



INTERNATIONAL TELECOMMUNICATION UNION
TELECOMMUNICATION DEVELOPMENT BUREAU

**WORLD TELECOMMUNICATION DEVELOPMENT
CONFERENCE (WTDC-98)**

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PLENARY MEETING

MINUTES

OF THE

SIXTH PLENARY MEETING

Friday, 27 March 1998, at 1435 hours

Acting Chairman: Mr. E. BORG (Malta)

Subject discussed:

Documents

1 Consideration of draft resolutions and recommendations
submitted by TDAB

8, 65

1 Consideration of draft resolutions and recommendations submitted by TDAB (Documents 8 and 65)

1.1 The **Acting Chairman** pointed out that the draft resolutions and recommendations submitted to the Plenary for consideration had already been discussed in detail in various bodies, including TDAB, and proposed that draft Resolutions 1, 3 and 4 and draft Recommendation 2, annexed to the Report of TDAB to the Conference (Document 8), should be considered in that order.

1.2 It was so **decided**.

Draft Resolution 1 on coordination and collaboration with regional organizations (Annex 3)

1.3 The **representative of Bulgaria** said there could be no doubting the very great importance for the development of telecommunications of the work of the regional organizations, which had presented invaluable contributions and proposals to the present Conference. His own Administration regarded ITU's collaboration with them as highly significant, even essential. After endorsing the draft Resolution under consideration, he proposed that in order to open up a new path on the road to cooperation, paragraph 1 of *resolves* should be modified as follows: "that ITU-D should actively coordinate and collaborate with regional organizations, take into consideration their activities and organize joint activities in fields of common interest, as well as providing ...".

1.4 The **representative of Mali** expressed his approval of the draft Resolution under consideration and proposed that paragraph 1 of *resolves* should be amended to read: "...and collaborate with regional and subregional organizations and with subregional or regional training structures ...".

1.5 In the light of the proposed modifications, draft Resolution 1 annexed to Document 8 was **approved**.

Draft Resolution 3 on the establishment of study groups (Annex 3)

1.6 The **Acting Chairman** pointed out that draft Resolution 2 would be submitted to the Plenary at a later stage. Introducing draft Resolution 3, he said that the Working Group of the Plenary on the Valletta Action Plan would like the number of study groups to be fixed as soon as possible, adding that the number with the highest support at the present time seemed to be two.

1.7 The **representative of Spain** endorsed draft Resolution 3 as it stood and supported the establishment of two study groups. To avoid any ambiguity he proposed that the words: "... and until the next World Telecommunication Development Conference, ..." should be deleted from the first paragraph of *resolves*.

1.8 The **representative of Syria** supported that amendment and the establishment of two study groups.

1.9 In reply to a question from the previous speaker, the **Acting Chairman** said that the terms of reference of the two study groups were by and large contained in the descriptions of areas of natural expertise and interest under *resolves*, the first two indents corresponding to Study Group 1 coming under Committee A of the Conference and the last three corresponding to Study Group 2 under Committee B, while the procedures and working methods were set out in the Appendix.

1.10 The **representative of Mali** approved the draft Resolution under consideration and the establishment of two study groups. He proposed that paragraph 3 of the Appendix should be amended as follows: "Prepare recommendations, opinions, guidelines, handbooks and reports ...".

1.11 The **Chairman of TDAB** pointed out that the draft Resolution under consideration had already been the subject of many very detailed and thorough discussions and hoped that the Plenary would not be transformed into a drafting group, thereby wasting valuable time. Speaking as the representative of Saudi Arabia, he added that if amendments were to be allowed, he too would have changes to suggest.

1.12 The **Acting Chairman** endorsed that position, pointing out that the floor should only be requested by participants wishing to submit amendments of substance.

1.13 The **representative of Tadiran** said that while he shared the point of view of the Chairman of TDAB, he also supported what the representative of Mali had said, since it had so far proved impossible to submit proposals such as those contained in Document 65, which could not therefore be taken into consideration.

1.14 The **representative of Canada**, after recalling that he had himself helped to draw up the draft Resolution, stated that Document 65 contained several proposed editorial amendments that seemed to him acceptable. He suggested that he could consult with the representative of Tadiran after the meeting with a view to introducing those amendments into the draft Resolution.

1.15 The **Acting Chairman** proposed that the participants approve the draft Resolution subject to any editorial changes that might be made to it, on the understanding that they would be of a purely formal nature and would not affect the substance.

1.16 The **representative of Syria** expressed his surprise at the proposal that had just been made, to the effect that the Plenary should entrust two delegates with the task of modifying a text that it had approved, and urged the Chairman to display the utmost caution.

1.17 The **Chairman of TDAB** said he understood the Acting Chairman's desire to speed up the debate and proposed that the text should be approved as it stood, without authorizing anyone to change it. As was the usual practice, the secretariat could "tidy up" the text later.

1.18 The **representative of Canada** invited the representative of Syria to join with him and the representative of Tadiran to work out a revised text of the draft Resolution, for submission to Plenary at a later stage. The **Acting Chairman** suggested that the representative of Mali and any other participant who so wished could also join the group.

1.19 The **representative of Kuwait**, supporting the opinions expressed by the Chairman of TDAB and the representative of Syria, endorsed the text of draft Resolution 3.

1.20 The **representative of Tadiran** pointed out that while he was willing to introduce editorial changes into the draft resolution in collaboration with the delegates mentioned, he would still like to know where the matters of substance that remained pending would be taken up. If the substantive proposals that he was submitting to the Conference in Document 65 were not debated at the present Conference, having previously not been taken up by TDAB which met in private, where would they be discussed?

1.21 The **Acting Chairman** pointed out that the TDAB meeting in February 1998 had been open-ended.

1.22 The **representative of Syria** supported the idea of setting up a small group to make purely editorial amendments, in collaboration with the secretariat, to the text of the draft Resolution but pointed out that amendments of substance would also, in all likelihood, be proposed to draft Resolution 4.

1.23 The **representative of Russia**, seeking to clarify the situation, said that, firstly, any document submitted to the Conference for consideration automatically became, following approval, a Conference document. Secondly, if amendments were proposed, they must be debated or else a small group should be set up to consider them; if they were purely editorial, they could be brought to the attention of the Editorial Committee, but if they concerned matters of substance, the proper procedure must be followed.

1.24 The **Acting Chairman**, while agreeing that a document, once approved, became a Conference document, said that the points raised seemed to be editorial and hence to be referable to a moderately sized group which would take them into consideration and report thereon to a subsequent Plenary. As the Plenary would subsequently have the opportunity to review draft Resolution 3, he decided to close the debate on that item.

Draft Resolution 4 on the procedures to be applied by study groups (Annex 3)

1.25 The **Director of BDT** said that draft Resolution 4 was based on lessons learned during the 1994-1998 period and on the conclusions of the Reflection Group, assisted by a Drafting Group. The draft had then been considered at the last TDAB meeting, which had decided to submit it, in its existing form, to the Conference. Following its long gestation period, a number of tangible improvements had been made compared with the procedures established by the Buenos Aires Conference.

1.26 The **representative of Tadiran**, noting the importance of the legal aspects, which had not been taken into consideration by ITU-D, proposed amending subparagraph (a) under *considering* to read: "...financial, legal, managerial...".

1.27 The **representative of Syria** objected that the Conference was a development and not a plenipotentiary conference and that the proposed amendment would have an impact on the Convention and Constitution of the Union.

1.28 The **Acting Chairman** said that the passage in question was actually an excerpt from article 21 of the Constitution and could not be amended in the present context.

1.29 The **representative of Saudi Arabia** and the **representative of Lebanon** supported the last two statements.

1.30 The **representative of Mali** submitted the following proposed amendments to the Appendix to the draft Resolution: insert the word "handbooks" after "guidelines" in section 1, subparagraph 1.1(b); delete the conditional mood in paragraph 1.4 of the same section and elsewhere in the text (not applicable to English version); in paragraph 5.1 delete "in principle"; amend the first line in paragraph 1.4 of section 2 to read: "...the BDT Secretariat should endeavour to facilitate data gathering and may submit..." with a view to assisting working groups and rapporteur groups in their activities.

1.31 The **representative of Tadiran**, noting that his proposal had not been supported, reviewed in detail the content of proposed modifications TADIRAN/65/7 to sections 1, 2, 3 and 4 of the draft Resolution under consideration.

1.32 The **Acting Chairman** proposed the establishment of a small group under the Chairman of the Reflection Group to consider the amendments that had been proposed.

1.33 The **representative of Syria** objected that the proposed amendments were not editorial but matters of substance which had implications for the provisions of the Convention and Constitution

of the Union and therefore came within the jurisdiction of the Plenipotentiary Conference. In his view, the substance of the draft Resolution should not be reviewed and no new footnote or terminology should be inserted.

1.34 The **Chairman of TDAB** shared that view and emphasized that the Conference had no authority to rule on questions of substance which were a matter for the Plenipotentiary Conference.

1.35 The **representative of France** said he broadly agreed with the statements by the Chairman of TDAB and the representative of Syria and requested, in the interests of clarity, that a distinction be made between proposed amendments that were purely editorial and those with a direct impact on substance.

1.36 The **representative of Kuwait**, noting that time was passing, said he supported the Chairman of TDAB and added that the Plenary was not obliged to accede to the demands of a single delegation.

1.37 The **representative of Russia**, speaking on a point of order, said that all countries were entitled to make proposals which would be considered if they attracted support. The first step therefore was to establish whether the Israeli proposal was supported by other delegations. The **representative of Niger** shared that view, as did the **representative of Saudi Arabia**.

1.38 The **Acting Chairman** said that the Plenary had two proposals before it: the first consisted in leaving the text basically unchanged and entrusting a small group with the task of making purely editorial amendments; the second, submitted by a delegation, involved numerous amendments, some of which were substantive.

1.39 The **representative of Colombia** said that when proposals were tabled, a decision had to be taken on them before the establishment of any kind of group was contemplated. The **representative of BT** noted that draft Resolution 4 was for the first time before a body in which Sector Members could make a contribution. Some of the proposals in Document 65 admittedly related to matters of substance but if they were not discussed, Sector Members might be discouraged.

1.40 The **Director of BDT** said that the text under consideration was the product of extended efforts in several different bodies and any substantive amendment thereof seemed inappropriate. As there was always scope for improving a text, it might be possible to revive the Drafting Group for a short period, so that members who had not contributed to the work would have an opportunity to do so.

1.41 The **representative of Syria** said that the proposals in Document 65 contained at least seven modifications which were substantive and, furthermore, incompatible with the Constitution and Convention of the Union. The Sector Members were, on the other hand, welcome to make a contribution provided that it was not inconsistent with the Union's constitutional instruments. The proposal by the Director of BDT was therefore acceptable if the group in question discussed only purely editorial amendments.

1.42 The **Acting Chairman** proposed setting up a small group coordinated by the Chairman of TDAB, to be assisted by the Chairman of the Reflection Group. The Legal Adviser of the Union would also be present to give opinions, as required, regarding the compatibility of proposals with the Constitution and Convention of the Union.

1.43 It was so **decided**.

Draft Recommendation 2 on the future membership and functions of TDAB (Annex 4)

1.44 The **Chairman of TDAB** said that draft Recommendation 2 was based on an experiment that TDAB had conducted at its last meeting and rated favourably. It was therefore proposed that the Plenipotentiary Conference should accord it official status. The draft contained another important provision concerning balanced representation of developed and developing countries.

1.45 The **representative of the United States** said that Document 45 submitted by his country and the latter's proposals to the next Plenipotentiary Conference were oriented towards the same goal as the proposed text, namely greater openness of TDAB proceedings. However, he felt that the reference to "delegated authority as decided by WTDCs" was unclear. The *recommends* could therefore end with the words "open advisory group". The **representative of Syria** having pointed out, however, that the end of *recommends* mentioned another important aspect, namely the mechanism to ensure balanced representation of developed and developing countries, he proposed deleting only the phrase "with delegated authority as decided by WTDCs".

1.46 The **representative of South Africa** considered that retention of the phrase concerning balanced representation conflicted with the proposal to turn TDAB into an open-ended group. The question of balanced representation was very important and should be raised throughout the Union through a specific recommendation applicable to all Sectors. She therefore proposed that *recommends* should end with "open advisory group". The **representatives of Russia, Germany and Bulgaria** approved that proposal. The **representative of the United States** concurred with their view.

1.47 The **Director of BDT** said that the three Sectors did not necessarily operate in the same way. For example, the Conference had just decided that ITU-D would have two study groups, whereas there were 15 or 16 in ITU-R. He therefore felt that a distinction should be made between the desire for somewhat balanced representation in an open TDAB and the idea of the ITU-2000 Group concerning participation in all advisory and study groups of the Union. It might therefore be appropriate to adopt the initial proposal of the United States to delete the words "with delegated authority as decided by WTDCs" from *recommends* and to consider the proposal of South Africa to draft a separate recommendation on balanced representation throughout the Union.

1.48 The **representative of Senegal** wondered how a Development Sector conference could recommend procedures extending to the other two Sectors. It would be wiser, in his view, to keep the reference in the text to the mechanism to ensure balanced representation and to try to introduce the same idea in the other Sectors. The **representative of Saudi Arabia** said he agreed with the spirit underlying the proposal of South Africa but found the arguments advanced by the representative of Senegal very sound.

1.49 The **representative of Syria** pointed out that the *recommends* in the text under consideration represented a compromise reached after lengthy discussion between those who advocated a completely open-ended TDAB and supporters of a strictly limited membership. If the reference to the mechanism ensuring balanced representation was deleted, the Syrian delegation would oppose the text as a whole.

1.50 The **Acting Chairman** proposed the resumption of consultations to prepare a new text.

The meeting rose at 1620 hours.

The Secretary:
H. PIETERSE

The Acting Chairman:
E. BORG