



**PLENIPOTENTIARY  
CONFERENCE (PP-02)**

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**PLENARY MEETING**

**Australia**

**PROPOSALS FOR THE WORK OF THE CONFERENCE**

**PROPOSAL ON THE REDISTRIBUTION OF POWERS BETWEEN THE ITU  
CONSTITUTION, CONVENTION AND ADMINISTRATIVE REGULATIONS**

**Introduction**

Various proposals for reform and development of the Union have been put forward and supported by a significant number of Member States. Many proposals relate to the rights and obligations of participants in a particular Sector of the Union, rather than to Members of the Union as a whole. However, the current structure of the CS/CV requires almost all significant decisions on these matters to be made by the Plenipotentiary Conference, and to be subject to the ratification of the Final Acts of such conferences. Australia submits this proposal for certain changes to the structure of the ITU Constitution, Convention and Administrative Regulations with the purpose of improving and clarifying the decision-making processes of the Union, and of giving Sector conferences an expanded range of powers to decide matters relating to each Sector.

The proposed structure will promote **more dynamic decision-making** by Member States meeting in the appropriate Sector conferences, and with the specialized advice of the relevant Sector Members. It will allow ITU to better achieve the key purposes of the Union as articulated in Article 1 of the Constitution: namely **"improving the efficiency of telecommunication"** and **"extension of the benefits of the new telecommunication technologies to all the world's inhabitants"**.

Recognizing the diverse interests and circumstances of Member States, this proposal aims to meet the needs of developing countries and the Development Sector of the Union. Australia considers that an appropriate redistribution of decision-making powers is necessary in order for ITU to take forward its significant role in extending the benefits of telecommunication technologies to all the world's inhabitants.

Recent consideration by Member States of various reform proposals has demonstrated flaws in the current structures. It has proved difficult to preserve the intergovernmental nature of ITU within the current structures while allowing each of the three ITU Sectors to determine its own most appropriate working methods to achieve the purposes of the Union.

## AUS/13/1

Australia proposes that the role of Member States remain central and without compromise. ITU can achieve improved decision-making structures by amending the scope of the detailed matters that Member States need to determine at the level of the ITU Constitution and Convention. Provisions needing more frequent review may be relocated in the Regulations or in other Instruments that Sector-level conferences can amend. A diagrammatic representation of the principles underlying the proposal is attached at "A".

This proposal on restructure of the basic Instruments does not put forward any changes to the content or meaning of any provisions of the existing Constitution and Convention, except where this is required by the structural change. The proposal therefore should not conflict with any separate proposals from Member States to add, suppress or modify elements of text in the existing Instruments.

### **The proposed structural changes to the Instruments of the Union**

The proposal is based on the principle that ITU must maintain high-level principles, objectives and strategies for all ITU Sectors as treaty-level commitments. Secondly, the basic Instruments should provide Members with greater scope to adapt working methods and outputs appropriate to the individual Sectors. This requires redistribution of certain responsibilities between the Instruments of the Plenipotentiary Conference (the Constitution and Convention), and the Instruments of the Sector conferences. The proposed movement of current provisions to new positions in a revised structure is set out as attachment "B".

In the proposed scheme, the **Constitution** would deal with the following three areas:

- fundamental purposes of the Union;
- structure of the Union and its Instruments;
- high-level government undertakings that are common to all Sectors.

On this basis it is proposed to **remove** the following from the current Constitution:

- Provisions dealing with elections to the Radio Regulations Board, which have been moved to the Radio Regulations.
- Provisions for the convening of world conferences on international telecommunications (WCIT) upon decision by the Plenipotentiary Conference.
- Articles 12 to 25, setting out policies governing the management of the Sectors, which have been moved to the Convention.
- Articles 44 to 48 (Special Provisions for Radio), which have been moved to the Radio Regulations.

The proposed provisions of the revised Constitution are set out in Attachment "C". Numbering of paragraphs has been retained from the current Constitution for ease of reference.

The **Convention** would deal with the following two areas:

- operational matters common to all Sectors and the General Secretariat;
- policies for the operational self-management of the Sectors.

For these reasons, the following amendments to the Convention are proposed:

#### **Remove:**

- References to the Radio Regulations Board have been moved from the current Convention to the Radio Regulations.

- Internal rules and procedures governing the activities of the Sectors have been removed from the Convention and placed in the Administrative Regulations, which have been expanded to include new Regulations governing the Telecommunication Development Sector.

**Add:**

- Policies governing self-management of the Sectors moved from the Constitution.
- References to the periodic convening of world conferences on international telecommunications (WCITs) included for the first time. Currently WCITs are held upon decision by the Plenipotentiary Conference.

The proposed provisions of the new Convention are set out in Attachment "**D**". Numbering of paragraphs has been retained from the current Constitution and Convention for ease of reference.

The proposal includes all operational matters that apply to **individual Sectors** in the Administrative Regulations, and in Rules, Recommendations or Decisions. Administrative Regulations may have treaty status whilst Rules, Recommendations and Decisions are made in accordance with procedures and limitations set out in the treaty Instruments, but rules are not themselves of treaty status. Sector conferences would govern this category so as to give each Sector the flexibility to progress its work in the way most appropriate to its purpose.

**The Administrative Regulations** would cover the following:

- Treaty-level binding agreements between Member States that are particular to each Sector, e.g. Radio Regulations (RR) and the International Telecommunications Regulations (ITRs).
- Rules of Procedure for individual Sectors to determine participation and decision-making, within the parameters set in the Convention.
- Authorization of advisory groups to the Sectors to determine status of outputs within the limits set out in the Convention.

**Transitional arrangements** will be required to provide for the interval between entry into force of the Final Acts of the Plenipotentiary Conference and entry into force of decisions taken by the relevant Sector conferences to adopt the provisions transferred to their responsibility.

**Radiocommunication Sector**

It is proposed to **add** the following to the Radio Regulations:

- Provisions dealing with the Radio Regulations Board (RRB) moved from the Constitution and the Convention. These will now be placed within the functions of the World Radiocommunication Conference (WRC). The principle of regional distribution of members of the RRB will be preserved.
- Procedures for conferences, assemblies, etc. moved from the Convention and adapted to the Radiocommunication Sector.
- Articles 44 to 48 of the current Constitution (Special Provisions for Radio).

**Standardization Sector**

It is proposed to **add** the following to the ITRs:

- Procedures for WCITs, adapted from those for the Radiocommunication Sector. This is required in order to give the Standardization Sector a conference with sufficient authority to govern its own rules and procedures.
- Procedures for assemblies, etc. transferred from the Convention and adapted to the Standardization Sector.

## **Development Sector**

It is proposed to create Telecommunication Development Regulations (TDRs), within the Administrative Regulations, to allow the Development Sector the ability to govern its own rules and procedures for the first time. These will include provisions moved from the Convention and adapted to match the established powers and purposes of the Development Sector.



ATTACHMENT B

**Australia's Constitutional Restructure Proposal**

ROUGH DRAFT INDICATIVE OUTLINE OF CONTENTS  
OF THE MAJOR INSTRUMENTS

**A INSTRUMENTS OF THE PLENIPOTENTIARY CONFERENCE**

**1 CONSTITUTION**

**CS Chapter I - Basic Provisions**

**Fundamental purposes of the Union**

Article 1 (CS) Purposes of the Union

**Structure of the Union and its Instruments**

Article 2 (CS) Composition

Article 3 (CS) Rights and Obligations of Member States and Sector Members

Article 4 (CS) Instruments of the Union

Article 5 (CS) Definitions

Article 6 (CS) Execution of the Instruments of the Union

Article 7 (CS) Structure of the Union

Article 8 (CS) Plenipotentiary Conference

Article 9 (CS) Principles of Election and Related Matters

**[Except some provisions moved to the Radio Regulations]**

Article 10 (CS) The Council

Article 11 (CS) General Secretariat

**[CS Articles 12 to 25 moved to the CV]**

Article 26 (CS) Coordination Committee

Article 27 (CS) Elected Officials and Staff of the Union

**High-level intergovernmental undertakings common to all Sectors**

Article 28 (CS) Finances of the Union

Article 29 (CS) Languages

Article 30 (CS) Seat of the Union

Article 31 (CS) Legal Capacity of the Union

Article 32 (CS) Rules of Procedure of Conferences and Other Meetings

**[Basic Rules concerning rights of Member States and other participants retained at Constitution level, but rules on conduct of business delegated to Sector level]**

**CS Chapter VI - General Provisions Relating to Telecommunications**

Article 33 (CS) The Right of the Public to Use the International Telecommunications Service

Article 34 (CS) Stoppage of Telecommunications

- Article 35 (CS) Suspension of Services
- Article 36 (CS) Responsibility
- Article 37 (CS) Secrecy of Telecommunications
- Article 38 (CS) Establishment, Operation and Protection of Telecommunication Channels and Installations
- Article 39 (CS) Notification of Infringements
- Article 40 (CS) Priority of Telecommunications Concerning Safety of Life
- Article 41 (CS) Priority of Government Telecommunications
- Article 42 (CS) Special Arrangements
- Article 43 (CS) Regional Conferences, Arrangements and Organizations

**[CS Articles 44 to 48 (Special Provisions for Radio) moved to the Radio Regulations]**

**CS Chapter VIII - Relations With the United Nations, Other International Organizations and Non-Member States**

- Article 49 (CS) Relations With the United Nations
- Article 50 (CS) Relations With Other International Organizations
- Article 51 (CS) Relations With Non-Member States

**CS Chapter IX - Final Provisions**

- Article 52 (CS) Ratification, Acceptance or Approval
- Article 53 (CS) Accession
- Article 54 (CS) Administrative Regulations
- Article 55 (CS) Provisions for Amending this Constitution
- Article 56 (CS) Settlement of Disputes
- Article 57 (CS) Denunciation of this Constitution and the Convention
- Article 58 (CS) Entry into Force and Related Matters

**ANNEX - Definition of Certain Terms**

**2 CONVENTION**

**[Articles transferred from the existing Constitution]**

**Policy parameters for self-management of the Sectors**

**CS Chapter II - Radiocommunication Sector**

- Article 12 (CS) Functions and Structure
- Article 13 (CS) Radiocommunication Conferences and Radiocommunication Assemblies
- Article 14 (CS) Radio Regulations Board
- Article 15 (CS) Radiocommunication Study Groups and Advisory Group
- Article 16 (CS) Radiocommunication Bureau

**CS Chapter III - Telecommunication Standardization Sector**

- Article 17 (CS) Functions and Structure
- Article 18 (CS) World Telecommunication Standardization Assemblies  
**[Also incorporates provisions from CS25 relating to world conferences on telecommunications]**
- Article 19 (CS) Telecommunication Standardization Study Groups and Advisory Group
- Article 20 (CS) Telecommunication Development Bureau

## **CS Chapter IV - Telecommunication Development Sector**

- Article 21 (CS) Functions and Structure
- Article 22 (CS) Telecommunication Development Conferences
- Article 23 (CS) Telecommunication Development Study Groups and Advisory Group
- Article 24(CS) Telecommunication Development Bureau

### **[Articles of the existing Convention]**

#### **Operational matters common to all Sectors**

- Article 1 (CV) Plenipotentiary Conference
- Article 2 (CV) Elections and Related Matters  
**[Except provisions for the Radio Regulations Board which are transferred to Radio Regulations]**
- Article 3 (CV) Other Conferences and Assemblies
- Article 4 (CV) The Council
- Article 5 (CV) General Secretariat
- Article 6 (CV) Coordination Committee  
**[Sector-specific rules transferred to respective Sector Regulations]**
- Article 7 (CV) Participation of Entities and Organizations Other than Administrations
- Article 8 (CV) Conduct of Business of Study Groups  
**[General principles only - Sector-specific rules transferred to Sector Conferences]**
- Article 21 (CV) Recommendations from One Conference to Another
- Article 22 (CV) Relations between Sectors and With International Organizations
- Article 23 (CV) Invitation and Admission to Plenipotentiary Conferences when There is an Inviting Government
- Article 30 (CV) Time Limits and Conditions for Submissions of Proposals and Reports to Conferences  
**[Only the parts that relate to Plenipotentiary Conferences, the remainder transferred to the Regulations]**
- Article 31 (CV) Credentials for Conferences  
**[Only the parts that relate to Plenipotentiary Conferences, the remainder transferred to the Regulations]**
- Article 32 (CV) Rules of Procedure of Conferences and Other Meetings
- Article 32A (CV) Right to Vote
- Article 32B (CV) Reservations
- Article 33 (CV) Finances
- Article 34 (CV) Financial responsibilities of Conferences
- Article 35 (CV) Languages
- Article 36 (CV) Charges and Free Services
- Article 37 (CV) Rendering and Settlement of Accounts
- Article 38 (CV) Monetary Unit  
**[Article 39 (CV) "Intercommunication" moved to Radio Regulations]**  
**[Article 40 (CV) "Secret Language" moved to International Telecommunication Regulations]**
- Article 41 (CV) Arbitration: Procedure
- Article 42 (CV) Provisions for Amending this Convention



## **B INSTRUMENTS OF THE SECTOR CONFERENCES**

### **Provisions delegated from current Constitution and Convention**

**To be merged with existing Sector regulations, where appropriate**

#### **1 RADIOCOMMUNICATIONS REGULATIONS**

Article 9 (CS) Principles of Election and Related Matters  
**[Such parts as deal with elections to the Radio Regulations Board]**

#### **CS Chapter VII - Special Provisions For Radio**

Article 44 (CS) Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite and Other Satellite Orbits

Article 45 (CS) Harmful Interference

Article 46 (CS) Distress Calls and Messages

Article 47 (CS) False or Deceptive Distress, Urgency, Safety or Identification Signals

Article 48 (CS) Installations for National Defence Services

Article 2 (CV) Elections and Related Matters  
**[Provisions relating to the Radio Regulations Board]**

#### **CV Section 5 - Radiocommunication Sector**

Article 7 (CV) World Radiocommunication Conference  
**[Amended to provide for elections to the RRB]**

Article 8 (CV) Radiocommunication Assembly

Article 9 (CV) Regional Radiocommunication Conferences

Article 10 (CV) Radio Regulations Board

Article 11 (CV) Radiocommunication Study Groups

Article 11A (CV) Radiocommunication Advisory Group

Article 12 (CV) Radiocommunication Bureau

Article 24 (CV) Invitation and Admission to Radiocommunication Conferences when There is an Inviting Government

Article 25 (CV) Invitation and Admission to Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and Telecommunication Development Conferences when There is an Inviting Government  
**[Tailored to the R-Sector]**

Article 26 (CV) Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council  
**[Tailored to the R-Sector]**

Article 27 (CV) Procedure for Convening Regional Conferences at the Request of Member States or on a Proposal of the Council

Article 28 (CV) Provisions for Conferences and Assemblies Convening when There is no Inviting Government

Article 29 (CV) Change in the Place or Dates of a Conference or an Assembly

Article 30 (CV) Time Limits and Conditions for Submissions of Proposals and Reports to Conferences

**[Only such parts as relate specifically to the R-Sector conferences]**

Article 31 (CV) Credentials for Conferences

**[Only such parts as relate specifically to the R-Sector conferences]**

Article 39 (CV) Intercommunication

## 2 TELECOMMUNICATION REGULATIONS

### CV Section 6 - Telecommunication Standardization Sector

**[New provision setting out changed role of a world conference on international telecommunications]**

Article 13 (CV) World Telecommunication Standardization Assembly

Article 14 (CV) Telecommunication Standardization Study Groups

Article 14A (CV) Telecommunication Standardization Advisory Group

Article 15 (CV) Telecommunication Standardization Bureau

Article 24 (CV) Invitation and Admission to World Telecommunication Conferences when There is an Inviting Government

**[Adapted to world conferences on international telecommunications]**

Article 25 (CV) Invitation and Admission to [Radiocommunication Assemblies,] World Telecommunication Standardization Assemblies] and Telecommunication Development Conferences] when There is an Inviting Government

**[Tailored to the T-Sector]**

Article 26 (CV) Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council

**[Tailored to the T-Sector]**

Article 27 (CV) Procedure for Convening Regional Conferences at the Request of Member States or on a Proposal of the Council

Article 28 (CV) Provisions for Conferences and Assemblies Convening when There is no Inviting Government

Article 29 (CV) Change in the Place or Dates of a Conference or an Assembly

Article 30 (CV) Time Limits and Conditions for Submissions of Proposals and Reports to Conferences

**[Only the parts that relate to T-Sector conferences/assemblies]**

Article 31 (CV) Credentials for Conferences

**[Only the parts that relate to T-Sector conferences/assemblies]**

Article 40 (CV) Secret Language

## 3 TELECOMMUNICATION DEVELOPMENT REGULATIONS

### CV Section 7 - Telecommunication Development Sector

Article 16 (CV) Telecommunication Development Conferences

Article 17 (CV) Telecommunication Development Study Groups

Article 17A (CV) Telecommunication Development Advisory Group

Article 18 (CV) Telecommunication Development Bureau

Article 25 (CV) Invitation and Admission to [Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and] Telecommunication Development Conferences when There is an Inviting Government

**[Tailored to the D-Sector]**

Article 26 (CV) Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council

**[Tailored to the D-Sector, no provision for the D-Sector conferences currently exists]**

- Article 27 (CV) Procedure for Convening Regional Conferences at the Request of Member States or on a Proposal of the Council
- Article 28 (CV) Provisions for Conferences and Assemblies Convening when There is no Inviting Government
- Article 29 (CV) Change in the Place or Dates of a Conference or an Assembly

## ATTACHMENT C

### **Proposed modifications to the Constitution of the International Telecommunication Union**

#### ARTICLE 4 (CS)

##### **Instruments of the Union**

**AUS/13/2  
MOD 31  
PP-98**

3 The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Member States:

- International Telecommunication Regulations,
- Telecommunication Development Regulations,
- Radio Regulations.

**Reasons:** To establish Regulations to contain Rules of Procedure for Development Sector conferences.

#### ARTICLE 7 (CS)

##### **Structure of the Union**

**AUS/13/3  
SUP 42**

~~e) world conferences on international telecommunications;~~

**Reasons:** To move these conferences within the Telecommunications Standardization Sector.

**AUS/13/4  
MOD 44  
PP-98**

e) the Telecommunication Standardization Sector, including world conferences on international telecommunications and world telecommunication standardization assemblies;

**Reasons:** To move these conferences within the Telecommunications Standardization Sector.

ARTICLE 8 (CS)

**Plenipotentiary Conference**

AUS/13/5  
SUP 56

~~h) — elect the members of the Radio Regulations Board;~~

**Reasons:** Election of the RRB to be conducted within the Radiocommunication Sector.

ARTICLE 9 (CS)

**Principles Concerning Elections and Related Matters**

AUS/13/6  
MOD 62  
PP-94  
PP-98

b) the Secretary-General, the Deputy Secretary-General, and the Directors of the Bureaux ~~and the members of the Radio Regulations Board~~ shall be elected among the candidates proposed by Member States as their nationals and shall all be nationals of different Member States, and at their election due consideration should be given to equitable geographical distribution amongst the regions of the world; as far as the elected officials are concerned, due consideration should also be given to the principles embodied in No. 154 of this Constitution;

**Reasons:** Election of the RRB to be conducted within the Radiocommunication Sector.

AUS/13/7  
SUP 63  
PP-94  
PP-98

~~e) — the members of the Radio Regulations Board shall be elected in their individual capacity; each Member State may propose only one candidate.~~

**Reasons:** Election of the RRB to be conducted within the Radiocommunication Sector.

AUS/13/8 (see also  
page 19)  
SUP\*

CHAPTER II (CS)

**Radiocommunication Sector**

SUP\*

ARTICLE 12 (CS)

SUP\*

ARTICLE 13 (CS)

SUP\* ARTICLE 14 (CS)

SUP\* ARTICLE 15 (CS)  
PP-98

SUP\* ARTICLE 16 (CS)

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved to Convention.

AUS/13/9 (see also  
page 23)  
SUP\*

CHAPTER III (CS)

### **Telecommunication Standardization Sector**

SUP\* ARTICLE 17 (CS)

SUP\* ARTICLE 18 (CS)  
PP-98

SUP\* ARTICLE 19 (CS)  
PP-98

SUP\* ARTICLE 20 (CS)

**Reasons:** Policy parameters for self-management of the Telecommunication Standardization Sector: moved to Convention.

AUS/13/10 (see  
also page 25)  
SUP\*

CHAPTER IV (CS)

### **Telecommunication Development Sector**

SUP\* ARTICLE 21 (CS)

**SUP\*** ARTICLE 22 (CS)

**SUP\*** ARTICLE 23 (CS)  
**PP-98**

**SUP\*** ARTICLE 24 (CS)

**Reasons:** Policy parameters for self-management of the Telecommunication Development Sector: moved to Convention.

**AUS/13/11**  
**SUP\*** ARTICLE 25 (CS)

#### **World Conferences on International Telecommunications**

**Reasons:** Policy parameters relating to self-management of the Telecommunication Standardization Sector. Provisions relating to world conferences on telecommunications moved to the Convention.

ARTICLE 28 (CS)

#### **Finances of the Union**

**AUS/13/12**  
**MOD 158** c) Plenipotentiary Conferences ~~and world conferences on international telecommunications.~~

**Reasons:** To move these conferences within the Telecommunication Standardization Sector.

**AUS/13/13**  
**SUP\*** CHAPTER VII (CS)

#### **Special Provisions for Radio**

**SUP\*** ARTICLE 44 (CS)

**SUP\*** ARTICLE 45 (CS)

**SUP\***

ARTICLE 46 (CS)

**SUP\***

ARTICLE 47 (CS)

**SUP\***

ARTICLE 48 (CS)

**Reasons:** To move these provisions within the Radiocommunication Sector.  
Equivalent provisions to be added to the Radio Regulations.



ATTACHMENT D

**Proposed modifications to the Convention of  
the International Telecommunication Union**

ARTICLE 2 (CV)

**Elections and Related Matters**

**AUS/13/14**  
**SUP\* 20**  
**to**  
**22**

**Reasons:** Provisions relating to members of the Radio Regulations Board are more appropriately contained in the Radio Regulations.

ARTICLE 3 (CV)

**PP-98**

**Other Conferences and Assemblies**

**23**  
**PP-98**

1 In conformity with the relevant provisions of the Constitution, the following world conferences and assemblies of the Union shall normally be convened within the period between two plenipotentiary conferences:

**24**  
**PP-98**

*a)* one or two world radiocommunication conferences;

**AUS/13/15**  
**ADD 24A**

*aa)* one world conference on international telecommunications;

**Reasons:** Policy for the operational self-management of the Telecommunication Standardization Sector. WCITs no longer to be held on decision of the Plenipotentiary Conference.

**AUS/13/16**  
**SUP 48**  
**and**  
**49**

**Reasons:** WCITs no longer to be held on decision of the Plenipotentiary Conference; provisions for holding WCITs to be placed within the Telecommunication Standardization Sector.

**AUS/13/17**  
**SUP**

SECTION 5

**Radiocommunication Sector**

SUP ARTICLE 7 (CV)

SUP ARTICLE 8 (CV)

SUP ARTICLE 9 (CV)

SUP ARTICLE 10 (CV)

SUP ARTICLE 11 (CV)

SUP ARTICLE 11A (CV)  
PP-98

SUP ARTICLE 12 (CV)

**Reasons:** Provisions relevant to the Radiocommunication Sector to be placed within the Radio Regulations.

AUS/13/18  
SUP

## SECTION 6

### Telecommunication Standardization Sector

SUP ARTICLE 13 (CV)

SUP ARTICLE 14 (CV)

SUP ARTICLE 14A (CV)  
PP-98

SUP ARTICLE 15 (CV)

**Reasons:** Provisions relevant to the Telecommunication Standardization Sector to be placed within the International Telecommunication Regulations.

**AUS/13/19**  
**SUP**

SECTION 7

**Telecommunication Development Sector**

**SUP**

ARTICLE 16 (CV)

**SUP**

ARTICLE 17 (CV)

**SUP**

ARTICLE 17A (CV)

**SUP**

ARTICLE 18 (CV)

**Reasons:** Provisions relevant to the Telecommunication Development Sector to be placed within new Regulations established to allow the Development Sector to manage itself.

**AUS/13/8** (see also  
page 13)  
**ADD\***

CHAPTER II (from CS)

**Radiocommunication Sector**

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved from the Constitution.

ARTICLE 12 (from CS)

**Functions and Structure**

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved from the Constitution.

**(MOD) 78**  
**PP-98**

1 1) The functions of the Radiocommunication Sector shall be, bearing in mind the particular concerns of developing countries, to fulfil the purposes of the Union, as stated in Article 1 of this Constitution, relating to radiocommunication:

- by ensuring the rational, equitable, efficient and economical use of the radio-frequency spectrum by all radiocommunication services, including those using the geostationary-satellite or other satellite orbits, ~~subject to the provisions of Article 44 of this Constitution, and~~

- by carrying out studies without limit of frequency range and adopting recommendations on radiocommunication matters.

- 79                    2)    The precise responsibilities of the Radiocommunication Sector and the Telecommunication Standardization Sector shall be subject to continuing review, in close cooperation, with regard to matters of common interest to both Sectors, in accordance with the relevant provisions of the Convention. Close coordination shall be carried out between the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors.
- 80                    2    The Radiocommunication Sector shall work through:
- 81                    a)   world and regional radiocommunication conferences;
- 82                    b)   the Radio Regulations Board;
- 83                    c)   radiocommunication assemblies;
- PP-98
- 84                    d)   radiocommunication study groups;
- 84A                    *dbis*) the radiocommunication advisory group;
- PP-98
- 85                    e)   the Radiocommunication Bureau, headed by the elected Director.
- 86                    3    The Radiocommunication Sector shall have as members:
- 87                    a)   of right, the administrations of all Member States;
- PP-98
- 88                    b)   any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.
- PP-98

#### ARTICLE 13 (from CS)

#### **Radiocommunication Conferences and Radiocommunication Assemblies**

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved from the Constitution.

- (MOD) 89            1    A world radiocommunication conference may partially or, in exceptional cases, completely, revise the Radio Regulations and may deal with any question of a worldwide character within its competence and related to its agenda; its other duties are specified in the ~~Convention~~[Radio Regulations](#).
- (MOD) 90            2    World radiocommunication conferences shall normally be convened every two to three years; however, following the application of the relevant provisions of the ~~Convention~~[Radio Regulations](#), such a conference need not be convened or an additional one may be convened.
- PP-98

- (MOD) 91  
PP-98** 3 Radiocommunication assemblies shall also normally be convened every two to three years, and may be associated in place and time with world radiocommunication conferences so as to improve the efficiency and effectiveness of the Radiocommunication Sector. Radiocommunication assemblies shall provide the necessary technical bases for the work of the world radiocommunication conferences and respond to all requests from world radiocommunication conferences. The duties of the radiocommunication assemblies are specified in the [Convention Radio Regulations](#).
- (MOD) 92  
PP-98** 4 The decisions of a world radiocommunication conference, of a radiocommunication assembly and of a regional radiocommunication conference shall in all circumstances be in conformity with this Constitution and [the this](#) Convention. The decisions of a radiocommunication assembly or of a regional radiocommunication conference shall also in all circumstances be in conformity with the Radio Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

#### ARTICLE 14 (from CS)

#### **Radio Regulations Board**

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved from the Constitution.

- 93** 1 The Radio Regulations Board shall consist of elected members thoroughly qualified in the field of radiocommunications and possessing practical experience in the assignment and utilization of frequencies. Each member shall be familiar with the geographic, economic and demographic conditions within a particular area of the world. They shall perform their duties for the Union independently and on a part-time basis.
- 93A  
PP-98** *1bis* The Radio Regulations Board is composed of not more than either 12 members, or of a number corresponding to 6% of the total number of Member States, whichever is the greater.
- 94** 2 The duties of the Radio Regulations Board shall consist of:
- 95  
PP-98** a) the approval of Rules of Procedure, which include technical criteria, in accordance with the Radio Regulations and with any decision which may be taken by competent radiocommunication conferences. These Rules of Procedure shall be used by the Director and the Bureau in the application of the Radio Regulations to register frequency assignments made by Member States. These Rules shall be open to comment by administrations and, in case of continuing disagreement, the matter shall be submitted to a forthcoming world radiocommunication conference;
- 96** b) the consideration of any other matter that cannot be resolved through the application of the above Rules of Procedure;

- (MOD) 97**  
**PP-98**            c)    the performance of any additional duties, concerned with the assignment and utilization of frequencies, as indicated in No. 78 of ~~this~~the Constitution, in accordance with the procedures provided for in the Radio Regulations, and as prescribed by a competent conference or by the Council with the consent of a majority of the Member States, in preparation for, or in pursuance of the decisions of, such a conference.
- 98**                3    1)    In the exercise of their Board duties, the members of the Radio Regulations Board shall serve, not as representing their respective Member States nor a region, but as custodians of an international public trust. In particular, each member of the Board shall refrain from intervening in decisions directly concerning the member's own administration.
- 99**  
**PP-98**                2)    No member of the Board shall request or receive instructions relating to the exercise of his duties for the Union from any government or a member thereof, or from any public or private organization or person. Members of the Board shall refrain from taking any action or from participating in any decision which may be incompatible with their status defined in No. 98 above.
- 100**  
**PP-98**                3)    Member States and Sector Members shall respect the exclusively international character of the duties of the members of the Board and refrain from attempting to influence them in the performance of their Board duties.
- (MOD) 101**        4    The working methods of the Radio Regulations Board are defined in the ~~Convention~~Radio Regulations.

#### ARTICLE 15 (from CS)

**PP-98**

#### **Radiocommunication Study Groups and Advisory Group**

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved from the Constitution.

**(MOD) 102**  
**PP-98**

The respective duties of the radiocommunication study groups and advisory group are specified in the ~~Convention~~Radio Regulations.

#### ARTICLE 16 (from CS)

#### **Radiocommunication Bureau**

**Reasons:** Policy parameters for self-management of the Radiocommunication Sector: moved from the Constitution.

**(MOD) 103**

The functions of the Director of the Radiocommunication Bureau are specified in the ~~Convention~~Radio Regulations.

**AUS/13/9** (see also  
page 14)  
**ADD\***

## CHAPTER III (from CS)

### Telecommunication Standardization Sector

**Reasons:** Policy parameters for self-management of the Telecommunication Standardization Sector: moved from the Constitution.

## ARTICLE 17 (from CS)

### Functions and Structure

**Reasons:** Policy parameters for self-management of the Telecommunication Standardization Sector: moved from the Constitution.

**104**  
**PP-98**

1) The functions of the Telecommunication Standardization Sector shall be, bearing in mind the particular concerns of the developing countries, to fulfil the purposes of the Union relating to telecommunication standardization, as stated in Article 1 of this Constitution, by studying technical, operating and tariff questions and adopting recommendations on them with a view to standardizing telecommunications on a worldwide basis.

**(MOD) 105**

2) The precise responsibilities of the Telecommunication Standardization and Radiocommunication Sectors shall be subject to continuing review, in close cooperation, with regard to matters of common interest to both Sectors, in accordance with the relevant provisions of ~~the~~this Convention. Close coordination shall be carried out between the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors.

**106**  
**AUS/13/9a**  
**ADD 106A**  
**(MOD) 107**  
**PP-98**

2) The Telecommunication Standardization Sector shall work through:

a) world conferences on international telecommunications;  
*abis*) world telecommunication standardization assemblies;

**108**  
**108A**  
**PP-98**

b) telecommunication standardization study groups;  
*bbis*) the telecommunication standardization advisory group;

**109**

c) the Telecommunication Standardization Bureau headed by the elected Director.

**110**

3) The Telecommunication Standardization Sector shall have as members:

**111**  
**PP-98**

a) of right, the administrations of all Member States;

(MOD) 112  
PP-98

- b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of ~~the~~this Convention.

AUS/13/9b  
MOD

ARTICLE ~~13~~18 (from CS)

RadioeommunicationWorld Conferences on International Telecommunications and Radioeommunication-Telecommunication Standardization Assemblies

AUS/13/9c  
MOD 89

- 1 A world ~~radioeommunication~~-conference on international telecommunications may partially or, in exceptional cases, completely, revise the ~~Radio Regulations~~International Telecommunication Regulations and may deal with any question of a worldwide character within its competence and related to its agenda; ~~its other duties are specified in the Convention.~~

AUS/13/9d  
MOD 90  
PP-98

- 2 World ~~radioeommunication~~-conferences on international telecommunications shall normally be convened every ~~two to three~~four years; however, following the application of the relevant provisions of the ~~Convention~~International Telecommunication Regulations, such a conference need not be convened or an additional one may be convened.

AUS/13/9e  
MOD 91  
PP-98

- 3 RadioeommunicationWorld telecommunication standardization assemblies shall also ~~normally~~ be convened every ~~two to three~~four years, however an additional assembly may be held in accordance with the relevant provisions of the International Telecommunication Regulations. World telecommunication standardization assemblies ~~and~~ may be associated in place and time with world ~~radioeommunication~~-conferences on international telecommunications so as to improve the efficiency and effectiveness of the ~~RadioeommunicationTelecommunication Standardization~~ Sector. RadioeommunicationWorld telecommunication standardization assemblies shall provide the necessary technical bases for the work of the world ~~radioeommunication~~-conferences on international telecommunications and respond to all requests from world ~~radioeommunication~~-conferences on international telecommunications. The duties of the ~~radioeommunication-world telecommunication standardization assemblies~~ are specified in the ~~Convention~~International Telecommunication Regulations.



AUS/13/9f  
MOD 92  
PP-98

4 The decisions of a world ~~radio~~communication conference on international telecommunications, of a radiocommunication or a world telecommunication standardization assembly ~~and of a regional radio~~communication conference shall in all circumstances be in conformity with ~~this~~the Constitution and ~~the~~this Convention. The decisions of a ~~radio~~communication world telecommunication standardization assembly ~~or of a regional radio~~communication conference shall also in all circumstances be in conformity with the Radio International Telecommunication Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

#### ARTICLE 19 (from CS)

PP-98

#### Telecommunication Standardization Study Groups and Advisory Group

**Reasons:** Policy parameters for self-management of the Telecommunication Standardization Sector: moved from the Constitution.

(MOD) 116  
PP-98

The respective duties of the telecommunication standardization study groups and advisory group are specified in the Convention International Telecommunication Regulations.

#### ARTICLE 20 (from CS)

#### Telecommunication Standardization Bureau

**Reasons:** Policy parameters for self-management of the Telecommunication Standardization Sector: moved from the Constitution.

(MOD) 117

The functions of the Director of the Telecommunication Standardization Bureau are specified in the Convention International Telecommunication Regulations.

AUS/13/10  
ADD\*

#### CHAPTER IV (from CS)

#### Telecommunication Development Sector

**Reasons:** Policy parameters for self-management of the Telecommunication Development Sector: moved from the Constitution.

ARTICLE 21 (from CS)

**Functions and Structure**

**Reasons:** Policy parameters for self-management of the Telecommunication Development Sector: moved from the Constitution.

- 118** 1) 1) The functions of the Telecommunication Development Sector shall be to fulfil the purposes of the Union as stated in Article 1 of this Constitution and to discharge, within its specific sphere of competence, the Union's dual responsibility as a United Nations specialized agency and executing agency for implementing projects under the United Nations development system or other funding arrangements so as to facilitate and enhance telecommunications development by offering, organizing and coordinating technical cooperation and assistance activities.
- (MOD) 119** 2) The activities of the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors shall be the subject of close cooperation with regard to matters relating to development, in accordance with the relevant provisions of ~~this~~the Constitution.
- 120** 2 Within the foregoing framework, the specific functions of the Telecommunication Development Sector shall be to:
- 121** a) raise the level of awareness of decision-makers concerning the important role of telecommunications in the national economic and social development programme, and provide information and advice on possible policy and structural options;
- 122** b) promote, especially by means of partnership, the development, expansion and operation of telecommunication networks and services, particularly in developing countries, taking into account the activities of other relevant bodies, by reinforcing capabilities for human resources development, planning, management, resource mobilization, and research and development;
- PP-98**
- 123** c) enhance the growth of telecommunications through cooperation with regional telecommunications organizations and with global and regional development financing institutions, monitoring the status of projects included in its development programme to ensure that they are properly executed;
- 124** d) activate the mobilization of resources to provide assistance in the field of telecommunications to developing countries by promoting the establishment of preferential and favourable lines of credit, and cooperating with international and regional financial and development institutions;
- 125** e) promote and coordinate programmes to accelerate the transfer of appropriate technologies to the developing countries in the light of changes and developments in the networks of the developed countries;

- 126 *f)* encourage participation by industry in telecommunication development in developing countries, and offer advice on the choice and transfer of appropriate technology;
- 127 *g)* offer advice, carry out or sponsor studies, as necessary, on technical, economic, financial, managerial, regulatory and policy issues, including studies of specific projects in the field of telecommunications;
- 128 *h)* collaborate with the other Sectors, the General Secretariat and other concerned bodies in developing a general plan for international and regional telecommunication networks so as to facilitate the coordination of their development with a view to the provision of telecommunication services;
- 129 *i)* in carrying out the above functions, give special attention to the requirements of the least developed countries.
- 130 3 The Telecommunication Development Sector shall work through:
- 131 *a)* world and regional telecommunication development conferences;
- 132 *b)* telecommunication development study groups;
- 132A *bbis)* the telecommunication development advisory group;
- PP-98
- 133 *c)* the Telecommunication Development Bureau headed by the elected Director.
- 134 4 The Telecommunication Development Sector shall have as members:
- 135 *a)* of right, the administrations of all Member States;
- PP-98
- (MOD) 136 *b)* any entity or organization which becomes a Sector Member in accordance with the relevant provisions of ~~the~~[this](#) Convention.
- PP-98

## ARTICLE 22 (from CS)

### Telecommunication Development Conferences

**Reasons:** Policy parameters for self-management of the Telecommunication Development Sector: moved from the Constitution.

- 137 1 Telecommunication development conferences shall be a forum for the discussion and consideration of topics, projects and programmes relevant to telecommunication development and for the provision of direction and guidance to the Telecommunication Development Bureau.
- 138 2 Telecommunication development conferences shall comprise:
- 139 *a)* world telecommunication development conferences;
- 140 *b)* regional telecommunication development conferences.
- 141 3 There shall be, between two Plenipotentiary Conferences, one world telecommunication development conference and, subject to resources and priorities, regional telecommunication development conferences.

**(MOD) 142  
PP-98** 4 Telecommunication development conferences shall not produce Final Acts. Their conclusions shall take the form of resolutions, decisions, recommendations or reports. These conclusions must in all circumstances be in conformity with ~~the~~the Constitution, ~~the~~this Convention and the Administrative Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

**(MOD) 143** 5 The duties of telecommunication development conferences are specified in the ~~Convention~~Telecommunication Development Regulations.

#### ARTICLE 23 (from CS)

**PP-98** **Telecommunication Development Study Groups  
and Advisory Group**

**Reasons:** Policy parameters for self-management of the Telecommunication Development Sector: moved from the Constitution.

**(MOD) 144  
PP-98** The respective duties of telecommunication development study groups and advisory group are specified in the ~~Convention~~Telecommunication Development Regulations.

#### ARTICLE 24 (from CS)

#### **Telecommunication Development Bureau**

**Reasons:** Policy parameters for self-management of the Telecommunication Development Sector: moved from the Constitution.

**(MOD) 145** The functions of the Director of the Telecommunication Development Bureau are specified in the ~~Convention~~Telecommunication Development Regulations.

**AUS/13/20  
SUP**

#### ARTICLE 24 (CV)

#### **Invitation and Admission to Radiocommunication Conferences when There is an Inviting Government**

**AUS/13/21**  
**SUP**

ARTICLE 25 (CV)

**PP-98**

**Invitation and Admission to Radiocommunication  
Assemblies, World Telecommunication Standardization  
Assemblies and Telecommunication Development  
Conferences when There is an Inviting Government**

**AUS/13/22**  
**SUP**

ARTICLE 26 (CV)

**PP-98**

**Procedure for Convening or Cancelling World  
Conferences or Assemblies at the Request of Member  
States or on a Proposal of the Council**

**AUS/13/23**  
**SUP**

ARTICLE 27 (CV)

**PP-98**

**Procedure for Convening Regional Conferences  
at the Request of Member States or  
on a Proposal of the Council**

**AUS/13/24**  
**SUP**

ARTICLE 28 (CV)

**PP-98**

**Provisions for Conferences and  
Assemblies Meeting when There  
is no Inviting Government**

**AUS/13/25**  
**SUP**

ARTICLE 29 (CV)

**PP-98**

**Change in the Place or Dates of  
a Conference or an Assembly**

**Reasons:** Procedures relating to Sector conferences and assemblies. Equivalent provisions, appropriately tailored to the individual Sectors, are to be included in the regulations.

ARTICLE 30 (CV)

AUS/13/26  
MOD

**Time-Limits and Conditions for Submission of Proposals  
and Reports to Plenipotentiary Conferences**

**Reasons:** Procedures relating to conferences other than the Plenipotentiary Conference to be removed from the Convention. Equivalent provisions, appropriately tailored to the individual sectors, are to be included in the regulations.

AUS/13/27  
SUP 315

**Reasons:** Minor consequential amendment.

AUS/13/28  
MOD 316  
PP-98

21 Immediately after the invitations to the Plenipotentiary Conference have been despatched, the Secretary-General shall ask Member States to submit, at least four months before the start of the conference, their proposals for the work of the conference.

**Reasons:** Restricts provisions to the Plenipotentiary Conference.

AUS/13/29  
MOD 317

32 All proposals the adoption of which will involve amendment of the text of the Constitution or ~~this~~the Convention ~~or revision of the Administrative Regulations~~ must carry references identifying by their marginal numbers those parts of the text which will require such amendment or revision. The reasons for the proposal must be given, as briefly as possible, in each case.

**Reasons:** Restricts provisions to the Plenipotentiary Conference.

ARTICLE 31 (CV)

AUS/13/30  
MOD

**Credentials for Plenipotentiary Conferences**

**Reasons:** Procedures relating to conferences other than the Plenipotentiary Conference to be removed from the Convention. Equivalent provisions, appropriately tailored to the individual Sectors, are to be included in the Regulations.

AUS/13/31  
MOD 324  
PP-98

1 The delegation sent by a Member State to a plenipotentiary conference, ~~a radio-communication conference or a world conference on international telecommunications~~ shall be duly accredited in accordance with Nos. 325 to 331 below.

**Reasons:** Restricts provision to the Plenipotentiary Conference.

AUS/13/32  
SUP 326

**Reasons:** Related to conferences other than the Plenipotentiary Conference. Equivalent provisions to be included in the Regulations.

**AUS/13/33**  
**SUP 339**

**Reasons:** Related to conferences and assemblies other than the Plenipotentiary Conference. Equivalent provisions to be included in the Regulations.

**AUS/13/34**  
**SUP**

ARTICLE 39 (CV)

**Intercommunication**

**Reasons:** The Intercommunication Article is more appropriate to the Radio Regulations.

**AUS/13/35**  
**SUP**

ARTICLE 40 (CV)

**Secret Language**

**Reasons:** The Secret Language Article is more appropriate in the International Telecommunication Regulations.

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