

**Captioning finished November 2, 2016 at 2230 hours. The following text is a transcript by the ITU Secretariat, based on the English webcast, from 2230 hours (= 2:33:54 of webcast) until the end of the session at 2345 hours. This text does not constitute an official or authentic record of the proceedings.**

**Chairman:** Thank you, Emirates. Thank you for this proposal referring to the TSB Director proposal, region[?] proposal. Ukraine? You have the floor.

**Ukraine:** Thank you, Mr Chairman. Well, as far as this combatting counterfeit is concerned, I refer to Resolution 188. And in order to avoid long-lasting discussions, my proposal is to remove this text related to DOA from this draft resolution, and limit it to the text which was agreed by [the] Plenipotentiary Conference in their Resolution 188, *considering e)*, with a reference to specific Recommendation X.1255 and we believe it's enough. And I just would like to draw also your attention that this issue of combatting this counterfeit ICT telecommunication devices was carefully studied by the Study Group 11 in due time, and the technical report was produced, and in this technical report on combatting counterfeit ICT equipment, there is no reference to a DOA solution at all. Any contribution was not provided to the study. Also, ITU had two events on combatting counterfeit in 2014 and in 2016 in June, quite recently, and once again no solution based on DOA was provided for describing the mechanism for combatting counterfeit telecommunication/ICT devices. So we believe that this text in the square brackets in this draft resolution is very prejudging, and we propose, as I said before, to limit the reference to DOA just to the provision which was agreed by Plenipotentiary Conference. Thank you.

**Chairman:** Thank you Ukraine. We have a proposal from Ukraine which is keeping only the text as approved by the Plenipotentiary, based on Resolution 188, you said. Ukraine?

**Ukraine:** Yes, Mr Chairman. Exactly. It's Resolution 188, Combatting counterfeit telecommunication/information and communication technology devices, and specifically, *recognizing e)*.

**Chairman:** *b)*?

**Ukraine:** *e)*.

**Chairman:** Ah! I don't see because of the time. Ok, thank you. Thank you, Ukraine. Russia. And that closes. This is the final intervention. Russia please.

**Russia:** Thank you, Chair. I think that you can, we can help you on this question. As you summarized a few minutes ago, we are again, we have again heard two opinions who are quite different, one from each other. We have worked a lot at this conference on questions of DOA, and specifically on this resolution, and we discussed any possible compromises. There were some interesting proposals that were considered, and the outcome – we thought, well, our delegation, with our colleagues, we discussed what are the possible compromises in this situation? We think that the most logical and best compromise is to use the text which has already been agreed upon by all Member States. Text which was agreed upon by the Plenipotentiary Conference, and the Council decisions. The question is as follows: do we recognize the decision of our higher bodies – the Plenipotentiary Conference, for example, and the Council? I think that we can't have two opinions on this, and I'm sure we should recognize these decisions. Now, we are now at recognizing, here, a section, thus we propose the following compromise: in the Resolution on counterfeit, we would propose to use the text from Resolution 188 from the Plenipotentiary Conference, just as a copy and paste exercise. And this, we can see this in front of us at the moment. So again, I'd highlight that this is a copy and paste exercise from

Resolution 188 of the Plenipotentiary Conference. The rest of the elements concerning digital object architecture, we would propose to delete that from this resolution. So this is the substance of our compromise proposal. Also, we would like to add that we have a similar text in other resolutions which are on our agenda for consideration today: this is Resolution 50, 60, 78 and the Resolution on theft. In these resolutions, we propose to use the text that has been agreed upon at the Council this year. The text is as follows: *recognizing* that Council 2016 confirmed that the study of technical aspects of DOA is a matter of the relevant ITU study groups. Again, this is just a copy and paste from the Council decision. I would like to highlight separately that we are not proposing any new terms, no new sentences or phrases. We are proposing to make a copy and paste of the Plenipotentiary decision in the Resolution on counterfeit and a copy-paste from the Council decision in Resolutions 50, 60, 78 and the Resolution on theft. This is our proposal. We've already discussed this today in the informal group and with regional representatives and we prepared a package with our proposal, and we sent this to the Secretariat. As far as I know, our proposal was sent around to all heads of delegations this afternoon, and I hope that everyone has had the opportunity to read it through. But in any case, the proposal itself is quite simple. So again, we would remove all elements on DOA from this resolution, and we will leave only the text that has been fully copied from our own Plenipotentiary base documents. Thank you very much, Chair.

**Chairman:** Thank you, Ukraine [sic] for your hard work on looking for to find a way out of this issue. So if I can summarize, you're proposing to consider the same text as in the Resolution 128 [sic] for the present discussed text about counterfeit and to propose in the *recognizing* part to reconsider or to recall what the Council confirmed in 2016, as per the proposal on the screen. So, I would like you, distinguished delegates, to give your opinion on these proposals made from our colleagues from Russia. Please, I would like you to position or to make your position, or eventual comment, on the proposal that we have on the screen. I can remind them to delete all other mention or other paragraphs where DONA or DOA are mentioned, and to keep this c), which is a copy-paste from Resolution 188 from the PP, and maybe we can get your opinion on that, considering that the proposal of Russia is the text in yellow, will be inserted if agreed in Resolution 50, 60, 78 and draft new resolution on theft, of course, if it is agreed as a new resolution. I propose you to give us your opinion on this proposal. Thank you. United States?

**United States:** Thank you. I wasn't taking the floor as the United States, but forgive me for taking the floor as study group 15 Chairman, since our work was invoked earlier in this debate. Of course, in something like G-fast, or any of our technical work, we do make technical choices and we publish them in recommendations, but we do that after receiving contributions, and having the technical experts in the study group evaluate the merits of the different technical approaches and making those choices accordingly. I look to WTSA, from Study Group 15, as the group that will give me my study-group responsibility and mandate and assign me Questions for study, effectively to tell me what problems I need to solve. I don't look to WTSA to tell me which technical solution to adopt. So I wouldn't, for example, in G-fast, look to WTSA to tell me whether G-fast should use QAM or DMT modulation. So, I think, if things are at the appropriate level of conveying the problem that needs to be solved, at least from a study group perspective, that's what we would look to WTSA to provide. Thank you.

**Chairman:** Thank you, Steve. Shall I consider this as a position of US? Steve?

**SG15 Chairman:** No. I was speaking as Study Group 15 Chairman. I think the comments on the proposals come from the Member States. But from the perspective of a study group Chairman, I would

prefer to see this body send, identify the problems to be solved, and not the technical solutions to adopt. Thank you.

**Chairman:** Thank you Steve. But I would better let the floor to Member States to express their positions and please, chairmen of study groups, I have heard three of them expressing their opinion. Of course they are doing a good job in ITU-T study groups. This is why I can consider giving them the floor on these topics. But when it comes to hot topics, we should leave it to Member States to express their opinion and position, please. Thank you. I was wondering where why I had two United States, one after [the] other, and then I give the floor to United States as a Member State. US please.

**United States:** Thank you, Mr Chairman. Sorry to be confusing about that. So, Mr Chairman, unfortunately this proposal will not meet our needs. When we look at this resolution, it's not simply the matter of preferential treatment of a particular solution, it's because, also, that there's no technical basis in these cases for preferring that solution. There are opinions: I freely admit that. But the technical foundation to support those opinions has not yet been laid. I would also point out that, when you look at the resolution, and go to *instructs Study Group 11, in collaboration with other study groups concerned*, items 3 through 7 also relate to the digital object architecture, either directly or indirectly. So this matter is much more complicated than just putting in those two sentences. Thank you Chair.

**Chairman:** Thank you, yes. Jordan.

**Jordan:** Thank you, Chair. Chair, first of all, I would like to say that I agree with you, Chair, as regards the intervention from chairs of study groups. Therefore, we need to give the priority to Member States to offer their opinions, and to explain them. This on the one hand. On the other hand, what has been presented to us is an attempt to reach a compromise solution. When we consider this question, we shouldn't have any preference shown, because in any case there's no winner or loser. The Russian proposal allows us to solve other problems that we are going to have to study later, and for all of these questions there is a common aspect. Some people believe that the resolution from the Plenipotentiary Conference on this issue has priority. [?] is more important and should prevail. And this should be taken into account. In short, Chair, what I'd like to say is that the Russian proposal to find a compromise within the framework of this proposal will make us, allow us, to move forward, and this is why we support this proposal. Thank you Chairman.

**Chairman:** Thank you Jordan. Now I would like to propose to close the list. I have six requests from the floor, and I suggest that they close here the list in order that we move on for a potential decision, and I would like you to express briefly if possible your position on the Russian proposal, but I will, you could also propose a modification or improvement of this proposal so as to make it acceptable to the maximum number of Member States. So I have here the final list, finishing, we have Egypt, Ukraine, Japan, Saudi Arabia, Brazil, Australia, Canada and Sweden. Thank you and I give the floor now to Egypt.

**Egypt:** Thank you Mr Chair. I'm talking on behalf of the African countries. We support the proposal made by my colleagues from Russia and Ukraine, and there are also technical merits of the technology which have been provided by the experts in this domain, illustrated many times during the discussions. So, we can use this proposal as a step forward or a compromise, and to use the solution as a global one for all the resolutions regarding DOA issue. Thank you Mr Chair.

**Chairman:** Thank you Egypt. Ukraine?

**Ukraine:** Yes. Thank you Mr Chairman. I'd like to draw your attention that this text which is on the screen is not a copy of the text from Plenipot resolution. During the Plenipotentiary Conference, it was a compromise reached that DOA, this abbreviation shall not be used in the resolution. That is why, in the resolution, we do not meet DOA, and a first proposal is to remove DOA as an abbreviation from the text. And also, I would like to correct a previous speaker from Egypt, that Ukrainian proposal was different. Ukraine proposal was to have only text which is coming from Plenipot resolution 188, without any additional text directly or indirectly related to DOA, including also without any text with reference to MoU between DONA foundation and ITU, or any other aspects of DOA. Thank you.

**Chairman:** Thank you. Japan?

**Japan:** Yes, thank you Mr Chairman. I wish nobody pass away! I very appreciate the Russians' proposal for its very constructive moving forward way. And in Japan's point of view, quoting Plenipot or Council result, quoting that is a fact, so I don't see any problem for that. But here, a mention in the ITU-T X.1255, it's not so clear: it is quoted from a Plenipot resolution. So my proposal is to put, add, as in the Plenipot Resolution 188, comma, then follows the resolution ITU-T X.1255, that's Japanese proposal. Thank you, Mr Chairman. In front of that. Thank you.

**Chairman:** In front, or at the end? Japan please? Are you proposing it at the end of the paragraph, or at the beginning?

**Japan:** At the beginning of the sentence. Thank you.

**Chairman:** Thank you Japan, for adding ...

**Japan:** So, as in the dot dot as in the yes. Thank you.

**Chairman:** Good. Thank you. Thank you, Japan. So, we are now, we have now on the screen, a mix of three proposals: the one proposed by Russia; then it was amended by a proposal from Ukraine, removing the term "DOA"; then it is amended by Japan, adding the reference "as in Resolution 188 of PP-14". Thank you. Saudi Arabia.

**Saudi Arabia:** Thank you, Chair. I would like to thank the Russian Federation for proposing this, and also thank you to Japan for this most recent proposal. Bearing in mind the fact that these proposals are presented by African and Arab countries, and so that we can reach a compromise solution for this important issue, on behalf of the Arab States Group, we support, we approve the text that is presented, as presented by Japan also, the use of the proposal from Russia. As for the other resolutions 50, 60 and 78. Thank you, Chair.

**Chairman:** Thank you, Saudi Arabia for your spirit of compromise. Brazil, please.

**Brazil:** Thank you, Chairman. Since the terms, as presented, remain as a major concern for numerous delegations, and that references to PP-14 Resolution 188 or even Council decisions may not at this time accommodate the different views as expressed by many colleagues, our preference would be for general remarks not specifying a technology in architecture, besides quoting references from other conferences and recommendations, we believe it should be closely related to the subject of the resolution, it shouldn't be applied generally. We don't see problems in mentioning recommendation or technologies, as long as we leave openness for the studies to various options that may exist today or in the future for the development of such technologies. We believe it's possible to find a consensus in

more general wording is adopted, and we would be willing to offer a proposal if you, Mr Chairman, think it is appropriate at this time, since we have a few proposals already on the table. But if you think it's a possibility to have a more general wording and a new proposal for this, we could make it if you think it's appropriate. Thank you.

**Chairman:** Thank you Brazil. If you have, if I would like to ask you if your proposal is totally different from what we are working on, maybe we, you wait until we have the position already comments on this one. If it is as an amendment of the existing one, of course it can be proposed now, in a way that we can agree on the global text.

**Brazil:** Thank you Chair. It's not an amendment, it's actually a new wording to cover all the concerns that we've heard so far on this issue. But then again, I leave it up to you, if you prefer not to deal with it at this time.

**Chairman:** I would prefer that we stick so far on this proposal which is based on a reference to an existing text by the highest authority of ITU, and this is why I believe this text should have, should be given a chance to be agreed upon, and I hope that you, Brazil, you can agree on this text if, as it is proposed and amended by two Member States. I have Australia and Canada. Australia please.

**Australia:** Thank you, Chairman. Australia listened carefully to the intervention from the Chair of Study Group 11, and particularly to the fact that new solutions require study and testing to see whether in fact they are solutions. We would also point to the fact that there are a number of proposals here before us which include reference to DOA. We don't think that they should be considered in total. We think that, whether or not DOA is an appropriate mechanism to address those problems has not been tested, and would need, each one would need to be looked at individually. We also would not agree with the inclusion of the Council decision, which we believe would be a, that particular extract, would be taken out of context. Thank you, Chair.

**Chairman:** Thank you Australia. The last is Canada.

**Canada:** Thank you, Mr Chair. I'd like to associate myself with the comments from Australia and the US and other countries before this. I think this is another very sensitive area, where the ITU-T is looking to expand its scope, and we're, you know, entering difficult and potentially dangerous areas when we enter into MoUs with private corporations and then proceed to put in a resolution that that commercial solution is the best across vast swathes of the ICT industry, including cybersecurity, healthcare, IoT, without absolutely any analysis that would support that recommendation. And I too, like Australia, very much appreciated the input from the Study Group Chair. These resolutions are meant to provide instructions to study group chairs. Who is better placed than to provide us feedback as to how they should be constructed? Thank you.

**Chairman:** Thank you. Thank you Canada. So, what I hear so far is, I will summarize the concerns I have heard, which were particularly concerning the alternative technology that may be used, and also the non-promotion that any text of WTSA approved in the resolution would be giving to a particular trademark or particular technology. I have heard, on the other side, that this technology is useful at least for combating counterfeit, and of course it should be considered, or will be not be considered, exclusively, but will be considered as potential technology or architecture. I have also heard the proposal of Russia, which is referring or taking as copy-paste the text of the Resolution 188 with the

amendment proposed by Ukraine, removing the word “DOA”, and the amendment proposed by Japan, referring, including the reference to the Resolution 188 of PP-14. I have also heard in the proposal of Russia to remove all other mentions where DOA is concerned. Either DOA or DONA or the MoU related with DONA and ITU. This is why my proposal is to move forward with the proposal made by Russia, as amended by Ukraine and Japan, and to delete every other paragraph which includes any references to DONA foundation, to DOA, in the remaining text. This is my proposal to you, and I would like you to approve this proposal so that we can go forward on the remaining text. Thank you.

So, I would like you now to ... [no speaking] ... ok. This, my proposal has been implemented on the screen. Thank you. So, please, I appeal on you, my proposal here is to go forward. I believe it is appropriate. We, it considers the concerns of many parties, or almost all the parties. We are removing any specific reference to this, the term DOA and DONA foundation, in any part of the text, but we are only considering the text that exists already, mentioning the DOA architecture, and this would be my decision if there is no opposition. And I propose to you that to be moved forward based on this. Thank you.

So, this is about the modification regarding the text related the DONA foundation, to DOA, and I propose that we go through the remaining text of the resolution itself, so as to approve the global resolution with the proposal modification.

[clapping]

Can we scroll the text? There is no other square brackets. So please, let us see the text as approved.

**Chairman:** Motion of order. Canada, please.

**Canada:** Thank you, Mr Chair. I have a few problems with what appeared to have transpired. You made a proposal on the fly, you ad-libbed this document on the fly, we don't even know what's in it at this point, whether things that we may be concerned are still in or not. And then you did not even give the chance for any of the countries to provide any statements before deciding that this issue is closed. I think it's completely inappropriate from our standpoint.

**Chairman:** Who is asking for the floor? United States.

**United States:** Thank you, Mr Chairman. I have the same views as my colleague from Canada. We've been asking for the floor. I don't know what. Perhaps your queue is broken, but we weren't offered the opportunity to provide our views on your proposal. I had earlier said that I had concerns about the proposals made by the Russian Federation and that I had concerns about all of the *recognizing furthers*, except a), and all of the *instructs Study Group 11*, items 3 through 7, and these proposals do not satisfy those concerns. So we don't support them. Thank you, Mr Chairman.

**Chairman:** Thank United States. May I answer to the States that I have taken into account your concerns, which were particularly about the promotion that would be made to an exclusive architecture or technology. I have also considered the concerns of many other Member States. My proposal, this is for Canada, was based on the proposal of Russia as amended with the proposal of Ukraine that has been on the screen for quite a while, and with amendment of Japan, and it has been on this screen for a while, and we have been discussing it. And at a certain point of time, what that I added to the decision to the proposal of Russia is to remove everything related to DOA, whenever it is in the text. This is why I

believe we had time to go through the proposal. It's not a proposal that I just took from out from the pocket, and it wasn't a surprise for you, distinguished delegates. So, [background speaking?] ... I would like to give the floor to Sweden.

**Sweden:** Thank you, Chair. I've been asking for the floor for 20 minutes. So, we still see a reference to DOA. That was the question I had. Why is there a need for a reference to DOA in this document? We are very concerned to add text that implicitly, or – as in this case – explicitly, is referring to a certain technology and architecture. We have heard that DOA technology has benefits. However, which assessments of need has been done that leads to that conclusion? That DOA is the preferred solution to specific needs? There is no language about alternatives. There has not been a comprehensive review. We find this very problematic not to respect the principle that ITU should not be promoting one particular unproven technology. So we can't accept this. Thank you.

**Chairman:** Thank you, Sweden. I remind distinguished delegates that we have put in the text is something that come from ITU-T ITU decision. UK?

**UK:** Thank you. Well, I think this is a sad day. We don't seem to be getting equal treatment. We don't accept the compromise, and we're unhappy about the procedure. You've allowed very little comment about the new proposal from Russia, and it seems to me sometimes when we don't have a consensus, sometimes you put things in brackets and say, "well, we come back and discuss it later", sometimes you've deleted it, sometimes you propose text, sometimes you have said, "let's deal with it after everything else". A lot of Member States from different regions have expressed concern. There clearly is no consensus. Our arguments are technical, and it's not an issue of there being studies, or anything other than assertions about the benefits of DOA. We know very little about it, and the principle that the Legal Adviser of ITU said, is that ITU should not show any preference for particular products and services. And this wording suggests that. The wording in relation to Council 2016 is taken out of context: I was there, and it implies that Council is giving a green light to study groups to study DOA. We've heard from a study group chairman – a very experienced chairman, and a very good chairman – that he wants WTSA to give him things to do, things to solve, not to say: "this is the answer to your problems". So we don't accept the proposal by you. Thank you.

**Chairman:** Thank you, UK. Again, I remind him, distinguished delegates, that we have just put what has been already written down in high authority of ITU, again, I have considered, listened and considered the concerns of many of you, and I believe the proposal and the decision I have taken is considering those concerns, while I don't think there is a particular promotion of a particular technology, but to just taking this as a non-inclusive – non-exclusive, sorry – solution for architecture or technology. Thank you. Ukraine.

**Ukraine:** Thank you, Mr Chairman. I think that we need to go through the whole document and to check if there is remaining text which is, which has, concern to DONA, to DOA, sorry. For example, for *instructs ITU-T Study Group 11*, there are two items which are still in the document: it's item 8, yeah, sorry, and item 5. Item 5 also was related to DOA conception, and it is not about fighting counterfeit ICT telecommunication devices; it's about using DOA for combatting counterfeit production in general, for all kinds of products. So it, during discussions in drafting group, it was also indicated that this paragraph is related to DOA, that is why it is in the square brackets. And [chairman speaks over speaker from Ukraine] ... sorry, and also, as I understand your decision before, the only text which is in plenipot resolution is remaining in this document, so any reference to Council should be also deleted. Thank you.

**Chairman:** Thank you, Ukraine, for this clarification. That was my decision is to remove any reference to the word “DOA” or “DONA Foundation” whatever it is in the text. And of course, the associated paragraph, if it comes along with it. Thank you. Australia.

**Australia:** Thank you Chair. Australia would associate with those who’ve taken the floor before us. We think that there’s an important matter of principle here, and for that reason we cannot support the proposal. Thank you.

**Chairman:** Thank you, Australia. I were just talking about the decision that have been taken, and I am here to give you all the clarification that you may require on this decision. Thank you. UAE?

**UAE:** Thank you very much, Mr Chairman. We believe, sorry, we believe that you have given the time for everyone to explore their views with regards to this topic, and Mr Chairman, this is far, far away from the original proposal. And, as you have mentioned, this comes from existing text in ITU, and, Mr Chairman, we strongly support your proposal to move forward. Thank you.

**Chairman:** Thank you, UAE. Jordan, please.

**Jordan:** I thank you, Mr Chair. Just to mention that I support your decision. In fact, on the *recalling* part of this resolution, we refer to the PP 188, how can we recall a PP decision, and we are now arguing that if we refer it to *recognizing further*, this will not be acceptable? However, for your decision on the DOA, as well, we support you because this will be an outlet for what we are discussing. It’s going to be a good compromise, and I think my colleague from UAE said that this was far away from what we have expected, however for the sake of compromise and the spirit of cooperation we would accept this, Mr Chair. Thank you.

**Chairman:** Thank you, Jordan, for your support. I just have to mention that it is not supporting me, it is supporting ITU-T in going forward with comprehension decisions on a very important matter. Thank you, Jordan. Germany, please?

**Germany:** Thank you, Mr Chairman. Sorry for the late hour, but Germany doesn’t support the proposal yet. I don’t say “never”, but there are so many points which must be clarified before we go into such a very profound situation that I think we should about a few minutes further on, because I’ve asked a colleague in Germany what he knows about the [further?] system, and there’s really there’s several points which are unclarified. For instance, IPR situation, which is there. So we can’t support it yet. We will evaluate the proposal, but one further remark: what I doesn’t understand is the [payments?], how the DOA system is going to enforced here, because it’s a product, it’s a system bound to a specific firm, so I don’t understand the [payments?], why we are discussing really in an emotional way, about it. So maybe we calm down and assess the situation and come to a solution. Thank you!

**Chairman:** Thank you, Germany. I would like just to remind you that we are no more talking about the proposal, because I have proposal and I have taken a decision, which I believe it is quite fair decision, [comprehensive?] decision. I have considered the all the concerns I have heard from these distinguished delegates, we are not using any more the DOA word, all what is in the text, dear delegate, is what we have taken from the recommendation of PP sorry, resolution 188. Thank you, Germany. Saudi Arabia, please.



**Saudi Arabia:** Thank you, Chairman. We would like to thank Russia for this proposal. We would like to associate our voice with that of Jordan and the UAE, also.

**Chairman:** I interrupt you, Saudi Arabia. We are no more talking about Russia proposal. We are now clarifying the decision that has been proposed and taken. Thank you.

**Saudi Arabia:** Well, thank you, Chairman. I would still like to add my voice to that of the UAE and Jordan. The text that was adopted is based in text that was agreed at the Plenipot and can be found in the report of the 2016 Council. There's no problem for us with adopting this text. We can accept your proposal with the adoption of this text and the replacement in the resolutions 50, 60, 78. Thank you. Furthermore, we consider that there will be no problem in adopting this resolution. We support your decision with effect to this resolution, and we look forward to the placement of the text in the pertinent resolutions, notably Resolution 50, 60 and Resolution 78. Thank you.

**Chairman:** Thank you, Saudi Arabia. United States.

**United States:** Thank you, Mr Chairman. I'm very concerned, and my concern keeps growing. According to the General Rules No. 61, it's the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issues. There were many Member States who were asking for the floor, before the dec [cuts off], you called for a decision, and we did not support that decision, yet we were not given the right to express our opinions on that. And I keep hearing that that decision is taken, and that it applies to every resolution in this package. The text of these resolutions we honestly have no idea what it will look like after we leave here. We can't work like this, Mr Chairman. Thank you.

**Chairman:** Thank United States. I would like to remind to all of you that we have been given time for debating and almost all Member States – or I may say, all Member States – who requested the floor got the opportunity to express their concerns, to express their opinion, to make proposal, and I took the decision because I have considered that there are a kind of common ground and the reference to high authority of ITU, high authority of ITU, and the text that is considered is only the text that came from that – even more I see that we have gone to limit the mention of this digital object architecture to this paragraph, and to remove particularly all what can promote exclusively or with much clear mention to this DOA or the DONA foundation. I have considered that we have had sufficiently time to debate and you have expressed yourselves – some of you many times – and I believe, and I do believe that the decision is, takes into consideration the concerns of almost all delegation, if not all. Thank you. Egypt.

**Egypt:** Thank you, Mr Chairman. In short, I would like to note that you have made every possible effort in this meeting to reach to consensus, and we have note, and we note that you have genuinely led this discussion in a fair and transparent manner, and at certain points, Mr Chairman, we really were worried that you might actually be very harsh for the meeting, for everyone. We note that the proposed Russian contribution, or Russian proposal, which was approved definitely, has been deliberated and discussed among the different parties, and I believe that was after the regional informal consultation meeting this afternoon, it was sent, to my understanding – and I think everyone can confirm that – it has been sent to the head of delegations for all the head of delegations, so we had enough time to see it and discuss it with each other. We are all aware of this fact, and we support you Mr Chairman for whatever decision you, we are in your hands. We support you, Mr Chairman, and we do not think that there was any deviation from the normal procedures for managing any sessions. Thank you.

**Chairman:** Thank you, Egypt. But I would like to mention again, and stress on the fact, it is not a matter of support to me, I'm taking decision on behalf of all of you and for the benefit of the ITU to preserve the future of the ITU, and I'm taking my decision because I have to, it's my duty, but on the base of the interest of almost all of you, if not all. Thank you. United States.

**United States:** Thank you, Mr Chairman. But my understanding of you taking a decision is that you take on a role. It's our responsibility to take the decisions here, and we didn't support this decision, nor were we given the opportunity to express our views after the proposal was made and submitted for discussion. So we don't support this way of going forward. Thank you Chair.

**Chairman:** Thank United States. I would like you kindly, I would remind kindly to all distinguished delegates that my decision was based on the proposal made by Russian Federation, that was displayed on the screen for quite a long time, that has been considered for all of, with all of you, and after let us say ten minutes, fifteen minutes, came the proposal of Ukraine to remove the word "DOA", that and then it was on the screen for more than, let's say, fifteen minutes, then came the proposal of Japan, who proposed to add the as in resolution 188, and this text was displayed, let us say, globally for more than half an hour, and every Member State have had, in my opinion, the room, the time, to express his opinion, and my decision was taken on this basis considering that we are not doing any particular promotion to any particular technology, but we are taking the same text as was in the PP resolution, and here again, I took this decision considering your concerns, your various concerns, and considering the interest of ITU as a whole. Thank you. And the floor is for China. China, please.

**China:** Thank you, Mr Chair. We listened carefully to all delegates' concerns. We are of the view that you, Mr Chair, after listening to everyone's concerns and opinions, in the spirit of constructive cooperation, has proposed a compromise solution that is reasonable. We think it's a very good solution. On a side note, during this conference we've listened to lots of Member States expressions. They said we should advocate the spirit of cooperation. Therefore the Chinese delegation supports Mr Chair's solution. Thank you.

**Chairman:** Thank you, China. Senegal.

**Senegal:** Thank you, Chairman. To move forward, we think that your proposal is a good compromise, and therefore we support it. Thank you Mr Chairman.

**Chairman:** Thank you, Senegal. Ukraine.

**Ukraine:** Thank you Mr Chairman. I think that a lot of delegations are confused, very confused for adoption of this resolution. You said several times that the only text from plenipot resolution remains in this document, and there is no reference to DOA. So, I said, I proposed two times, and again I stressed that our proposal was not only remove DOA from the *further considering c)*, but also to remove all remaining text which has reference to any aspect of DOA, including Council provisions, including MoU. And the text in yellow, which is about *further resolves – sorry – which is about recognizing further c)* also should be removed. We do not agree with putting reference to Council in this text. And our proposal was to have only text which is in plenipot Resolution 188. Thank you.

**Chairman:** Thank you, Ukraine. May I clarify a bit more the decision. The proposal of Russia about the text put here concerning the Council was not for this Resolution, it was for Resolution 50, 60 and 78. That text was just included here for your review, but it wasn't intended to be in this resolution. This is

one. The second one is, Ukraine, I agree that we a decision concerns any other reference to the term DOA that, or the MoU DONA, that should be removed. That was the content of the decision. Thank you. Canada.

**Canada:** Thank you, Mr Chair. If there's still editing on this text, I think it's a good example of what a confusing process it has been followed here. It's absolutely impossible for us to agree to something that we don't know what's in or what's out. The other point of confusion is, I've heard now – either from yourself, or some delegations – that this decision also applies to other resolutions. So, I'm very confused as to the scope of the decision you appear to have made. And the third comment I would make is that, in our view, if we make decisions for the good and the strength of the Union, a fundamental principle behind that is to make sure that we are a union. This assembly went through very difficult process at the end of the WCIT conference, four years ago, and has been divided on very important issues since then. And I see that the process and the outcome of the decision that you've taken today only will add to this chasm, and that's not strengthening the Union. Thank you.

**Chairman:** Thank you, Canada. I here again clarify the scope of my decision, of the decision of this WTSA. It considers the resolution, the draft new resolution of counterfeit and the text included in it, and it doesn't consider, doesn't concern other resolutions. The proposal was made by Russia regarding the all resolution concerned by this aspect, but my decision was regarding the counterfeit resolution. This is to be clear. Now, regarding the confusion that you have talked about: if it is about the text, proposed text, I frankly don't see that there is a confusion. Here again, the text was displayed on the screen, and it is a two-line text, very easy to read and to understand, and the second part of the decision is to remove all what can be considered as inappropriate because promoting or mentioning the term DOA or the DONA Foundation, and this is why I still and I believe, continue believing, dear delegates, that my decision is for the benefit of ITU. Thank you. South Africa.

**South Africa:** Thank you very much, honourable Chairperson, and thank you very much for your patience. Chairperson, I think as Egypt indicated, we, as the African Group, support the decision that you've made. In our view, you were very succinct in what Member States had to consider. In fact, I recall that there were, you made a lot of pauses, you repeated the text so that we were clear as to what you were proposing before actually taking that final decision. A chairperson, I think that you were at such pains to repeat the proposal and give sufficient time for members to read before taking this particular issue that we are quite satisfied. And when I'm saying that, Chairperson, we want to indicate this is not an ideal: it's a compromise, because we actually wanted more. We wouldn't have liked to have those references deleted, and there's a lot that we would have liked to see in the text too. But in the spirit of compromise, we are accepting what has been proposed so as to move the work of this conference forward, and we would appeal to the other members as well to take that in this spirit, because this is what this conference is about: it's about making compromises, and accepting some of the decisions that do not settle well. It does not mean that, because we've accepted this decision, we are a hundred percent happy with it: No, we are not! But we have come to the realization that, in order to move forward, we need to meet each other half way, and we do believe, chairperson, that you've done precisely that: you've done as much as possible to make sure that we meet each other half way, and you actually took the time, you know, to take us through, so that we can deliberate and air our views, and eventually a decision has to be made. And that decision, I think you made it very fairly. Thank you, Chairperson.

**Chairman:** Thank you, South Africa. Sweden.

**Sweden:** Thank you, Chairman. So, that was the clarification that I was going to ask about: that this was only about this particular resolution. Fine. But we're still struggling to understand your decision. You said that you will delete all references to DOA. Still, there is a reference to DOA. We were not only concerned about direct references, but also indirect and implicit references, and we never got the chance, really, to study that this proposal, although it was on the screen. So please, Mr Chairman, if you could implement your suggestion to delete all references, both direct and indirect references. Thank you.

**Chairman:** Thank you, Sweden. I, my decision was about direct and explicit reference to DOA. Because in the Resolution 188, this type of architecture is mentioned in the Resolution 188. So my decision was based on any explicit reference to the DOA as commercial brand. Thank you. United States.

**United States:** Thank you, Mr Chairman. And I do feel badly for this situation. I can't imagine being in your shoes at this moment in time. The issues that we raised under an earlier intervention about using the point of order about General Rules 61 on the right of Member States to express its opinion, and on the application of General Rule 91, regarding the process for a proposal to be considered and decided, are very important to us. We're only a little ways through this agenda, and if we don't get clarity on those matters, we won't be able to continue in this fashion. So I'd ask you to make a ruling on those points before we go any further. Thank you Chair.

**Chairman:** Thank United States. Australia.

**Australia:** Thank you, Chairman. We would also have to say that we don't support the decision on this issue. For us, we're unclear about why DOA seems to be treated differently in terms of the approach to trying to find a consensus, and why this issue was treated in this particular way. Thank you chair.

**Chairman:** Thank you Australia. Here again, we didn't even invent any new text. The text was taken from the Resolution 188 of PP, and this is why I believe that we haven't overcome the principles of leaving everyone the room to express its opinion, and to take decisions according to ITU rules. Thank you. Finland, please.

**Finland:** Thank you Mr Chairman. There doesn't seem to be any kind of consensus supporting your decision, unfortunately. Furthermore, Finland supports what Sweden just stated, and associates with all the other Member States disagreeing with your decision. Thank you.

**Chairman:** Thank you, Finland. UK?

**UK:** Thank you, Chair. It is clear there is no consensus here. And you've heard comments from representatives from at least three different regions. We need an ITU which operates by consensus. When the ITU stops operating by consensus, it will be a bad day for all of us. We do not recognize that a decision has been made. When you asked for comments on the proposed text, it was unclear exactly what you were proposing. There were at least two people announced on the queue, asking for them to, or you recognized them, and then you made what you called a decision before you heard their intervention. You then appear to have changed, or made, statements that your decision – as you call it – removes all reference to DOA. There is text, on the screen, in yellow, which refers to DOA, that appeared to start with, then it was deleted, it appears again. So you've still got text on DOA. You said it

applies to all the resolutions which refer to DOA, and now you say it refers to just this. I'm sorry; we cannot support your proposal. We do not recognize it as a decision, and we hope that you'll continue to operate by consensus. I propose we have a break to see if we can find a solution, and so we can move ahead and work in a way which is conducive to a good atmosphere and helping the ITU in its business.

**Chairman:** Thank you, UK, but I would like to clarify a couple of things, UK, that you have said. One is regarding the sentence in yellow which was proposed by Russian Federation, as a proposal not for counterfeit, but for Resolution 50, 60 and 78. And you can listen to the record where it is mentioned. This, at least, was my understanding, and this is what I considered. The second thing is that I never, I never said that it is applicable to all other resolutions. So please, UK, the proposal I made was clear, and I never mentioned that it's applicable to all other resolution. This is totally clear. So. With that, I propose that we close this session, and you will have the text tomorrow morning, a clear text with the decision and then we can go forward with that. I thank you very much. I know we have, we had a hard day. Of course, every one of us is willing to do his job. We have mandate from our Member States, and I know some subjects are very important for your countries, and I understand all the efforts you are putting, all the energy you are putting defending their position. I am your representative as a whole because I am not representing here any Member State, but I am representing all of you, and what I have been doing, and what I will continue to do, is to preserve your interest as a global body through the interest of ITU. And I thank you for that, and I consider this session closed. Thank you very much. [clapping]

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