank you, Mr. Chairman. I wanted some clarification as to the prioritization scheme that's used here in terms of the agenda items because I noticed that you skip over many items including the CAN proposal in order to get to the last one that you squeezed in here. Thanks.

>> CHAIR: Thank you. My priority was that I didn't envision that these other items would need any drafting activity, and therefore, I felt like in order to have the option to use any weekend time if we could, I wanted to get that drafting activity initiated. The others I thought we could handle in Committee, so whether that's done today or Monday was not as important as anything that required a drafting activity.

So I am looking for a volunteer, preferably from outside the regions that we have. So is there a volunteer I can have to lead that drafting activity?

Okay, I see no requests for the floor. I'll look back and forth across the podium and see if any of my Vice‑Chairs maybe some who have completed their work might have the ability to take this on. I see ‑‑ I see one at the far would ‑‑ Mr. Lee is from Asia, of course, so Bruce, any chance?

>> BRUCE GRACIE: I'm reluctant to say thank you, Chairman. Perhaps I could, if I do take it on, I would be ‑‑ I'd appreciate the assistance of Mr. Dubuisson who was very active in TSAG on this subject. In fact, if ‑‑ well, of course, he's from the European region, so if the both of us could take this on, I see him nodding, so we will do so. Thank you.

>> CHAIR: Okay. Thank you. So primarily, Mr. Gracie with assistance as necessary while maintaining impartiality of the discussion.

So I appreciate that, so we ‑‑ let me ask the interested parties to help find a time just after the close of this session. I won't attempt to do it with the interpreters, because it may require some time to find available slots and with that we'll adjourn this session and we have the next session on Monday. There are drafting activities this evening and Monday morning and perhaps over the weekend once we have this discussion on A.7. Thank you.

[ End of Meeting ]

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