



Treaty Series No. 65 (1997)

Final Acts of the
Plenipotentiary Conference
of the International Telecommunication
Union with Instruments amending the
**Constitution and Convention
of the International Telecommunication Union,
Decisions, Resolutions and Recommendations**

Adopted at Kyoto on 14 October 1994

[The Amendments entered into force for the United Kingdom,
on deposit of the Instrument of Ratification on 11 February 1997]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
October 1997*

**FINAL ACTS OF THE PLENIPOTENTIARY CONFERENCE
OF THE
INTERNATIONAL TELECOMMUNICATION UNION**

**Instrument amending the Constitution of the International
Telecommunication Union (Geneva, 1992)¹**

**Instrument amending the Convention of the International
Telecommunication Union (Geneva, 1992)¹**

Declarations and Reservations

Decisions—Resolutions—Recommendations

**EXPLANATORY NOTE CONCERNING SYMBOLS
IN THE MARGIN FOR THE FINAL ACTS**

The symbols in the margin indicate changes in relation to the texts of the Geneva Constitution and Convention (1992), with the following meaning:

ADD = addition of a new provision
MOD = modified provision
(MOD) = provision amended editorially
NOC = unchanged provision

These symbols are followed by the number of the existing provision. For new provisions (symbol **ADD**), the place where they are to be inserted is determined by the relevant number, followed by a letter.

¹Treaty Series No. 24 (1996) Cm. 3145.

TABLE OF CONTENTS

Instrument amending the Constitution¹ of the International Telecommunication Union (Geneva, 1992)

(Amendments adopted by the Plenipotentiary Conference
(Kyoto, 1994))

		<i>Page</i>
Part I	Foreword	vi
Art. 8	Plenipotentiary Conference	vi
Art. 9	Principles Concerning Elections and Related Matters	vi
Art. 28	Finances of the Union	vi
Part II	Date of Entry into Force	vi
	Final formula.....	vi
	Signatures	vii

Instrument amending the Convention¹ of the International Telecommunications Union (Geneva, 1992)

(Amendments adopted by the Plenipotentiary Conference
(Kyoto, 1994))

		<i>Page</i>
Part I	Foreword	1
Art. 4	The Council	1
Art. 7	World Radiocommunication Conference	1
Art. 19	Participation of Entities and Organisations Other than Administrations in the Union's Activities	1
Art. 23	Invitation and Admission to Plenipotentiary Conferences when There is an Inviting Government	1
Art. 24	Invitation and Admission to Radiocommunication Conferences when There is an Inviting Government	2
Art. 32	Rules of Procedure of Conferences and Other Meetings	2
Art. 33	Finances	2
ANNEX	—Definition of Certain Terms Used in this Convention and the Administrative Regulations of the International Telecommunications Union	3
Part II	Date of Entry into Force	4
	Final formula.....	4
	Signatures.....	4

¹Treaty Series No. 24 (1996) Cm 3145

- Algeria (People's Democratic Republic of) (15, 26, 80)*
- Angola (Republic of) (51)
- Australia (92, 95)
- Austria (48, 92)
- Bahamas (Commonwealth of the) (29, 80)
- Bahrain (State of) (26, 65, 80)
- Bangladesh (People's Republic of) (91)
- Barbados (34, 80)
- Belarus (Republic of) (70)
- Belgium (48, 92, 94)
- Benin (Republic of) (35)
- Bhutan (Kingdom of) (8)
- Brunei Darussalam (14)
- Bulgaria (Republic of) (60)
- Burkina Faso (19)
- Burundi (Republic of) (3)
- Cambodia (Kingdom of) (39)
- Cameroon (Republic of) (2, 80)
- Canada (61, 92)
- Cape Verde (Republic of) (50)
- Chad (Republic of) (16)
- China (People's Republic of) (23)
- Colombia (Republic of) (37)
- Comoros (Islamic Federal Republic of the) (26)
- Costa Rica (1)
- Côte d'Ivoire (Republic of) (59, 80)
- Cuba (40)
- Cyprus (Republic of) (86, 92, 94)
- Czech Republic (55)
- Denmark (68, 92, 94)
- Djibouti (Republic of) (26)
- Ecuador (4)
- Egypt (Arab Republic of) (88)
- Estonia (Republic of) (68, 92, 94)
- Ethiopia (20)
- Fiji (Republic of) (62)
- Finland (68, 92, 93, 94)
- France (85, 92, 93, 94)
- Gabonese Republic (9)
- Germany (Federal Republic of) (74, 92, 93, 94)
- Ghana (101)
- Greece (73, 92, 94)
- Guinea (Republic of) (27)
- Guyana (36, 80)
- Hungary (Republic of) (66, 92)
- India (Republic of) (78, 80)
- Indonesia (Republic of) (11)
- Iran (Islamic Republic of) (5, 26, 80)
- Iceland (68, 93, 94)
- Ireland (89, 92, 94)
- Israel (State of) (90, 92)
- Italy (63, 92, 93, 94)
- Japan (82, 92)
- Jordan (Hashemite Kingdom of) (80)
- Kenya (Republic of) (72, 80)
- Korea (Republic of) (72, 80)
- Kuwait (State of) (26, 65, 80)
- Lao People's Democratic Republic (67)
- Latvia (Republic of) (68, 92, 93, 94)
- Lebanon (26, 80)
- Libya (Socialist People's Libyan Arab Jamahiriya) (96)
- Liechtenstein (Principality of) (49, 92, 94)
- Luxembourg (48, 92, 94)
- Malawi (21)
- Malaysia (12)
- Mali (Republic of) (30)
- Malta (92)
- Mauritania (Islamic Republic of) (26, 38)
- Mexico (42)
- Monaco (Principality of) (58, 92, 93, 94)
- Mongolia (70)
- Morocco (Kingdom of) (80)
- Namibia (Republic of) (76)
- Netherlands (Kingdom of the) (87, 92, 93, 94)
- New Zealand (79, 92)
- Niger (Republic of the) (45)
- Nigeria (Federal Republic of) (83)
- Norway (68, 92, 94)
- Oman (Sultanate of) (26, 65, 80)
- Pakistan (Islamic Republic of) (26, 31, 80)
- Papua New Guinea (57, 80)
- Peru (46)
- Philippines (Republic of the) (64)
- Poland (Republic of) (54, 92, 94)
- Portugal (81, 92)
- Qatar (State of) (26, 65, 80)
- Romania (93, 94)
- Russian Federation (70)
- Saint Vincent and the Grenadines (33, 80)
- San Marino (Republic of) (28)
- Saudi Arabia (Kingdom of) (26, 65, 80)
- Senegal (Republic of) (47, 80)
- Singapore (Republic of) (52)
- Slovak Republic (56)
- South Africa (Republic of) (53)
- Spain (13)
- Sudan (Republic of the) (18, 26)
- Swaziland (Kingdom of) (17)
- Sweden (68, 92, 94)
- Switzerland (Confederation of) (49, 92, 94)
- Syrian Arab Republic (26, 32, 80)
- Tanzania (United Republic of) (25)
- Thailand (44, 80)
- The Former Yugoslav Republic of Macedonia (100)
- Tonga (Kingdom of) (99)
- Tunisia (26, 75)
- Turkey (71, 92, 93, 94)
- Uganda (24)
- Ukraine (70)
- United Arab Emirates (26, 65, 80)
- United Kingdom of Great Britain and Northern Ireland (69, 92, 93, 94)
- United States of America (84, 92, 97, 98)
- Uruguay (Eastern Republic of) (22)
- Venezuela (Republic of) (6)
- Viet Nam (Socialist Republic of) (41)
- Yemen (Republic of) (26)
- Zambia (Republic of) (10)
- Zimbabwe (Republic of) (7, 80)

* Numbers in brackets refer to Declarations and Reservations.

DECISIONS

	<i>Page</i>
1. Expenditure of the Union for the Period 1995 to 1999	30
2. Procedure Concerning Choice of Contributory Class	31

RESOLUTIONS

Strategic policies and plans:

1. Strategic Plan for the Union, 1995–1999	31
2. Establishment of a Forum to Discuss Strategies and Policies in the Changing Telecommunications Environment	48

Conferences and Meetings:

3. Future Conferences of the Union.....	51
4. Duration of Plenipotentiary Conferences of the Union	52
5. Invitations to Hold Conferences or Meetings Away from Geneva.....	52
6. Attendance of Liberation Organizations Recognised by the United Nations at Conferences and Meetings of the International Telecommunications Union as Observers	53
7. Procedure for Defining a Region for the Purpose of Convening a Regional Radiocommunication Conference.....	53
8. Instructions for the Continuation of Work on the Rules of Procedure of Conferences and Meetings of the International Telecommunication Union	54
9. Inaugural Meeting of the New Council and 1995 Session of the Council.....	55
10. Observer Status at Council Meetings for Members of the Union Which Are Not Members of the Council.....	55
11. World and Regional Telecommunications Exhibitions and Forums.....	56
12. Resumption of Full Participation of the Government of South Africa in the Plenipotentiary Conference and All Other Conferences, Meetings and Activities of the Union.....	57
13. Approval of the Memorandum of Understanding Between the Representative of the Government of Japan and the Secretary-General of the International Telecommunication Union Relating to the Plenipotentiary Conference (Kyoto, 1994).....	58

Activities of the ITU Sectors:

General

14. Recognition of the Rights and Obligations of all Members of the Sectors of the Union.....	58
15. Review of the Rights and Obligations of all Members of the Sectors of the Union.....	59

ITU-R and ITU-T

16. Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector.....	60
17. Advisory Groups for the Radiocommunication and Telecommunication Standardization Sectors	61

ITU-R

18. Review of the ITU's Frequency Coordination and Planning Framework for Satellite Networks	62
19. Improved Use of the Technical and Data Storage/Dissemination Facilities of the Radiocommunication Bureau	64
20. Use by the Broadcasting Service of the Bands Additionally Allocated to this Service.....	64

ITU-T

	<i>Page</i>
21. Special Measures Concerning Alternative Calling Procedures on International Telecommunication Networks	65
22. Apportionment of Revenues in Providing International Telecommunication Services	66

ITU-D

23. Implementation of the Buenos Aires Action Plan	68
24. Role of the International Telecommunication Union in the Development of World Telecommunications	69
25. Regional Presence	69
26. Improvement of the Union's Capabilities for Providing Technical Assistance and Advice to Developing Countries	71
27. Participation of the Union in the United Nations Development Programme, in Other Programmes of the United Nations System and in Other Funding Arrangements	72
28. Special Voluntary Programme for Technical Cooperation	73
29. International Programme for the Development of Communication	74
30. Special Measures for the Least Developed Countries	75
31. Telecommunication Infrastructure and Socio-Economic and Cultural Development	76
32. Technical Assistance to the Palestinian Authority for the Development of Telecommunications	78
33. Assistance and Support to the Republic of Bosnia and Herzegovina for Rebuilding its Telecommunication Network	79
34. Assistance and Support to Liberia, Somalia and Rwanda for Rebuilding their Telecommunication Networks	80
35. Telecommunication Support for the Protection of the Environment	81
36. Telecommunications for Disaster Mitigation and Disaster Relief Operations ..	82
37. Training of Refugees	82

Finances:

38. Contributory Shares in Union Expenditure	83
39. Strengthening the Financial Base of the International Telecommunication Union	83
40. Funding Arrangements for Telecommunication Programmes	84
41. Settlement of Arrears and Special Arrears Accounts	85
42. Special Arrears and Interest Accounts	86
43. Approval of the Accounts of the Union for the Years 1989 to 1993	87
44. Auditing of the Accounts of the Union	87
45. Assistance Given by the Government of the Swiss Confederation in Connection with the Finances of the Union	88

Staff and Pensions:

46. Remuneration and Representation Allowances of Elected Officials	88
47. Compensation Matters	89
48. Human Resources Management and Development	90
49. Organizational Structure and Grading in the ITU	91
50. Recruitment of ITU Staff and Experts for Technical Assistance Missions	92
51. ITU Staff Participation in Conferences of the Union	94
52. Rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent Funds	95

United Nations, Specialized Agencies and Regional Telecommunication Organizations:

	<i>Page</i>
53. Measures to Enable the United Nations to Carry Out fully any Mandate Under Article 75 of the Charter of the United Nations.....	95
54. Support to Members Hosting United Nations Peacekeeping Forces	96
55. Use of the United Nations Telecommunication Network for the Telecommunication Traffic of the Specialized Agencies.....	97
56. Possible Revision of Article IV, Section 11, of the Convention on the Privileges and Immunities of the Specialized Agencies.....	98
57. Joint Inspection Unit	98
58. Strengthening of Relations with Regional Telecommunication Organizations .	99
59. Request to the International Court of Justice for Advisory Opinions.....	100

Miscellaneous:

60. Juridicial Status.....	100
61. Premises at the Seat of the Union: Construction of the "Montbrillant Building"	101
62. Interim Limitations in the Use of Official and Working Languages of the Union	102
63. Study of the Languages in the Union	103
64. Non-Discriminatory Access to Modern Telecommunication Facilities and Services	104
65. Remote Access to ITU Information Services	105
66. Access to Documents and Publications of the Union.....	106
67. Updating of Definitions	107
68. World Telecommunication Day.....	108
69. Provisional Application of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) by Members of the Union Which Have Not Yet Become State Parties to Those Instruments.....	108

Recommendations

1. Deposit of Instruments Relating to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992).....	109
2. Unrestricted Transmission of News and the Right to Communicate	109
3. Favourable Treatment for Developing Countries	110

INSTRUMENT AMENDING THE CONSTITUTION
OF THE INTERNATIONAL
TELECOMMUNICATION UNION
(GENEVA, 1992)

(Amendments adopted by the Plenipotentiary
Conference (Kyoto, 1994))

PART I. Foreword

By virtue of and in implementation of the relevant provisions of the Constitution of the International Telecommunication Union (Geneva, 1992), in particular those in Article 55 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) has adopted the following amendments to the said Constitution:

ARTICLE 8 (CS)

Plenipotentiary Conference

- MOD 50** *b)* consider the reports by the Council on the activities of the Union since the previous Plenipotentiary Conference and on the strategic policy and planning of the Union;
- MOD 57** *i)* consider and adopt, if appropriate, proposals for amendments to this Constitution and the Convention, put forward by Members of the Union, in accordance with the provisions of Article 55 of this Constitution and the relevant provisions of the Convention, respectively;
- ADD 59A** 3. Exceptionally, in the interval between two ordinary Plenipotentiary Conferences, it shall be possible to convene an extraordinary Plenipotentiary Conference with a restricted agenda to deal with specific matters:
- ADD 59B** *a)* by a decision of the preceding ordinary Plenipotentiary Conference;
- ADD 59C** *b)* should two-thirds of the Members of the Union individually so request the Secretary-General;
- ADD 59D** *c)* at the proposal of the Council with the approval of at least two-thirds of the Members of the Union.

ARTICLE 9 (CS)

Principles Concerning Elections and Related Matters

- MOD 62** *b)* the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux and the members of the Radio Regulations Board shall be elected among the candidates proposed by Members as their nationals and shall all be nationals of different Members, 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;
- MOD 63** *c)* the members of the Radio Regulations Board shall be elected in their individual capacity; each Member may propose only one candidate

ARTICLE 28 (CS)

Finance of the Union

- MOD 163** (4) The class of contribution chosen by each Member, in accordance with No. 161 or No. 162 above, is applicable for the first biennial budget after the expiry of the six-month period referred to in Nos. 161 or 162 above.

PART II. Date of Entry into Force

The amendments¹ contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 1996 between Members being parties to the Constitution and the Convention of the International Telecommunication Union

¹The amendments entered into force for the United Kingdom, on deposit of the Instrument of Ratification on 11 February 1997.

(Geneva, 1992),¹ and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present instrument.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the original of the present instrument amending the Constitution of the International Telecommunication Union (Geneva, 1992).

Done at Kyoto, 14 October 1994

State	Signature of
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¹Treaty Series No. 24 (1996) Cm 3145

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For the Syrian Arab Republic:	RAKHIMOV K. R.
For the Republic of Tajikistan:	ADOLAR BARNABAS MAPUNDA
For the United Republic of Tanzania:	EMMANUEL NATHANIEL OLEKAM BATNEI
For Thailand:	ASWIN SAOVAROS KITTI YUPHO
For the Togolese Republic:	AYIKOE PAUL KOSSIVI ABLY-BIDAMON DEDERIWE
For the Kingdom of Tonga:	SIONE KITE
For Tunisia:	RIDHA AZAIEZ
For Turkmenistan:	VALASHCHUK VASIL
For Turkey:	VELI BETTEMIR CENGIZ ANIK
For the Republic of Uganda:	FRANCIS PATRICK MASAMBU WILSON OTONYO WANYAMA
For Ukraine:	KLIKICH ANATOLY RESHETNYAK VOLODYMYR
For the United Arab Emirates:	ABDULLA AL MEHREZI
For the United Kingdom of Great Britain and Northern Ireland:	MICHAEL GODDARD NEIL MCMILLAN MALCOLM JOHNSON SUSAN BISHOP
For the United States of America:	JEFFREY H. SMULYAN
For the Oriental Republic of Uruguay:	JUAN DE LA CRUZ SILVEIRA ZAVALA JUAN JOSÉ CAMELO ABECEIRA
For the Republic of Uzbekistan:	RAKHIMOV K. R.
For the Vatican City State:	PIER VINCENZO GIUDICI
For the Republic of Venezuela:	JOSÉ ANTONIO RODRIGUEZ RODRIGUEZ
For the Socialist Republic of Viet Nam:	MAI LIEM TRUC
For the Independent State of Western Samoa:	SAPA'U RUPERAKE PETAIA
For the Republic of Yemen:	ABDELGADER A. IBRAHIM
For the Republic of Zambia:	SYAMUNTU MUKULI MARTIN
For the Republic of Zimbabwe:	LAMECH T. D. MARUME JOSHUA CHIDEME DZIMBANHETE FREDSON MATAVIRE

**INSTRUMENT AMENDING THE CONVENTION
OF THE INTERNATIONAL
TELECOMMUNICATION UNION
(GENEVA, 1992)¹**

**(Amendments adopted by the Plenipotentiary
Conference (Kyoto, 1994))**

PART I. Foreword

By virtue of and in implementation of the relevant provisions of the Convention of the International Telecommunication Union (Geneva, 1992), in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) has adopted the following amendments to the said Convention:

ARTICLE 4 (CV)

The Council

- MOD 50** 1. The number of Members of the Council shall be determined by the Plenipotentiary Conference which is held every four years.
- ADD 50A** 2. This number shall not exceed 25% of the total number of Members of the Union.
- MOD 80** (14) be responsible for effecting the coordination with all international organizations referred to in Articles 49 and 50 of the Constitution and to this end conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 50 of the Constitution and in Nos. 260 and 261 of the Convention, and with the United Nations in application of the Agreement between the United Nations and the International Telecommunication Union; these provisional agreements shall be submitted to the Plenipotentiary Conference in accordance with the relevant provision of Article 8 of the Constitution;

ARTICLE 7 (CV)

World Radiocommunication Conference

- MOD 118** (2) The general scope of this agenda should be established four years in advance, and the final agenda shall be established by the Council preferably two years before the conference, with the concurrence of a majority of the Members of the Union, subject to the provisions of No. 47 of this Convention. These two versions of the agenda shall be established on the basis of the recommendations of the world radiocommunication conference, in accordance with No. 126 of this Convention.

ARTICLE 19 (CV)

**Participation of Entities and Organizations other than
Administrations in the Union's Activities**

- MOD 239** 9. An entity or organization as mentioned in No. 229 or 230 above may act on behalf of the Member which has approved it, provided that Member informs the Director of the Bureau concerned that it is authorized to do so.

ARTICLE 23 (CV)

**Invitation and Admission to Plenipotentiary Conferences
when there is an Inviting Government**

- MOD 258** 3. The Secretary-General shall invite the following to send observers:
- ADD 262A** a) entities and organizations referred to in No. 229 of this Convention, and organizations of an international character representing such entities and organizations.

¹Treaty Series No. 24 (1996) Cm. 3145.

- (MOD) 269 b) observers of organizations and agencies invited in accordance with Nos. 259 to 262A

ARTICLE 24 (CV)

Invitation and Admission to Radiocommunication Conferences when there is an Inviting Government

- MOD 271 2. (1) The provisions of Nos. 256 to 265 of this Convention, with the exception of 262A, shall apply to radiocommunication conferences.

ARTICLE 32 (CV)

Rule of Procedure of Conferences and Other Meetings

- MOD 379 (2) The texts of all major proposals to be put to the vote shall be distributed in good time in the working languages of the conference, in order that they may be studied before discussion.

ARTICLE 33 (CV)*

Finances

- NOC 475 4. The following provisions shall apply to contributions by the organizations referred to in Nos. 259 to 262 and to entities authorized to participate in the Union's activities in accordance with the provisions of Article 19 of this Convention.
- (MOD) 476 (1) The organizations referred to in Nos. 259 to 262 of this Convention and other organizations of an international character which participate in a Plenipotentiary Conference, in a Sector of the Union or in a world conference on international telecommunications shall share in defraying the expenses of the conference or the Sector in accordance with Nos. 479 to 481 below, as appropriate, unless they have been exempted by Council, subject to reciprocity.
- (MOD) 477 (2) Any entity or organization appearing in the lists mentioned in No. 237 of this Convention shall share in defraying the expenses of the Sector in accordance with Nos. 479 and 480 below.
- (MOD) 478 (3) Any entity or organization appearing in the lists mentioned in No. 237 of this Convention which participates in a radiocommunication conference, a world conference on international telecommunications or a conference or assembly of a Sector of which it is not a member, shall share in defraying the expenses of the conference or assembly in accordance with Nos. 479 and 481 below.
- (MOD) 479 (4) The contributions mentioned in Nos. 476, 477 and 478 shall be based on the free choice of a class of contribution from the scale given in No. 468 above, with the exception of the 1/4, 1/8 and 1/16 unit classes reserved for Members of the Union (the latter exception does not apply to the Telecommunication Development Sector); the Secretary-General shall be informed on the class chosen; any entity or organization concerned may at any time choose a class of contribution higher than the one already adopted by it.
- (MOD) 480 (5) The amount of the contribution per unit payable towards the expenses of each Sector concerned shall be set at 1/5 of the contributory unit of the Members of the Union. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 474 above.

*Only the paragraph numbers of Nos. 476 to 486 of the Convention have been modified.

- (MOD) 481** (6) The amount of the contribution per unit payable towards the expenses of a conference or assembly shall be set by dividing the total amount of the budget of the conference or assembly in question by the total number of units contributed by Members as their share of Union expenses. The contributions shall be considered as Union income. They shall bear interest from the sixtieth day following the day on which accounts are sent out, at the rates fixed in No. 474 above.
- (MOD) 482** (7) Reduction in the number of contributory units shall be possible only in accordance with the principles stipulated in the relevant provisions of Article 28 of the Constitution.
- (MOD) 483** (8) In the case of denunciation of participation in the work of a Sector or of termination of such participation (see No. 240 of this Convention), the contribution shall be paid up to the last day of the month in which such denunciation or termination takes effect.
- (MOD) 484** 5. The sale price of publications shall be determined by the Secretary-General, bearing in mind that the cost of reproduction and distribution should, in general, be covered by the sale of publications.
- (MOD) 485** 6. The Union shall maintain a reserve account in order to provide working capital to meet essential expenditures and to maintain sufficient cash reserves to avoid resorting to loans as far as possible. The amount of the reserve account shall be fixed annually by the Council on the basis of expected requirements. At the end of each biennial budgetary period all budget credits which have not been expended or encumbered will be placed in the reserve account. Only details of this account are described in the Financial Regulations.
- (MOD) 486** 7. (1) The Secretary-General may, in agreement with the Coordination Committee, accept voluntary contributions in cash or kind, provided that the conditions attached to such voluntary contributions are consistent, as appropriate, with the purposes and programmes of the Union and with the programmes adopted by a conference and in conformity with the Financial Regulations, which shall contain special provisions for the acceptance and use of such voluntary contributions.
- NOC 487** (2) Such voluntary contributions shall be reported by the Secretary-General to the Council in the financial operating report as well as in a summary indicating for each case the origin, proposed use and action taken with respect to each voluntary contribution.

ANNEX (CV)

MOD 1002 *Observer: A person sent by:*

- the United Nations, a specialized agency of the United Nations, the International Atomic Energy Agency, a regional telecommunication organization, or an intergovernmental organization operating satellite systems, to participate, in an advisory capacity, in a Plenipotentiary Conference, a conference or a meeting of a Sector,
- an international organization to participate, in an advisory capacity, in a conference or a meeting of a Sector,
- the government of a Member of the Union to participate, in a non-voting capacity, in a regional conference, or
- an entity or organization referred to in No. 229 of the Convention or an organization of an international character representing such entities or organizations,

in accordance with the relevant provisions of this Convention.

PART II. Date of Entry into Force

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 1996 between Members being parties to the Constitution and the Convention of the International Telecommunication Union (Geneva 1992),¹ and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present instrument.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the original of the present instrument amending the Convention of the International Telecommunication Union (Geneva, 1992).

Done at Kyoto, 14 October 1994

(The signatures follow)

(The signatures following the Instrument amending the Convention (1992) are the same as those shown on pages vii-xi)

¹Treaty Series No. 24 (1996) Cm. 3145.

DECLARATIONS AND RESERVATIONS*

made at the end of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994)

The undersigned Plenipotentiaries confirm, through their signing of the present document, which forms part of the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), that they have taken note of the following declarations and reservations made at the end of that Conference:

1

Original: Spanish

For Costa Rica:

The delegation of Costa Rica to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994):

1. reserves for its Government the right:
 - (a) to take any action it considers necessary to safeguard its national interests and its telecommunication services, should other Members fail to comply with the provisions of the Final Acts of this Conference (Kyoto, 1994);
 - (b) to enter any reservations it deems necessary prior to the ratification of the Final Acts of this Conference (Kyoto, 1994) in respect of any provisions of the Final Acts which may contravene the Constitution of Costa Rica.
2. declares that Costa Rica shall be bound by the instruments of the International Telecommunication Union, comprising the Constitution, Convention, Administrative Regulations and amendments or modifications thereto only, when it explicitly signifies its consent to be bound by each of those instruments and subject to prior completion of its relevant Constitutional procedures.

2

Original: French

For the Republic of Cameroon:

1. The delegation of the Republic of Cameroon to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take such action as it may consider necessary to safeguard its interest should any Member of the Union fail to comply with the requirements of the present Final Acts, or the Annexes or Protocols attached thereto, or should reservations by other countries jeopardize the efficient operation of its telecommunication services.

2. The delegation of the Republic of Cameroon also reserves for its Government the right, if necessary, to make further reservations to the present Final Acts.

3

Original: French

For the Republic of Burundi:

The delegation of the Republic of Burundi reserves for its Government the right:

1. to take any measures it considers necessary to safeguard its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994) or the Annexes and Protocols thereto, or should reservations by other countries jeopardize its telecommunications services;
2. to accept or not to accept any measure which might lead into an increase in its contributory share.

*The texts of the declarations and reservations are shown in the chronological order of their deposit. In the table of contents these texts are grouped in the alphabetical order of the names of the Members which have made them.

For Ecuador:

The delegation of Ecuador, in signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), reserves for its Government the right to take any measures it may deem necessary, pursuant to its sovereign right, national laws and international law, should its interest be jeopardized in any way by any act on the part of other countries.

For the Islamic Republic of Iran:

In the name of God, most merciful, most compassionate,

the delegation of the Islamic Republic of Iran, on signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) reserves for its Government the right:

1. to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Members of the Union fail in any way to comply with the provisions of the instruments amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as adopted by the Plenipotentiary Conference (Kyoto, 1994), or the Annexes or the Protocols and Regulations attached thereto;

2. to protect its interests should certain Members not share in defraying the expenses of the Union or should the reservations by other Members jeopardize the telecommunication services of the Islamic Republic of Iran;

3. not to be bound by any provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and the provisions of the instruments amending them as adopted by the Plenipotentiary Conference (Kyoto, 1994), which may directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Islamic Republic of Iran;

4. to make any other reservation or statement until such time as the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and its amendments are ratified.

For Venezuela:

The delegation of the Republic of Venezuela reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should any other present or future Members fail to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Kyoto, 1994), or its Annexes or the Protocols attached thereto, or should reservations by other Members jeopardize the efficient operation of its telecommunication services.

It also expresses reservations should the application, by other Members, of the provisions of the Constitution and Convention of the International Telecommunication Union, (Kyoto, 1994) have a negative effect on the use of the geostationary-satellite orbit and the radio spectrum for the provision of its telecommunication services or impede or delay the notification, coordination and registration procedures.

Furthermore, it expresses reservations with respect to all Articles of the Constitution and Convention of the International Telecommunication Union (Kyoto, 1994) related to arbitration as a means of settling disputes, in conformity with the international policy of the Government of Venezuela in that respect.

For the Republic of Zimbabwe:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of the Republic of Zimbabwe declares that it reserves for its Government the right to take any measures it considers or

deems necessary and appropriate to safeguard its interests, should any Member fail to comply with or abide by the provisions of the Constitution and Convention of the International Telecommunication Union (Kyoto, 1994) or the Protocols, Annexes or Regulations attached thereto or should reservations by other countries jeopardize its Telecommunications Sector.

8

Original: English

For the Kingdom of Bhutan:

The delegation of the Kingdom of Bhutan to the Plenipotentiary Conference (Kyoto, 1994) reserves the right of its Government to take any action it deems necessary to safeguard its interests should certain Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or its Annexes or the Protocols attached thereto, or should reservations by other Members jeopardize the proper operation of its telecommunication services.

9

Original: French

For the Gabonese Republic:

The delegation of the Gabonese Republic reserves for its Government the right:

1. to take any action necessary to protect its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), or should reservations by other Members be likely to jeopardize the operation of its telecommunication services;

2. to accept or not to accept any financial consequences that may result from such reservations.

10

Original: English

For the Republic of Zambia:

The delegation of the Republic of Zambia to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take any such action as it may consider necessary to safeguard its interests, should any Member of the Union fail in any way to comply with the provisions of the instruments amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as adopted by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by such Members directly or indirectly affect the operations of its telecommunication services or its sovereignty.

The delegation of the Republic of Zambia further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by the Republic of Zambia of the amendments to the Constitution and the Convention adopted by the Plenipotentiary Conference (Kyoto, 1994).

11

Original: English

For the Republic of Indonesia:

On behalf of the Republic of Indonesia, the delegation of the Republic of Indonesia to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994):

1. reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any provision of the Constitution, the Convention and the Resolutions, as well as any decision of the Plenipotentiary Conference of the ITU (Kyoto, 1994), directly or indirectly affect its sovereignty or be in contravention of the Constitution, Laws and Regulations of the Republic of Indonesia as party to other treaties and conventions and from any principles of international law;

2. further reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any Member in any way fail to comply with the provisions of the instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) adopted by the Plenipotentiary Conference (Kyoto, 1994), or should the consequences of reservations by any Member jeopardize its telecommunication services or result in an increase of its contributory share towards defraying expenses of the Union.

12

Original: English

For Malaysia:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of Malaysia hereby reserves for its Government the right to take such action as it may deem necessary to safeguard its interests should certain Members do not share in defraying the expenses of the Union, or should any Members fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), or its Annexes attached thereto, or should reservations by other Members jeopardize its telecommunication services.

13

Original: Spanish

For Spain:

The Spanish delegation reserves for the Kingdom of Spain the right, under the Vienna Convention on the Law of Treaties of 23 May 1969, to express reservations to the Final Acts adopted by the present Conference up until the time of deposit of the appropriate instrument of ratification.

14

Original: English

For Brunei Darussalam:

The delegation of Brunei Darussalam reserves for its Government the right to take any action that it deems necessary to safeguard its interests should any country fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) or their Annexes or the Protocols attached thereto, or should reservations made by other countries adversely affect the interests of Brunei Darussalam or lead to an increase in its share towards defraying the expenses of the Union.

The delegation of Brunei Darussalam further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by Brunei Darussalam of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and its amendments (Kyoto, 1994).

15

Original: French

For the People's Democratic Republic of Algeria:

The delegation of the People's Democratic Republic of Algeria to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take such action as it may consider necessary to protect its interests, should any Members fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), or should the reservations made by other Members jeopardize its telecommunication services or lead to an increase in Algeria's share in defraying the expenses of the Union.

For the Republic of Chad:

In signing the instruments containing amendments to the Constitution and the Convention (Geneva, 1992), the delegation of the Republic of Chad to the Plenipotentiary Conference (Kyoto, 1994) reserves for its Government the right to take any action it deems necessary:

1. should any Member in any way fail to comply with the provisions of the Constitution and the Convention (Kyoto, 1994) and/or their respective annexes;
2. should the reservations made by other Members be likely to jeopardize the orderly functioning and technical operation of the telecommunication services of the Republic of Chad.

The delegation of the Republic of Chad further reserves for its Government the right to make any declaration or reservation at the time of ratifying the Constitution and the Convention of the International Telecommunication Union.

For the Kingdom of Swaziland:

In signing these Final Acts, the delegation of the Kingdom of Swaziland reserves the right of its Government to take any action it deems necessary to safeguard its interests in the event of Members failing in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994) or the Annexes and Regulations annexed thereto or should reservations by other countries jeopardize its telecommunication services.

For the Republic of Sudan:

The delegation of the Republic of Sudan declares that its Government reserves the right to take such actions as it may consider necessary to protect its interests, should a Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), or should the reservations made by any Member jeopardize its telecommunication services or lead to an increase in Sudan's share in defraying the expenses of the Union.

For Burkina Faso:

In signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), the delegation of Burkina Faso reserves for its Government the right to take any action it deems necessary to safeguard the interests of Burkina Faso:

1. should any Member in any way fail to comply with the provisions of the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and/or their respective Annexes;
2. should any Members not pay their share of the Union's expenses;
3. should reservations made by other Members be likely to jeopardize the technical and/or commercial operation of its telecommunication services.

The delegation of Burkina Faso further reserves for its Government the right to make any declaration or reservation at the time of ratifying the Final Acts of the Plenipotentiary Conference (Kyoto, 1994).

For Ethiopia:

In signing the Final Acts of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), the Ethiopian delegation reserves for its Government the right:

1. to make whatever reservations it shall deem appropriate with respect to any text, resolution, recommendation and opinion in the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994) which may directly or indirectly affect its interests and the operation of its telecommunication services;
2. to take any action it may deem necessary to safeguard and protect its interests should any Member of the Union fail to comply with the requirements of the Constitution and the Convention;
3. to make any other declaration or reservation until such time that it ratifies this Constitution and the Convention.

For Malawi:

The delegation of Malawi to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or the Annexes and Protocols attached thereto or should reservations by any Member of the Union jeopardize its telecommunication services.

For the Eastern Republic of Uruguay:

The delegation of the Eastern Republic of Uruguay declares, on behalf of its Government, that it reserves the right to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Optional Protocol, or should reservations by other Members jeopardize the proper operation of its telecommunication services.

For the People's Republic of China:

The delegation of the People's Republic of China in signing the Final Acts reserves for its Government the right to take such actions as they may consider necessary to safeguard their interests should any Member fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), or the Annexes thereto, or should reservations by other countries jeopardize their interests.

For the Republic of Uganda:

The delegation of the Republic of Uganda in signing the Final Acts reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) or the Annexes thereto, or should reservations by other countries jeopardize its interests.

For the United Republic of Tanzania:

The delegation of the United Republic of Tanzania to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves the right of its Government to take any action it may deem necessary to safeguard its interests in the event of any Members failing in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), or should reservations by other Members jeopardize its telecommunication services or lead to an increase in its contributory share in defraying the expenses of the Union.

For the People's Democratic Republic of Algeria, the State of Bahrain, the Islamic Federal Republic of the Comoros, the Republic of Djibouti, the Islamic Republic of Iran, the State of Kuwait, Lebanon, the Islamic Republic of Mauritania, the Sultanate of Oman, the Islamic Republic of Pakistan, the State of Qatar, the Kingdom of Saudi Arabia, the Republic of the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and the Republic of Yemen:

The above-mentioned delegations to the Plenipotentiary Conference (Kyoto, 1994) declare that the signature and possible ratification by their respective Governments of the Final Acts of this Conference, should not be valid for the ITU Member under the name "Israel", and in no way whatsoever imply its recognition by these Governments.

For the Republic of Guinea:

The delegation of the Republic of Guinea to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take any action it may consider necessary to safeguard its interests should any Members of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), or should reservations by other countries jeopardize its telecommunication services or entail an increase in its contributory share in defraying the expenses of the Union.

For the Republic of San Marino:

In signing the Final Protocol of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994) the delegation of the Republic of San Marino reserves for its Government the right to take all necessary measures which it will deem necessary so as to protect its interests in the event that any Member of the Union fail to attain to the provisions of the Constitution and the Convention of its Annexes, Additional Protocols and Administrative Regulations.

The same rights are also reserved to the Government of the Republic of San Marino towards reservations made by other Members which might interfere with, limit or jeopardize the correct functioning of the telecommunications services of the Republic of San Marino.

For the Commonwealth of the Bahamas:

The delegation of the Commonwealth of the Bahamas, on behalf of its Government, reserves the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994) or an instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

For the Republic of Mali:

The delegation of the Republic of Mali, in signing the Final Acts of this Conference, reserves for its Government the right to take whatever measures or action may be necessary to safeguard its rights and national interests in the event that certain Members of the Union should fail in any way to comply with the provisions of the said Acts or should directly or indirectly jeopardize the interests of its telecommunication services, its national security or its sovereignty.

For the Islamic Republic of Pakistan:

The delegation of the Islamic Republic of Pakistan reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Members fail in any way to comply with the provisions of the instruments amending the Constitution and Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994), or the Annexes attached thereto, or should reservations by other Members jeopardize its telecommunication services or lead to an increase in its contributory share in defraying the expenses of the Union.

For the Syrian Arab Republic:

The delegation of the Syrian Arab Republic declares that its Government reserves the right to take such action as it may consider necessary to protect its interests, should a Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and the Final Acts of this Conference (Kyoto, 1994), or should the reservations made by such Member jeopardize its telecommunication services or lead to an increase in Syria's share in defraying the expenses of the Union.

For Saint Vincent and the Grenadines:

The delegation of Saint Vincent and the Grenadines on behalf of its Government, reserves the right to take any action it considers necessary to safeguard its interests, should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994), or an Instrument attached thereto, or should a reservation by another country, jeopardize its telecommunication services.

For Barbados:

The delegation of Barbados on behalf of its Government, reserves the right to take any action it considers necessary to safeguard its interests, should any Member fail to observe the provisions of the instrument amending the Constitution and Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994), or an Instrument attached thereto, or should a reservation by another country, jeopardize its telecommunication services.

For the Republic of Benin:

The delegation of the Republic of Benin to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take any action it deems necessary to protect its interests should certain Members

fail to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union, or should reservations by other Members jeopardize the operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

36

Original: English

For Guyana:

The delegation of Guyana, on behalf of its Government, reserves the right to take any action it considers necessary to safeguard its interests, should any Member fail to observe the provisions of the instrument amending the Constitution and Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994), or an instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

37

Original: Spanish

For the Republic of Colombia:

On signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 19 September-14 October 1994), the delegation of the Republic of Colombia:

1. renews and incorporates by referral all the reservations and declarations made at world administrative conferences;
2. reaffirms in its essence Reservation No. 48, made at the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992).

38

Original: French

For the Islamic Republic of Mauritania:

In signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), the delegation of Mauritania declares that its Government reserves the right:

1. to take any measure it deems necessary to safeguard its national interests should any Member fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other Members not be in accordance with our chief concern, namely to operate its telecommunication network in as satisfactory manner as possible;
2. to accept or not to accept any financial implications that might arise from the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) or from reservations by other Members.

The delegation of Mauritania further declares that the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and any amendment introduced by the Plenipotentiary Conference (Kyoto, 1994) in those instruments shall be subject to ratification by the competent national institution.

39

Original: French

For the Kingdom of Cambodia:

In signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), the delegation of the Kingdom of Cambodia reserves for its Government:

1. the right to take all measures deemed necessary to protect the interests of the Kingdom of Cambodia:
 - (a) should a Member fail in any way to observe the provisions of the ITU Constitution and Convention (Geneva, 1992) and its respective Annexes, as well as the texts amended and adopted by the Plenipotentiary Conference (Kyoto, 1994);
 - (b) should the reservations made by other Members be liable to jeopardize the proper operation of the telecommunication services of the Kingdom of Cambodia;

2. the delegation of the Kingdom of Cambodia further reserves for its Government the right to take appropriate measures to settle the arrears due to ITU from the events of 1970 to the present day.

40

Original: Spanish

For Cuba:

In signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), the delegation of the Republic of Cuba declares that:

- In view of the continuing interventionist practice by the Government of the United States of America of setting up radio and television broadcasting stations directed towards Cuban territory for political and destabilizing purposes, in open violation of the provisions and principles which govern telecommunications throughout the world, especially those aimed at facilitating international cooperation and economic and social development between peoples, and to the detriment of the normal operation and development of Cuba's own radiocommunication services, the Cuban Administration reserves the right to take any steps it may deem necessary.
- The consequences of any action which the Cuban Administration might see fit to take on account of the underhand behaviour of the Government of the United States of America will be the sole responsibility of that Government.
- It in no way recognizes the notification, registration or use of frequencies by the Government of the United States of America in that part of Cuban territory in the province of Guantánamo which the United States is occupying by force, contrary to the express will of the people and the Government of Cuba.
- It does not accept the Optional Protocol on the settlement of disputes relating to this Constitution, Convention and Administrative Regulations.
- It reserves for its Government the right to take whatever measures it considers necessary to protect its interests should any other Member countries in any way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, (Geneva, 1992) with the Administrative Regulations, and the amendments of the Constitution and Convention contained in the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other Members in any way jeopardize Cuba's telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union. The delegation of Cuba likewise reserves for its Government the right to make any further declaration or reservation which may be necessary at the time of depositing its instrument of ratification of the Constitution and the Convention, and when ratifying the amending instruments adopted by the Plenipotentiary Conference (Kyoto, 1994).

41

Original: English

For the Socialist Republic of Vietnam:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the Vietnamese delegation declares on behalf of the Socialist Republic of Vietnam that it maintains the reservations made at the Nairobi Plenipotentiary Conference (1982) and reaffirmed at the Nice, 1989 and the Geneva, 1992 Plenipotentiary Conferences of the International Telecommunication Union.

42

Original: Spanish

For Mexico:

The delegation of Mexico renews and incorporates by referral the reservations made at world administrative conferences and at the Additional Plenipotentiary Conference (Geneva, 1992), and further declares that it reserves the right to take whatever measures it deems relevant to safeguard its interests should other Members fail in any way to comply

with the agreed amendments to the Constitution and the Convention or with any other decision adopted by the Conference, or should the reservations made by them jeopardize its telecommunication services or give rise to an increase in Mexico's contribution towards defraying the Union's expenses.

43

Original: English

For the Republic of Korea:

The delegation of the Republic of Korea reserves the right of its Government to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference (1994), or the Annexes attached thereto, or should reservations by other countries jeopardize its interests.

44

Original: English

For Thailand:

The delegation of Thailand reserves the right of its Government to take action that it deems necessary to safeguard its interests should any Member or member fail, in any way, to comply with the requirements of the instruments amending the Constitution and the Convention of the International Telecommunication Union as adopted at Kyoto, 1994 or if any reservation should be made by any Member or member jeopardizing Thailand's telecommunication services or leading to an increase in its share towards defraying the expenses of the Union.

45

Original: French

For the Republic of Niger:

The delegation of Niger to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right:

1. to take such action as it may consider necessary should any Member of the Union fail in any way to comply with the instruments of the International Telecommunication Union as adopted in Kyoto (September/October 1994) or should any reservations by such Members jeopardize the operation of its telecommunication services;

2. not to accept any consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

46

Original: Spanish

For Peru:

The delegation of Peru reserves for its Government the right:

1. to take such action as it may consider necessary to protect its interests, should other Members of the Union fail in any way to comply with the provisions adopted at the present Plenipotentiary Conference, or should the reservations made by them jeopardize its telecommunication services;

2. to accept or not to accept the consequences of any other Member States' reservations which might lead to an increase in its share in defraying expenses of the Union; and

3. to make any other reservation it deems necessary at the time of ratification.

47

Original: French

For the Republic of Senegal:

In signing the Final Acts of the Plenipotentiary Conference, held at Kyoto from 19 September to 14 October 1994, the delegation of the Republic of Senegal declares on behalf of its Government that it accepts no consequences arising from reservations made by other governments which result in an increase in its contributory share in defraying the expenses of the Union.

The Republic of Senegal further reserves the right to take any action it deems necessary to safeguard its interests should any Members fail to comply with the provisions contained in the instruments amending the Constitution and the Convention (Geneva, 1992), as adopted by the Conference, or should reservations by other countries tend to jeopardize the proper operation of its telecommunication services.

48

Original: French

For Austria, Belgium and Luxembourg:

1. The delegations of the above-mentioned countries declare that they maintain the declarations and reservations made at the end of the Additional Plenipotentiary Conference at the International Telecommunication Union (Geneva, 1992) and that these declarations and reservations likewise apply to the instruments adopted by the Plenipotentiary Conference (Kyoto, 1994) amending the Constitution and the Convention.

2. They also declare that they reserve the right of their Governments not to recognize any reservations or declarations which may be made by other Members of the Union after the signature of the Final Acts.

49

Original: French

For the Confederation of Switzerland and the Principality of Liechtenstein:

1. The delegations of the above-mentioned countries declare that they maintain the declarations and reservations made at the end of the Additional Plenipotentiary Conference at the International Telecommunication Union (Geneva, 1992) and that these declarations and reservations likewise apply to the instruments adopted by the Plenipotentiary Conference (Kyoto, 1994) amending the Constitution and the Convention.

2. They also declare that they reserve the right of their Governments not to recognize any reservations or declarations which may be made by other Members of the Union after the signature of the Final Acts.

50

Original: French

For the Republic of Cape Verde:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of Cape Verde declares on behalf of its Government:

- (a) that it accepts no consequence of the reservations made by other Governments which might entail an increase in its contribution to defraying the expenditure of the Union;
- (b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;
- (c) that it also reserves for its Government the right to express additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

51

Original: French

For the Republic of Angola:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of Angola declares on behalf of its Government:

- (a) that it accepts no consequence of the reservations made by other government which might entail an increase in its contribution to defraying the expenditure of the Union;
- (b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;
- (c) that it also reserves for its Government the right to express additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

52

Original: English

For the Republic of Singapore:

The delegation of the Republic of Singapore reserves for its Government the right to take any action which it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Final Acts of the Kyoto Plenipotentiary Conference, 1994, or the Annexes and Protocols attached thereto or should reservations by any Member of the Union jeopardize the Republic of Singapore's telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union.

The delegation of the Republic of Singapore further reserves for its Government the right to make any additional reservations which it considers necessary up to and including the time of its ratification of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992).

53

Original: English

For the Republic of South Africa:

The delegation of the Republic of South Africa declares that it reserves for its Government the right to take any action which it may deem necessary to safeguard its interests should any Member fail to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), its Annexes or the Protocols attached thereto, and as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), or should reservations or actions by other Members jeopardize its telecommunication services.

54

Original: French

For the Republic of Poland:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of the Republic of Poland declares on behalf of its Government:

1. that it accepts no consequence of the reservations made by other governments which might entail an increase in its contribution to defraying the expenditure of the Union;
2. that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provision of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;

3. that it also reserves for its Government the right to express specific reservations additional to the aforesaid Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

55

Original: English

For the Czech Republic:

The delegation of the Czech Republic reserves the right of its Government to take such action as it considers necessary to safeguard its interests should any Member not share in defraying the expenses of the Union or should any Member fail to comply with the provisions of the Constitution and the Convention of the International Telecommunications Union or its Annexes or the Protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), attached thereto.

56

Original: English

For the Slovak Republic:

The delegation of the Slovak Republic reserves for its Government the right to take action as they may consider necessary, to safeguard their interests, should any Member not share in defraying the expenses of the Union or should any Member fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union or its Annexes or Protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), attached thereto or finally, should reservations by other countries jeopardize their telecommunication services.

57

Original: English

For Papua New Guinea:

The delegation of Papua New Guinea reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Constitution and Convention (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the telecommunication services to Papua New Guinea.

58

Original: French

For the Principality of Monaco:

The delegation of the Principality of Monaco reserves for its Government the right to take such action and measures as it may consider necessary to safeguard its national interests should any Member not share in defraying the expenses of the Union or fail in any other way to comply with the requirements of the amendments to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) adopted by this Conference (Kyoto, 1994), or should reservations by other countries be such as to jeopardize its telecommunication services or increase its contribution to defraying the expenses of the Union.

59

Original: French

For the Republic of Côte d'Ivoire:

The delegation of the Republic of Côte d'Ivoire reserves for its Government the right:

- (a) to take any action it considers necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the present Plenipotentiary Conference (Kyoto, 1994);

- (b) to reject the consequences of any reservations made to the Final Acts of the present Plenipotentiary Conference (Kyoto, 1994) by other Members which might give rise to an increase in its contributory share in defraying the expenses of the Union or which might jeopardize the proper functioning of its telecommunication services;
- (c) to make reservations or reject any amendments made by the present Conference to the Constitution and the Convention of the Union which might jeopardize the proper functioning of its telecommunication services or directly or indirectly affect its sovereignty.

60

Original: English

For the Republic of Bulgaria:

The delegation of the Republic of Bulgaria to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right:

1. to take any action it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), or should the consequences of reservations made by other countries jeopardize Bulgarian telecommunication services;
2. not to support any financial measures which may entail an unjustified increase in the share of its contribution to defraying the expenses of the Union;
3. to make any statement or reservation when ratifying the amendments to the Constitution and the Convention of the ITU (Geneva, 1992) adopted by the Plenipotentiary Conference of the Union (Kyoto, 1994).

61

Original: English

For Canada:

The delegation of Canada declares that it reserves for its Government the right to make any statements or reservations when depositing its instruments of ratification for the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994).

62

Original: English

For the Republic of Fiji:

In signing this document which forms part of the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and taking note of the provisions of No. 16 of Article 32 of the Convention, the delegation of the Republic of Fiji reserves for its Government the right to take such actions as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize Fiji's telecommunication services or lead to an increase in its contributory share towards defraying the expenses of the Union.

63

Original: English

For Italy:

The delegation of Italy reserves for its Government the right to take any action which it might consider necessary to safeguard its interest should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), or its Annexes or Protocols attached thereto, or should reservations by other countries be liable to cause an increase in its contributory

share in defraying Union expenses or, finally, should reservations by other countries jeopardize its telecommunication services.

64

Original: English

For the Republic of the Philippines:

The delegation of the Republic of the Philippines reserves for its Government the right to take action it deems necessary and sufficient, consistent with its national law to safeguard its interests, should reservations made by representatives of other States jeopardize its telecommunication services or prejudice its rights as a sovereign country.

The Philippine delegation further reserves for its Government the right to make any declarations or reservations prior to the deposit of the instrument of ratification of the International Telecommunication Constitution and Convention (Geneva, 1992) and its amendments thereto, as approved by the 1994 Kyoto Plenipotentiary Conference.

65

Original: English

For the State of Bahrain, the State of Kuwait, the Sultanate of Oman, the State of Qatar, the Kingdom of Saudi Arabia and the United Arab Emirates:

The above-mentioned delegations to the Plenipotentiary Conference (Kyoto, 1994) declare that their Governments reserve the right to take such action as they may consider necessary to safeguard their interests should any Member not share in defraying the expenses of the Union, or should they fail in any way to comply with the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), or the Resolutions attached thereto, or should reservations made by any Member jeopardize their telecommunication services.

66

Original: English

For the Republic of Hungary:

The delegation of the Republic of Hungary reserves for its Government the right not to accept any financial measure liable to lead to unjustified increases in its contributory share in defraying the expenses of the Union and the right to take any action as it may deem necessary to safeguard the interests if certain Members fail to comply with the provisions of the Constitution and Convention, or if they jeopardize the proper operation of its telecommunication services and the right to make specific reservations and statements prior to ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunications Union (Kyoto, 1994).

67

Original: French

For the Lao People's Democratic Republic:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of the Lao People's Democratic Republic reserves for its Government the right to take any steps which it may consider necessary to safeguard its interests should Members of the Union fail to comply with the provisions of these Final Acts, of the Constitution and the Convention of the International Telecommunication Union, or the Annexes or Protocols attached thereto, or should the reservations made by other countries compromise the proper operation of its telecommunications services.

68

Original: English

For Denmark, the Republic of Estonia, Finland, Iceland, the Republic of Latvia, Norway and Sweden:

At the time of signing the Final Acts of the Kyoto Plenipotentiary Conference the delegations of the above-mentioned countries formally declare that they maintain the declarations and reservations (No. 46) made by their countries when signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992).

For the United Kingdom of Great Britain and Northern Ireland:

The delegation of the United Kingdom of Great Britain and Northern Ireland reserves for its Government the right to take such action as they may consider necessary to safeguard their interests should any Member fail in any way to comply with the Constitution and Convention of the International Telecommunication Union (Geneva, 1992, as amended by the Plenipotentiary Conference, Kyoto, 1994) or the Annexes thereto, or should reservations by other countries jeopardize their interests.

For the Republic of Belarus, Mongolia, the Russian Federation and Ukraine:

The delegations of the above-mentioned countries reserve for their respective Governments the right to make any statement or reservation when ratifying the amendments of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994), and the right to take any action they may consider necessary to safeguard their interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of the telecommunication services of the above-mentioned countries or lead to an increase in their annual contribution to defraying the expenses of the Union.

For Turkey:

In signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), the delegation of the Republic of Turkey reserves for its Government the right to take any action as it may consider necessary to safeguard its interests, should any Member in any way fail to comply with the provisions of the instruments amending the Constitution and the Convention (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference or their Annexes or Protocols thereto, or should any reservation made by any Member jeopardize the proper operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

For the Republic of Kenya:

I

The delegation of the Republic of Kenya reserves for its Government the right to take such action as it may consider necessary and/or appropriate to safeguard and protect its interests should any Member fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994), and/or any other instruments associated therewith. The declaration further affirms that the Government of the Republic of Kenya does not accept responsibility for the consequences arising thereof out of any reservations made by other Members of the Union.

II

The delegation of the Republic of Kenya recalling reservation No. 90 of the Nairobi Convention, 1982 reaffirms, on behalf of its Government, the letter and intent of the said reservation.

For Greece:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of Greece declares:

1. that it reserves for its Government the right:

- (a) to take any action consistent with its domestic law and with international law that it may consider or deem necessary or useful to protect and safeguard its sovereign and inalienable rights and legitimate interests, should any Member States of the International Telecommunication Union fail in any way to comply with or apply the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and its Annexes and Protocols, as amended by the Final Acts of this Conference (Kyoto, 1994), and Administrative Regulations pertaining to them, or should the acts of any other entities or third parties affect or jeopardize its national sovereignty;
- (b) to make, under the Vienna Convention on the Law of Treaties of 1969, reservations to the said Final Acts at any time it sees fit between the date of signature and the date of ratification of those instruments and to any other instrument of other relevant conferences of the Union that has not yet been ratified, and not to be bound by any provision of such instruments restricting its sovereign right to make reservations;
- (c) not to accept any consequences of any reservations by other contracting parties which could, inter alia, lead to an increase in its contributory share in defraying Union expenditure or to other financial implications, or should such reservations jeopardize the proper and efficient operation of the telecommunication services of the Republic of Greece;

2. that it is fully established that the term "country" used in the provisions of these Final Acts and in any other instrument or act of the International Telecommunication Union with regard to its Members and their rights and obligations is regarded as being synonymous in all respects with the term "sovereign State" as legally constituted and internationally recognized.

74

Original: English

For the Federal Republic of Germany:

1. The delegation of the Federal Republic of Germany reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of the 1994 Kyoto instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by other countries be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

2. The delegation of the Federal Republic of Germany declares with regard to Article 4 of the Constitution of the International Telecommunication Union (Geneva, 1992) that it maintains the reservations made on behalf of the Federal Republic of Germany when signing the Regulations mentioned in Article 4.

75

Original: French

For Tunisia:

The Tunisian delegation to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), reserves for its Government the right to:

1. take any action which it may consider necessary to safeguard its interests should any Member fail to share in defraying the expenses of the Union or fail in any way whatever to comply with the provisions of the instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as adopted by the Kyoto Plenipotentiary Conference or the Annexes, Protocols or Resolutions attached thereto, or should reservations by other Members jeopardize the proper operation of its telecommunication services;

2. make any statement or reservation until the ratification of the instruments amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as adopted by the Kyoto Plenipotentiary Conference.

For the Republic of Namibia:

In signing the Final Acts of the Plenipotentiary Conference (Kyoto, 1994), subject to formal ratification, the delegation of the Republic of Namibia reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Constitution and the Convention, or the Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize Namibia's telecommunication services or lead to an increase in its contributory share towards defraying the expenses of the Union.

(This number has not been used.)

For the Republic of India:

1. In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of the Republic of India does not accept any financial implications for its Government, resulting from any reservations that might be made by any Member on matters pertaining to the finances of the Union.

2. The delegation of the Republic of India further reserves the right of its Government to take any action it deems necessary, to safeguard and protect its interest in the event of any Member failing in any way to comply with one or more provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994) or the Administrative Regulations.

For New Zealand:

In signing the Final Acts of the International Telecommunication Union Plenipotentiary Conference (Kyoto, 1994) the delegation of the New Zealand Government reiterates the declaration and reservation No. 29 made on signature of the Final Acts of the Plenipotentiary Conference Geneva 1992) in relation to any amendments made to the Geneva Constitution and Convention by the Kyoto instruments.

For the People's Democratic Republic of Algeria, the Commonwealth of the Bahamas, the State of Bahrain, Barbados, the Republic of Cameroon, the Republic of Côte d'Ivoire, Guyana, the Republic of India, the Islamic Republic of Iran, the Hashemite Kingdom of Jordan, the Republic of Kenya, the State of Kuwait, Lebanon, the Kingdom of Morocco, the Sultanate of Oman, the Islamic Republic of Pakistan, Papua New Guinea, the State of Qatar, Saint Vincent and the Grenadines, the Kingdom of Saudi Arabia, the Republic of Senegal, the Syrian Arab Republic, Thailand, the United Arab Emirates and the Republic of Zimbabwe:

These delegations consider that the Administrative Regulations referred in No. 31 of the Constitution are the Radio Regulations and the International Telecommunication Regulations, as amended by competent conferences subsequent to the Additional Plenipotentiary Conference (Geneva, 1992). Proposals were put forward at this Conference to affirm the binding nature of the revised Administrative Regulations; those proposals were not adopted by the competent Committee solely in order to limit the number of amendments that the Conference might make to the Constitution. At the time those proposals were discussed, the "international treaty" aspect incumbent upon all Members who had signed the successive revisions was not questioned.

It is likewise recognised that reservations on the part of Members to the effect that they will not apply all or part of the revision of a Regulation, and declarations to the same effect during the period following the competent conference which has revised a Regulation, are not in conformity with the provisions of the Vienna Convention on the Law of Treaties, which stipulates, in its Article 27, that a party may not invoke the provisions of its domestic law to justify non-execution of a treaty.

The Conference has recognized that a legal void remains with regard to Members who stated, during the period following the competent conference which revised a Regulation, that they did not agree to be bound by revisions of Administrative Regulations.

Bearing in mind the foregoing, and taking into consideration that the World Radiocommunication Conference to be held in 1995 is to review the entire Radio Regulations, the signatories reiterate their sovereign right, shared by all Members of the ITU, over the common resources of the radio-frequency spectrum and the geostationary-satellite orbit. Their participation in the 1995 World Radiocommunication Conference and their acceptance of its decisions will be based on the principle that the international Regulations as revised by that Conference constitute a treaty which binds all the Members who have signed it, in conformity with Nos. 30 and 31 of the Constitution.

81

Original: French

For Portugal:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994), the delegation of Portugal declares on behalf of its Government:

- (a) that it accepts no consequence of the reservations made by other Governments which might entail an increase in its contribution to defraying the expenditure of the Union;
- (b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this Conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;
- (c) that it also reserves for its Government the right to express additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

82

Original: English

For Japan:

The delegation of Japan reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the amendments of the Constitution and the Convention of the International Telecommunication Union adopted by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other countries jeopardize in any way its interests.

83

Original: English

For the Federal Republic of Nigeria:

The delegation of the Federal Republic of Nigeria to the Plenipotentiary Conference (Kyoto, 1994), hereby declares that its Government reserves the right to:

1. take any action which it considers necessary to safeguard its interests should certain Members of the Union fail to share in defraying the expenses of the Union or should they fail in any other way to comply with the provisions of the instruments amending the

Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), which were adopted by the Plenipotentiary Conference (Kyoto, 1994), or the Annexes and Protocols attached thereto, or should reservations by other Members of the Union endanger in any way the telecommunication services of the Federal Republic of Nigeria;

2. make any statement or reservations until the time of ratification by the Federal Republic of Nigeria of the Constitution and the Convention of the International Telecommunication Union (Kyoto, 1994).

84

Original: English

For the United States of America:

The United States of America refers to Nos. 445 and 446 of the Convention (Geneva, 1992) and notes that in considering the Final Acts of the Plenipotentiary Conference (Kyoto 1994), the United States may find it necessary to make additional declarations or reservations. Accordingly, the United States of America reserves the right to make additional specific declarations or reservations at the time of deposit of its instruments of ratification of the amendments to the Constitution and the Convention (Geneva, 1992).

The United States of America reiterates and incorporates by reference all declarations or reservations made at world administrative conferences and world radiocommunication conferences prior to signature of these Final Acts.

The United States of America does not by signature or by any subsequent ratification of the amendments to the Constitution and Convention adopted by the Plenipotentiary Conference (Kyoto, 1994) consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall the United States of America be deemed to have consented to be bound by revisions of the Administrative Regulations whether partial or complete revisions, adopted subsequent to the date of signature of these Final Acts, without specific notification to the International Telecommunication Union by the United States of America of its consent to be bound.

85

Original: French

For France:

The French delegation reserves for its Government the right to take any action which it may deem necessary to safeguard its interests in the event that certain Members do not share in defraying the expenditure of the Union or fail in whatever manner to comply with the provisions of the amendments to the Constitution and to the Convention of the International Telecommunication Union (Geneva, 1992), adopted by this Conference (Kyoto, 1994), or should reservations made by other countries jeopardize the operation of its telecommunication services or entail an increase in its contributory share in defraying the expenditure of the Union.

86

Original: English

For the Republic of Cyprus:

The delegation of the Republic of Cyprus reserves for its Government the right to take any action it deems necessary to safeguard its interests should any Members of the Union not share in defraying the expenses of the Union, or should they fail in any way to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), and/or Annexes and Protocols thereof, as amended by the Kyoto 1994 instrument, or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or jeopardize its telecommunication services, or should any other action taken or intended to be taken by any person, physical or juridical directly or indirectly affect its sovereignty.

The delegation of the Republic of Cyprus further reserves for its Government the right to make any other declaration or reservation until and up to the time that the Kyoto 1994 instrument amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) is ratified by the Republic of Cyprus.

For the Kingdom of the Netherlands:

I

The delegation of the Netherlands reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Kyoto instruments (1994), or their Annexes, or the Optional Protocol attached thereto, or should reservations by other countries be liable to cause an increase in its contributory shares in defraying Union expenses or, finally, should reservations by other countries jeopardize its telecommunication services.

II

The Netherlands delegation formally declares, with regard to Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Kyoto instruments (1994), that it maintains the reservations made on behalf of its Government when signing the Administrative Regulations mentioned in Article 4.

88

Original: English

For the Arab Republic of Egypt:

The delegation of the Arab Republic of Egypt reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should any other present or future Member fail to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or its Annexes or the Protocols attached thereto, as amended by the 1994 Kyoto instrument or should reservations by other Members jeopardize the efficient operation of its telecommunication services.

89

Original: English

For Ireland:

Taking account of the declarations and reservations deposited by certain Members, the Government of Ireland reiterates the reservations made when signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) and reserves furthermore the right to take such action as it considers necessary to safeguard its interests should any Member fail in any manner to comply with its obligations under the Constitution and Convention of the International Telecommunication Union (Geneva, 1992 as amended by the Plenipotentiary Conference, Kyoto, 1994) or the annexes thereto.

90

Original: English

For the State of Israel:

1. The declaration made by certain delegations in No. 26 of the Final Acts being in flagrant contradiction with the principles and purposes of the International Telecommunication Union is therefore, devoid of any legal validity.

The Government of Israel wishes to put on record that it rejects outright these declarations which politicize and undermine the work of the ITU. The delegation of Israel will proceed on the assumption that they have no bearing whatsoever with respect to the rights and duties of any Member State of the International Telecommunication Union.

Furthermore, in view of the fact that Israel and many Arab States are currently in the midst of negotiations on a solution to the Arab-Israeli conflict, the delegation of Israel finds the Arab Declaration counterproductive and damaging to the cause of peace in the Middle East; it also contradicts the spirit of Resolution 32 which was adopted unanimously at this Kyoto Plenipotentiary Conference on 13 October 1994.

The delegation of Israel will, insofar as concerns the substance of the matter, adopt towards the Members whose delegations have made the above-mentioned Declaration, an attitude of complete reciprocity.

The delegation of Israel further notes that Declaration No. 26 contrary to ITU procedures does not refer to the State of Israel by its full name. As such it introduces to the professional work of the Conference inadmissible elements of discord and enmity, and must be repudiated as a grave violation of recognized rules and norms of international behaviour.

2. Furthermore, after noting various other declarations already deposited, the delegation of Israel reserves for its Government the right to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services should they be affected by the decisions of this Conference or by the reservations made by other delegations.

91

Original: English

For Bangladesh:

After having considered the declarations contained in Document 299 the delegation of Bangladesh reserves the right of its Government to take actions that it deems necessary to safeguards its interests, should any Member or member fail, in any way to comply with the requirements of the instrument amending the Constitution and the Convention of the International Telecommunication Union, as adopted at Kyoto, 1994 (ITU PP-94, Kyoto), or if any reservation should be made by any Member or member jeopardizing the technical and/or commercial operation of the telecommunication services of Bangladesh or leading to any increase in its share towards defraying the expenses of the Union.

92

Original: English

For the Federal Republic of Germany, Australia, Austria, Belgium, Canada, the Republic of Cyprus, Denmark, the Republic of Estonia, the United States of America, Finland, France, Greece, the Republic of Hungary, Ireland, the State of Israel, Italy, Japan, the Republic of Latvia, the Principality of Liechtenstein, Luxembourg, Malta, the Principality of Monaco, Norway, New Zealand, the Kingdom of the Netherlands, the Republic of Poland, Portugal, the United Kingdom of Great Britain and Northern Ireland, Sweden, the Confederation of Switzerland and Turkey:

The delegations of the above-mentioned countries referring to the Declarations made by the Republic of Colombia (No. 37) and the Republic of Kenya (No. 72), inasmuch as these and any similar statements refer to the Bogota Declaration of 3 December 1976 by equatorial countries and to the claims of those countries to exercise sovereign rights over segments of the geostationary-satellite orbit, consider that the claims in question cannot be recognized by this Conference.

Further, the above-mentioned delegations wish to affirm or reaffirm the Declaration made by a number of delegations (No. 73) at the Additional Plenipotentiary Conference (Geneva, 1992) and declarations at conferences referred to therein as if these Declarations were here repeated in full.

The above-mentioned delegations also wish to state that the reference in Article 44 of the constitution to the "geographical situation of particular countries" does not imply a recognition of claim to any preferential rights to the geostationary-satellite orbit.

93

Original: English

For the Federal Republic of Germany, Finland, France, Iceland, Italy, the Republic of Latvia, the Principality of Monaco, the Kingdom of the Netherlands, Romania, the United Kingdom of Great Britain and Northern Ireland and Turkey:

With regard to the declarations of several delegations to express reservations and declarations to the Final Acts of the present Conference at or before the time of deposit of their instruments of ratification, these delegations reserve the right of their Governments not to recognize reservations and declarations made by other Members of the Union after signing the Final Acts of this Conference.

Original: English

For the Federal Republic of Germany, Belgium, the Republic of Cyprus, Denmark, the Republic of Estonia, Finland, France, Greece, Ireland, Iceland, Italy, the Republic of Latvia, the Principality of Liechtenstein, Luxembourg, the Principality of Monaco, Norway, the Kingdom of the Netherlands, the Republic of Poland, Romania, the United Kingdom of Great Britain and Northern Ireland, Sweden, the Confederation of Switzerland and Turkey:

These delegations, referring to Declaration No. 80 made by the People's Democratic Republic of Algeria, the Commonwealth of the Bahamas, the State of Bahrain, Barbados, the Republic of Cameroon, the Republic of Côte d'Ivoire, Guyana, the Republic of India, the Islamic Republic of Iran, the Hashemite Kingdom of Jordan, the Republic of Kenya, the State of Kuwait, Lebanon, the Kingdom of Morocco, the Sultanate of Oman, the Islamic Republic of Pakistan, Papua New Guinea, the State of Qatar, Saint Vincent and the Grenadines, the Kingdom of Saudi Arabia, the Republic of Senegal, the Syrian Arab Republic, Thailand, the United Arab Emirates and the Republic of Zimbabwe, note that this Declaration was not made at the time of signature of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and does not affect the application of Article 54 of the Constitution to the delegations making this present Declaration.

*Original: English**For Australia*

After having considered the Declarations and reservations contained in Conference Document 299, the delegation of Australia declares that it reserves for its Government the right to make any statements or reservations when depositing its instruments of ratification for the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994).

*Original: English**For the Socialist People's Libyan Arab Jamahiriya:*

After having considered the Declarations and reservations contained in Document 299 the delegation of the Socialist People's Libyan Arab Jamahiriya to the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) reserves for its Government the right to take any action it deems necessary to safeguard its national interests and telecommunication services, should any Member fail to comply with the provisions of the Final Acts of the Kyoto Conference (1994). It also reserves for its Government the right to make any reservation it deems necessary prior to the ratification of these Final Acts if any provision may contradict with the Constitution of the Socialist People's Libyan Arab Jamahiriya.

*Original: English**For the United States of America:*

The United States of America refers to Declaration No. 80 made by many delegations. The United States of America notes that the United States of America does not agree with various points in that Declaration and that Declaration No. 80, which is prospective in nature, was not made at the time of signature of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and does not affect the application to the United States of America of Article 54 of the Constitution (Geneva, 1992).

*Original: English**For the United States of America:*

The United States of America, noting the Statement (No. 40) entered by the delegation of Cuba, recalls its rights to broadcast to Cuba on appropriate frequencies free of jamming or other wrongful interference and reserves its rights with respect to existing interference

and any future interference by Cuba with United States broadcasting. Furthermore, the United States of America notes that its presence in Guantanamo is by virtue of an international agreement presently in force; the United States of America reserves the right to meet its radiocommunication requirements there as heretofore.

99

Original: English

For the Kingdom of Tonga:

The delegation of the Kingdom of Tonga with reference to the provision of the Declarations and reservations as contained in Document 299 of 13 October 1994 reserves the right of its Government to take any action that it deems necessary to safeguard its interests should any Member fail to comply with the provisions contained in the instrument amending the Constitution and the Convention of the ITU (Geneva, 1992) as adopted by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other administrations jeopardize the proper operation of the Kingdom of Tonga's telecommunication services.

100

Original: English

For the Former Yugoslav Republic of Macedonia:

After having considered the Declarations and reservations contained in Conference Document 299 the delegation of the Republic of Macedonia reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Members, present or future, not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of the 1994 Kyoto instruments amending the Constitution and the Convention of the ITU (Geneva, 1992), or should reservations by other countries be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

101

Original: English

For the Republic of Ghana:

The delegation of the Republic of Ghana after having considered the Declarations contained in Conference Document 299, in signing the Kyoto 1994 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union, reserves the right for the Government of the Republic of Ghana to take any measures it considers appropriate to safeguard its interests.

The Ghana delegation further reserves for the Government of Ghana the right to make any statements and reservations when depositing its instrument of ratification for the Final Acts of the Kyoto 1994 Plenipotentiary Conference of the International Telecommunication Union.

The signatures following are the same as those following the Instruments amending the Constitution and Convention of the ITU (Geneva, 1992).

DECISIONS RESOLUTIONS RECOMMENDATIONS

DECISION 1

Expenditure of the Union for the Period 1995 to 1999*

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

Resolution 5 of the Additional Plenipotentiary Conference (Geneva, 1992),

considering

the strategic plans and goals established for the Union and its Sectors for the period 1995 to 1999,

resolves

- 1.1 that the Council is authorized to draw up the ordinary budgets of the Union in such a way that the total expenditure of the General Secretariat and the three Sectors of the Union does not exceed:
 - 150.6 million Swiss francs for the year 1995;
 - 296.8 million Swiss francs for the years 1996 and 1997;
 - 302.6 million Swiss francs for the years 1998 and 1999;
- 1.2 that the amounts specified in paragraph 1.1 do not include expenditure for the implementation of Technical Cooperation projects by the Telecommunications Development Bureau;
- 1.3 that the amounts specified in paragraph 1.1 include expenditure in respect of additional working languages (Arabic, Chinese and Russian), to an amount not exceeding 22.5 million Swiss francs for the years 1995 to 1999;
2. that if no Plenipotentiary Conference is held in 1998, the Council shall establish the biennial budgets of the Union for the year 2000 and thereafter, having first obtained approval for the budgeted expenditures from a majority of the Members of the Union;
3. that the Council may authorize expenditure in excess of the limits for conferences, meetings and seminars if such excess can be compensated by sums within the expenditure limits accrued from previous years or charged to the following year;
4. that the Council shall, during each budgetary period, assess retrospectively the changes that have taken place and the changes likely to take place in the current and coming budgetary periods under the following items:
 - 4.1 salary scales, pension contributions and allowances, including post adjustments, established by the United Nations common system and applicable to the staff employed by the Union;
 - 4.2 the exchange rate between the Swiss franc and the US dollar insofar as this affects the staff costs of those on United Nations scales;
 - 4.3 the purchasing power of the Swiss franc in relation to non-staff items of expenditure;
5. that, in the light of this information, the Council may authorize expenditure up to but not beyond the amounts indicated in paragraph 1.1 above, adjusted to take account of paragraphs 4.1, 4.2 and 4.3 above, giving weight to the desirability of achieving savings within the Union, while also recognizing that certain expenditures cannot be adjusted quickly in response to changes outside the Union's control. However, the actual expenditure may not exceed the amount resulting from the actual changes under paragraph 4 above;
6. that the Council shall have the task of effecting every possible economy. To this end, it shall be the duty of the Council to establish the lowest possible authorized level of

*All amounts indicated in this Decision are expressed in Swiss francs with the value at 1 January 1994.

expenditure commensurate with the needs of the Union, within the limits established by paragraph 1, if necessary taking into account the provisions of paragraph 4;

7. that, if appropriations which the Council may authorize by virtue of paragraphs 1 to 4 above are insufficient to meet the expenditures on unforeseen yet urgent activities which are in the interest of the Union, the Council may exceed by up to 1 per cent the budgetary limits established by the Plenipotentiary Conference. If the proposed appropriations exceed the limit by 1 per cent or more, the Council may authorize them only with the approval of a majority of the Members of the Union after they have been duly consulted; they shall be presented with a full statement of the facts justifying this step;

8. that, in determining the value of the annual contributory unit in any particular year, the Council will take into account the future programme of conferences and meetings and the estimated related costs in order to avoid fluctuations from year to year.

DECISION 2

Procedure Concerning Choice of Contributory Class

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

decides

1. that each Member and member shall inform the Secretary-General before 15 April 1995 of the class of contribution it has chosen from the scale of contributions in Article 33 of the Convention of the International Telecommunication Union (Geneva, 1992);

2. that Members and members which have failed to make known their decision before 15 April 1995 in accordance with the requirements of paragraph 1 above shall be required to continue to contribute the same number of units as they contributed previously;

3. that, at the first session of the Council held after 1 January 1997, a Member or a member may, with the approval of the Council, reduce the level of its contributory class determined under paragraphs 1 and 2 above if its relative contributory position under the applicable scale of contribution is substantially worse than its previous position;

4. that the relevant provisions of the Kyoto 1994 Instruments amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) shall be applied as from 1 January 1996.

RESOLUTION 1

Strategic Plan for the Union, 1995-1999

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) relating to strategic policies and plans;
- b) Article 19 of the Convention of the International Telecommunication Union (Geneva, 1992) and Resolution 4 of the Additional Plenipotentiary Conference (Geneva, 1992) on the participation of entities and organizations other than administrations in the activities of the Union;
- c) Resolution 5 of the Additional Plenipotentiary Conference (Geneva, 1992) on the management of the Union;
- d) Resolution 15 of the Additional Plenipotentiary Conference (Geneva, 1992) on consideration of the need to establish a forum to discuss strategies and policies in the changing telecommunication environment,

noting

the challenges faced by the Union in achieving its purposes in the changing telecommunication environment, both in the period covered by the strategic plan for the Union for 1995-1999 and in the following period,

taking into account

- a) the decisions of the World Telecommunications Standardization Conference (Helsinki, 1993), the Radiocommunication Assembly and the World Radiocommunication Conference (Geneva, 1993) and the World Telecommunication Development Conference (Buenos Aires, 1994) concerning the work programme of the Sectors;
- b) the decisions of this Conference concerning strategic policy issues including, inter alia:
 - i) the creation of a forum for discussion of telecommunication policies and strategies;
 - ii) mechanisms to enhance the participation of non-administration entities and organizations in the activities of the Union immediately, and in the longer term, as set out in Resolutions 14 and 15,

recognizing

- a) the need to facilitate smooth development of telecommunications for maximum social and economic benefit in the future by:
 - promoting a more balanced distribution of telecommunication technology worldwide through non-discriminatory access to modern telecommunication facilities and services and new telecommunication technologies;
 - introducing tariff reforms aimed at promoting the rational use of telecommunication networks and the provision of an efficient universal telecommunication service to foster investments, while preparing operators for a more competitive environment, taking into account that tariffs should be cost-orientated and that the geographical characteristics of countries are different;
 - developing a common understanding of the regulation of telecommunications at the national level, while preserving each State's sovereign right to regulate its telecommunications;
- b) the continuing need to improve the efficiency and effectiveness of the Union's working methods;
- c) the need to adapt the ITU's management systems to the operational requirements of the new environment, including its systems for managing financial, human and information resources;
- d) the need for synergy with other world and regional agencies concerned with the advancement of telecommunications,

bearing in mind

the growing demands placed on the activities of the Union, the limited resources available to fund them and the consequent need to establish priorities among the Union's activities,

resolves

to adopt the strategic plan for 1995-1999, as annexed to this Resolution, based on the following principles:

1. the goal of the strategic plan is to establish the Union as the international focal point for all matters relating to telecommunications in the global information economy and society of the twenty-first century;
2. this goal is pursued through the Union's mission in the following three domains:
 - 2.1 a technical domain—to promote the development, efficient operation, usefulness and general availability of telecommunication facilities and services;
 - 2.2 a development domain—to promote the development of telecommunications in developing countries and the extension of the benefits of telecommunications to people everywhere;

2.3 a policy domain—to promote the adoption of a broader approach to telecommunication issues in the global information economy and society;

3. the overall strategies for the Union for 1995–1999 are:

3.1 to strengthen the foundations of the Union by:

- (i) enhancing participation by non-administration entities and organizations, and seeking their views and contributions on:
 - the best approaches to the opportunities and challenges for telecommunication development; and
 - ways and means to enhance their satisfaction with ITU products and services;
- (ii) increasing synergy between the activities of the Sectors of the Union;

3.2 to broaden the Union's activities by:

- creating a forum for discussion of telecommunication policies and strategies (see Resolution 2);
- utilizing ITU resources and information systems more effectively;

3.3 to increase the Union's leverage in international affairs by:

- establishing strategic alliances with other concerned international and regional organizations;
- communicating more effectively with the public,

instructs the Secretary-General

1. to present detailed plans for implementing the strategic plan for 1995–1999 in his annual reports to Council, including recommendations to adjust the plan in light of changes in the telecommunication environment, decisions by conferences of the Sectors and changes in the Union's activities and its financial situation;

2. to distribute his report to all Members of the Union, after its consideration by Council, urging them to circulate it to their members participating in the work of the Sectors of the Union, as well as to those members referred to in No. 235 of the Convention (Geneva, 1992) which have contributed to the study,

instructs the Council

1. to oversee further development and implementation of the strategic plan for 1995–1999 in annex hereto, on the basis of the annual reports by the Secretary-General;

2. to present an assessment of the results of the strategic plan for 1995–1999 to the next Plenipotentiary Conference, along with a proposed strategic plan for the period 2000–2003,

invites the Members of the Union

to contribute national insights on policy, regulatory and operational matters to the strategic planning process undertaken by the Union in the period before the next Plenipotentiary Conference, in order to:

- strengthen the effectiveness of the Union in fulfilling its purposes as set out in the instruments of the Union by cooperating in the implementation of the strategic plan; and
- assist the Union in meeting the changing expectations of all its constituents as national structures for the provision of telecommunication services continue to evolve,

invites, moreover, non-administration entities and organizations

to communicate their views on the strategic plan of the Union to the Secretary-General.

Annex: Strategic plan 1995–1999

ANNEX TO RESOLUTION 1

TABLE OF CONTENTS

		<i>Page</i>
I	Introduction	34
II	Overall strategy and priorities of the Union	35
	A The ITU mission	35
	B Changing telecommunication environment.....	35
	C A general strategic approach.....	37
	D General policy and programme priorities.....	38
III	Sectoral strategies and priorities.....	40
	A Radiocommunication.....	40
	B Standardization.....	42
	C Development.....	43
	D Regional presence	46
IV	Management and personnel strategies and priorities.....	47
V	Financial considerations.....	48

INTERNATIONAL TELECOMMUNICATION UNION

STRATEGIC PLAN 1995-1999

I Introduction

1 This strategic plan for the period 1995-1999 reflects the decisions of the Kyoto Plenipotentiary Conference on strategic policies and plans for the ITU.

2 It is intended to provide the strategic framework for the Union's overall activities and budgets for 1995-1999. The Council may adjust the plan as required after considering the report of the Secretary-General.

3 The Additional Plenipotentiary Conference (APP) in December 1992 restructured the Union so that it would be organized to respond to the new environment. Although improved structures and working methods are necessary conditions for success, they are not sufficient. With the new structures in place and the new working methods in the process of being implemented, the strategic focus for the next plenipotentiary period must shift to the activities of the Union. To achieve its purposes, the activities of the ITU must serve the changing needs of its membership—both Member administrations and the members who participate in the Union's work—as efficiently and effectively as possible. The ITU may find it necessary to make further adjustments to the Union's structures and working methods at the 1998 Plenipotentiary Conference. However, the dominant strategic theme in the plenipotentiary period 1995-1998 is better service to the Union's various constituencies and other parties with an interest in its work.

4 The plan is organized as follows:

- Section II summarizes the mission of the ITU as defined in the Geneva Constitution and Convention, outlines the main trends in the telecommunication environment which will create threats and opportunities for the Union in the 1995-1999 timeframe, recommends a general strategy for achieving the ITU's purposes in this period, and sets out specific policies, plans and priorities for the Union as a whole;
- Section III focuses on the challenges facing the Radiocommunication, Standardization and Development Sectors in carrying out the missions they have been given by Geneva Constitution and Convention, and outlines the strategies which have been developed by the Sectors for responding to these challenges;
- Section IV discusses the organizational, management and personnel strategies that must be put in place to enhance the efficiency and effectiveness of ITU activities;
- Section V presents considerations relating to the financing of ITU activities in the period 1995-1999.

II Overall strategy and priorities of the Union

A The ITU mission

5 The purposes of the ITU are set out in Article 1 of the Geneva Constitution. In essence, the Union's mission covers the following domains:

- **a technical domain:** to promote the development and efficient operation of telecommunication facilities, in order to improve the efficiency of telecommunication services, their usefulness, and their general availability to the public;
- **a development domain:** to promote and offer technical assistance to developing countries in the field of telecommunications, to promote the mobilization of the human and financial resources needed to develop telecommunications, and to promote the extension of the benefits of new telecommunication technologies to people everywhere;
- **a policy domain:** to promote, at the international level, the adoption of a broader approach to telecommunication issues in the global information economy and society.

This mission can be accomplished by the ITU in cooperation with other world and regional intergovernmental organizations and those non-governmental organizations concerned with telecommunications.

6 Article 1 of the Geneva Constitution also indicates the means intended to achieve this mission. These means are reinforced by the following principles:

- **cooperation** between ITU Member administrations in policy matters with a view to achieving the highest possible degree of harmonization of their actions;
- **participation** by non-administration entities and organizations in the activities of the ITU's Sectors;
- **information exchange** among all ITU participants and with the wider telecommunication community.

B Changing telecommunication environment

7 A number of important trends in the international telecommunication environment will affect the ITU as it seeks to carry out its mission in the 1995-1999 period.

8 **Restructuring of the telecommunication sector:** The telecommunication sector continues to be restructured and liberalized. This is being done by separating telecommunication operations from government administrations and by introducing competition in the provision of telecommunication equipment and services. As a result of these changes, the role of many ITU Member administrations is changing. Some administrations that were operators are now regulators only. At the same time, the character of many operators and manufacturers is also changing, as monopoly gives way to competition in liberalized segments of the telecommunication market. These trends are changing the membership profile of the ITU and creating new needs and expectations on the part of Members and non-administration participants alike. The priorities of the Union must therefore be re-examined and re-aligned to reflect the changed nature of the communities it is meant to serve.

9 **Technological convergence:** The rapid development and convergence of telecommunications, computer, broadcasting and information technology and redefining the boundaries of the telecommunication industry, giving rise to new product and service opportunities, and posing new questions for government policy-makers and regulators. The development of advanced terrestrial and satellite-mobile communication systems and the parallel development of multimedia communication systems will raise issues concerning the priorities of all three ITU Sectors, the manner in which the benefits of these systems can be extended to developing countries, the regulatory environment of convergent services at the domestic and international level, and the membership profile of the ITU. The Union's response to the phenomenon of technological convergence will determine whether or not it continues to serve the interests of the rapidly expanding telecommunication sector in the twenty-first century.

10 Globalization: Global telecommunication consortia are emerging as a result of alliances, mergers and acquisitions between national operators, and through the development of entirely new systems, including mobile-satellite networks intended to provide global coverage through portable, hand-held terminals. The emergence of these global consortia and systems has the potential to change fundamentally the nature of international telecommunications. In the past, international services were jointly provided by national operators. In the future, they will be provided increasingly on a transnational basis. The ITU will of course continue to provide a forum for developing technical, operational, and service standards for global systems, and for allocating spectrum to these services. The question of how policies for global telecommunication systems should be harmonized will be one of the most important and difficult new issues faced by the ITU during the next plenipotentiary period. The exchange of technical information and regulatory experiences will assist all Members in making informed national policy choices regarding infrastructure alternatives, the role of competition, licensing and restructured regulatory regimes. National regulatory responses to global telecommunication systems are of particular interest.

11 Global information economy and society: Technological progress and the globalization of telecommunication operations are closely related to the emergence of today's global information economy and society. These effects are particularly notable in the development of the global economy. Advances in telecommunications have unified world financial, currency and commodity markets in "real-time" trading systems, supported the development of global corporations, and changed the distribution of work between developed and developing countries in the manufacturing and service sectors. As well as supporting the globalization of economic activity, telecommunication and information goods and services are now recognized as important global industries in their own right. Participants in the recently-concluded Uruguay Round of GATT negotiations saw telecommunications as the key to expanding trade in services, as well as to improving trade efficiency in other sectors. Telecommunications also exercise an important influence on worldwide consumer demands, expectations and tastes through the dissemination of advertising and cultural products. These trends are combining to create new expectations concerning international telecommunications on the part of the international community. They are leading to the development of telecommunication-related decisions in other international organizations, most notably in the GATT and the new World Trade Organization (WTO). For the ITU to play "a leading role" in the information economy and society of the twenty-first century, it should establish, in cooperation with international and regional organizations, a vision of the role telecommunications will play in global economic and social development, communicate this vision to other international organizations, and coordinate its activities with them in pursuit of mankind's common goals.

12 Geopolitical change: The rise of the global information economy and society has been accompanied by significant geopolitical changes, as structures which were built on military and political foundations have been adjusted to take account of economic and social developments. In this respect, one of the most important trends has been the development of strong regional economic and trading alliances, most notably in Europe, North America and the Asia-Pacific region. The aim of these alliances is to integrate and strengthen the economies of the regions, to position them better for competing in the global economy. In general, regional organizations have recognized the central role played by telecommunications, in economic development and competitiveness. Some have therefore sought to develop regional strategies and policies which will support the growth of telecommunications, in order to further regional economic and social development. In some cases, regional institutions have been established that closely mirror the activities of the ITU. The Union's strategies and priorities should address the respective roles and responsibilities of the ITU, other international organizations, and their regional counterparts.

13 The development gap: In the information economy and society, telecommunication development should no longer be viewed solely in terms of assistance provided from developed to developing countries. It must be seen in the much broader context of sustainable global development. In this perspective, the development of telecommunications is interdependent with the other elements of economic and social development. They are mutually reinforcing and should be pursued in ways that preserve and enhance the natural and human environment. Since telecommunications are now

recognized as an essential infrastructure for all human development, universal access to at least basic telecommunication services should be viewed as a fundamental objective by the international community. A decade ago, the Maitland Commission suggested to the ITU that this goal should be reached by the year 2000. While there have been notable advances in some developing countries, there has been very little progress in the fifty or so least developed countries (LDCs). Overall, the gap between the developed and developing worlds has widened. However, new technologies promise to make it possible to achieve the goal of universal access to basic services and to extend some of the benefits of new technologies to developing countries. Closing the development gaps between the LDCs and other developing countries, and between the developed and developing worlds, will require a concerted effort between ITU Members and members, between ITU Sectors, and between the ITU and other international and regional organizations.

C A general strategic approach

14 Since its creation, the ITU's fundamental mission has been technical. The greater part of the Union's resources are allocated to this mission, and its greatest successes have been in this area. The ITU is the only international organization with a thorough technical knowledge of telecommunications, not only because Member countries are represented by telecommunication administrations, but because the world's leading suppliers of telecommunication goods and services participate so actively in ITU activities. The Union's strategy builds on its core technical competence in telecommunications.

15 In developing a strategy based on this foundation, it will be necessary to maintain and strengthen the ITU's role in standardization, in radiocommunication, and in the development of telecommunication networks. This will be done through the activities of the three Sectors and by establishing closer links among them.

16 As a result of the changes that have taken place in the structure of the world telecommunication sector, public policies, legislative frameworks and regulatory institutions are now playing a more decisive role in the development of telecommunications. In addition, the emergence of global telecommunication operators and the GATT agreement on a global framework for regulating trade in telecommunication goods and services strongly indicate that reviewing and updating the ITU's role in the regulation of international telecommunications should be a strategic priority for the period 1995-1999. This may require adaptation of the Union's traditional strengths. In particular, the interplay between the activities of the ITU and the WTO on telecommunication matters will have to be considered. Some adjustments in jurisdiction or procedures may ultimately be necessary. The Union should establish immediately effective liaison with the WTO to identify issues at an early stage and avoid duplication or inconsistent activities. More generally, to maintain ITU's claim to global technical pre-eminence in matters relating to telecommunications, the Union should continue to keep pace with developments in the areas of telecommunication policy, law, regulation and trade.

17 Telecommunication development is a relatively new priority in the ITU mission. Relatively little progress has been made toward the fundamental development goal of universal access to basic telecommunication services in the decade since the Maitland report. The telecommunication needs of developing countries are great, while the resources of the ITU are limited and currently declining. In this situation, the Union's strategy should be to use the leverage provided by its core technical competencies to help achieve its development mission. One of the essential elements of this strategy is improved cooperation and coordination between the Standardization, Radiocommunication and Development Sectors.

18 Strengthening the Union's technical pre-eminence in telecommunications will position the ITU to be a credible partner in development—to the service providers and equipment manufacturers who are driving the development of telecommunications worldwide, to the private investors and public institutions that possess the financial resources needed by developing countries, and to the other international organizations involved in infrastructure, economic and social development programmes which increasingly depend on telecommunications for their success.

19 The policy role of the ITU adopted by the Additional Plenipotentiary Conference (Geneva, 1992) may in the long run prove to be of the greatest strategic significance to the

Union. In the 1995–1999 timeframe, the most appropriate strategy for developing the ITU's broad policy role will be to focus the attention of the international community on telecommunication issues in the global information economy and society.

20 The ITU is an intergovernmental organization, and its Members clearly wish to remain so. The need to preserve the intergovernmental nature of the ITU is therefore a fundamental premise in strategic planning for the Union for the 1995–1999 timeframe. However, great advantage can be derived from enhanced participation of the private sector in the ITU. The ITU's leading role as an international organization and the achievement of its purposes as set out in the Constitution fundamentally depend on the enhanced participation of non-administration entities and organizations. This in turn requires continued consultation with industry participants to ensure that their contributions are rewarded by effective results. The need to enhance the ITU's character as a partnership between the public and private sectors is therefore a fundamental strategic premise.

21 As the Union refines its strategy in the 1995–1999 period, Member administrations must remain ever conscious of the strategic need to maintain and strengthen the relationship between the public and private sectors within the ITU.

22 The Union's strategy in the plenipotentiary period 1995–1998 should be to approach this issue on a practical basis, taking into account:

- the changing roles, needs and functions of Member administrations;
- the associated changes in the wider communications industry, and the changing needs of all ITU participants. On this basis, it will be possible to examine how adequately these needs are served by existing structures and working methods, and thereby determine whether adjustments are required to meet the specific, evolving needs of ITU constituents.

Members must be prepared to adjust the ITU's structures and working methods if it is in the long-term interest of the Union to do so.

D General policy and programme priorities

23 The following policy and programme priorities are recommended for particular attention, within the budgetary limits of the plenipotentiary period 1995–1998:

1 Strengthening the foundations of the Union

24 In order to increase the effectiveness of the ITU, the following actions should be considered for the 1995–98 plenipotentiary period:

- the needs of ITU Member administrations, non-administration participants and the world telecommunication sector, including telecommunication user groups and development partners, should be systematically analysed to determine what they require and expect from the Union. This should initially be done on a comprehensive basis and as a matter of urgency by the 1995 Council. Further and possibly more targeted analysis should be conducted at regular intervals throughout the plenipotentiary period;
- the participation in Union activities of non-administration entities and organizations should be enhanced. Because of the intergovernmental nature of the ITU, this should be done in the first instance by encouraging national entities and organizations to participate in national delegations and in forums established by Member administrations for developing national positions for ITU meetings and conferences;
- as provided by Resolutions 14 and 15, the terms and conditions under which members participate in Union activities should be reviewed and updated in light of their changing needs and the ITU's changing requirements. A study programme should also be undertaken to determine under what conditions non-profit organizations and the small members might take part in ITU activities. The impact of these changes on the financial balance between the three ITU Sectors should be carefully monitored;
- linkages and synergies between the activities of the three ITU Sectors should be reinforced.

2 Broadening the scope of Union activities

25 At the same time as the Union seeks to strengthen its current core competencies to ensure its technical pre-eminence in international telecommunications, it must take cognizance of the rapid changes taking place in the telecommunication environment and in the needs of its Members:

- a purpose of the Union is to promote, at the international level, a broader approach to telecommunication issues in the global information economy and society. ITU Member administrations realize the need for constant review of their own telecommunication policies and legislation for coordination with those of other Members in the rapidly changing telecommunication environment. A new forum established by Resolution 2 will provide a framework for discussion of telecommunication policy, without prescriptive regulatory outcomes;
- the implications of the Marrakesh Agreement, including the General Agreement on Trade in Services (GATS), the implications of technological convergence and global telecommunication systems are possible topics for priority consideration in these forums;
- developments which might lead to the need in a future plenipotentiary period to hold a world conference on international telecommunications (WCIT), as provided for in Article 25 of the Constitution (Geneva, 1992), should be kept under review;
- the Union should develop strategies to exploit its information resources more effectively. There is a huge and growing demand for information about telecommunications. By capitalizing on the technical information available through its radiocommunication, standardization, and development study groups, the data collected by the Standardization and Development Sectors, and the telecommunication indicators programme, the ITU could respond to this demand and increase revenues from its publications programme. In developing an ITU information resources strategy along these lines, the terms and conditions under which members should obtain access to ITU information resources must be carefully considered, and care taken to avoid policies which would create incentives for companies simply to purchase ITU information products and services instead of becoming Sector members.

3 Increasing the Union's leverage

26 Broadened and reinforced technical competence in all matters relating to global telecommunications will position the Union to play an increasingly predominant role in issues relating to the global information economy and society. Key priorities in the 1995-1999 timeframe are:

- strategic alliances should be developed with other international and regional organizations which have an important influence on the development of telecommunications. At the international level, cooperation with the new WTO, OECD, the World Bank and UNESCO should be priorities. At the regional level, telecommunication standardization, development and financial organizations are of increasing importance;
- the ITU's relationship with the rest of the United Nations system should be strengthened. In the global information economy and society, telecommunications will be increasingly important for the activities of all international organizations, particularly those involved in large-scale peace, security and development projects. By working in partnership with other organizations and making its core technical competence in telecommunications available to support their activities, the ITU will leverage its own resources and multiply the effectiveness of its activities;
- the Union's public information capabilities should be increased. At present, the ITU is surely one of the least known international organizations, in spite of the fact that the development of the global telecommunication network is increasingly vital to the welfare of humanity. The Members of the Union have asked it to play a leadership role in the international community. To do this, the ITU must communicate its message more effectively than it does at present, to ensure that governments are aware of the importance of telecommunications as a tool for social and economic development.

III Sectoral strategies and priorities

A Radiocommunication

A.1 The Radiocommunication Sector mission

27 Under the provisions of the Constitution and the Convention (Geneva, 1992), the mission of the ITU Radiocommunications Sector is, *inter alia*, to ensure rational, equitable, efficient and economical use of the radiofrequency spectrum by all radiocommunication services, including those using the geostationary-satellite orbit, and to carry out studies on radiocommunication matters by:

- ensuring, through world radiocommunication conferences, that the Radio Regulations contain at treaty level only those provisions necessary to respond to the needs of the international community;
- meeting the specific needs of Members of a Region through regional radiocommunication conferences;
- coordinating efforts to eliminate harmful interference between radio stations of different countries;
- making recommendations on technical radiocommunication matters through radiocommunication assemblies and study groups;
- providing the products and services necessary to accomplish the Sector's purposes through the Radiocommunication Bureau and the Radio Regulations Board;
- developing an appropriate set of rules of procedure for approval by the Radio Regulations Board and for use in the application of the Radio Regulations and of the decisions of competent radiocommunication conferences.

A.2 The radiocommunication environment

28 Notably, the radiocommunication environment is characterized by:

- technological convergence of information technology and telecommunications (including audiovisual technology);
- rapid technological development, and the widespread application of digital techniques to most space and terrestrial systems, including mobile communications and new television and sound broadcasting systems;
- increasing demand for the limited radio-frequency spectrum and orbital positions for space and terrestrial systems different services and service providers, and different countries;
- growing competition in the marketplace between “wired” and “wireless” communications;
- growing recognition of the economic value of frequencies and orbital positions leading to new approaches to national spectrum management in some countries;
- the growing role of regional organisations and private sector collaboration.

A.3 The Radiocommunication Sector strategy

29 The strategy of the Radiocommunication Sector is to ensure that the ITU remains the pre-eminent global body for radiocommunications.

The objectives of the Radiocommunications Sector to achieve this strategy are to carry out the functions laid down in the Convention, and specifically in the period 1995-1999:

- to develop and adopt more precise criteria for frequency sharing and coordination of new and existing systems in both space and terrestrial environments;
- to complete the simplification of the Radio Regulations to the extent possible and consider any consequential impact on the Radiocommunication Sector;

- in close collaboration with the Telecommunication Development Sector and the Telecommunication Standardization Sector, as appropriate to organize information meetings and world and regional seminars, accelerate the development of handbooks, and facilitate the development of automated spectrum management systems;
- to continue to improve the working methods and cost-effectiveness of the Radiocommunication Sector, and to aim at more efficient radiocommunication assemblies and radiocommunication conferences;
- to optimize cooperation with the other Sectors and organizations and to minimize duplication of effort;
- to facilitate the development and introduction of new technologies;
- to implement efficient means in order to promote broader participation by Members, particularly developing countries, and other entities in all the activities of the Radiocommunication Sector;
- to ensure that the Radio Regulations and the rights of Member administrations and service providers are respected;
- to ensure that the Radio Regulations Board carries out its functions, particularly in regard to the use made of frequency bands and satellite orbits, in a manner which maintains the confidence of Member administrations.

A.4 Priorities of the Radiocommunication Sector for 1995-1999

30 The priorities of the Radiocommunication Sector for 1995-1999, in addition to those identified by future conferences, are:

- to facilitate the development and introduction of mobile-satellite services (MSS) and future public land mobile telecommunication systems (FPLMTS), including the development of relevant sharing conditions, taking account of existing services;
- to facilitate the development and introduction of digital television, including high-definition television (HDTV), and digital sound broadcasting;
- to provide assistance, as requested by a world telecommunication development conference, to facilitate the introduction of modern radio systems to assist the developing countries in raising penetration levels, particularly in rural areas;
- to facilitate timely coordination between new systems and existing systems in both space and terrestrial environments;
- to expand the assistance offered to Member administrations in registering frequency assignments and in applying the Radio Regulations, with special attention to developing countries;
- to ensure that the Radio Regulations are respected in the increasingly competitive and commercial radiocommunication environment.
- in relation to improving the working methods of the Sector, to address options for:
 - early establishment of user-friendly document exchange capability;
 - accelerated development of recommendations and improvement in publication mechanisms (reduce unit cost and time to publish, provide wider distribution and electronic availability);
 - increased use of informatics for the notification and processing of frequency assignments;
 - a flexible organizational structure in the Radiocommunication Bureau with special attention to the training and development of the Bureau's staff;
- to promote the development of a global information infrastructure (GII);
- to encourage the participation by non-administration entities and organizations in the activities of the Radiocommunication Sector.

A.5 Radiocommunication Sector actions

31 Taking into account its mission, environment, strategy, objectives and priorities, the intended actions of the Radiocommunication Sector include:

- conduct of information meetings, world and regional seminars and assistance to administrations with special attention to developing countries, e.g. through the development of handbooks;
- further development of cooperation with other Sectors and organizations and avoidance of duplication;
- responding, as appropriate, to the items in the Buenos Aires Action Plan relating to radio-spectrum management;
- increased use of informatics and information technologies including the development of an automated spectrum management system;
- development of a flexible organizational structure, improvement of working methods, utilization of modern communication media and organization of training and development of the Bureau's staff;
- recognition that the ITU is an organization providing services to administrations and members of the three Sectors;
- enhanced participation by non-administration entities and organizations.

B Standardization

B.1 The Standardization Sector mission

32 Under the provisions of the Constitution and Convention (Geneva, 1992), the mission of the ITU Telecommunication Standardization Sector is to fulfil the purposes of the Union relating to telecommunication standardization by studying technical, operating and tariff questions and adopting Recommendations on them with a view to standardizing telecommunications on a worldwide basis.

B.2 The Standardization environment

33 The standardization environment is characterized by:

- rapid technological change and shortened innovation cycles;
- rapid development and convergence of telecommunication, broadcasting, computer and information technology;
- rapid growth of new products and services;
- heightened competition between and among network operators, service providers and equipment suppliers;
- increasing involvement of non-administration entities in the standardization process;
the growing influence of regional standardization organizations and industry forums;
- a worldwide shift from a "technology-driven" to a "market-driven" approach to standardization;
- a parallel shift from an all-embracing "theoretical" to a "practical" approach with emphasis on rapid implementation;
- emergence of global telecommunication operators and systems.

B.3 The Standardization Sector strategy

34 The goal of the Standardization Sector is to ensure that the ITU remains the pre-eminent global telecommunication standardization body. Strategies to achieve this goal include:

- adopting a market-oriented approach to standardization;
- delivering high-quality products (i.e. recommendations) on time ("value for money");

- clearly defining the role of the ITU in relation to regional standardization bodies and industry forums;
- developing appropriate agreements and cooperative relationships with these partners;
- within the Sector's area of competence, focusing on high-priority standardization areas;
- continuing to improve the working methods of the Standardization Sector, including improved and accelerated development and approval of recommendations;
- enhancing participation and involvement by non-administration entities and organizations in the standardization process.

B.4 The priorities of the Standardization Sector for 1995–1999

35 The Standardization Sector's priorities for 1995–1999 are:

- to develop global standards for incorporating new technologies, services and capabilities in telecommunication networks, eg:
 - intelligent networks (IN);
 - broadband integrated services digital network (B-ISDN);
 - asynchronous transfer mode (ATM);
 - universal personal telecommunication (UPT);
 - multimedia communication systems (MCS);
 - future public land mobile telecommunication systems (FPLMTS) and mobile-satellite systems (MSS);
 - global virtual network service (GVNS);
- to develop global standards required to manage increasingly complex telecommunication networks:
 - telecommunication management network (TMN);
 - standards relating to quality of service and network performance;
 - numbering plans;
- to continue to develop and review tariff and accounting principles for international telecommunications;
- to continue the review of new and existing work and its distribution between the Radiocommunication and Standardization Sectors, bearing in mind the priorities as defined in both Sectors;
- to optimize cooperation with the other Sectors of the Union and to minimize duplication of effort;
- to continue to improve the efficiency of the ITU standardization process;
- to continue to cooperate with other global and regional standardization organizations and industry forums to harmonize the development and implementation of global telecommunication standards;
- with special attention to developing countries, to cooperate with the other Sectors in the organization of information meetings, seminars and workshops, and in the development of case studies, guidelines and handbooks.

C Development

C.1 The Development Sector mission

36 Under the Constitution and Convention (Geneva, 1992), the ITU Development Sector has a dual responsibility reflecting the Union's status as a United Nations specialized agency and as an executing agency for implementing development projects under the United Nations development system or other funding arrangements. In all its efforts, the ITU Development Sector is working towards the broad aim that all countries in the world

should have effective telecommunication networks and services, based on the most appropriate technology. Its mission is:

- to raise awareness of the importance of telecommunications for national economic and social development;
- to provide information and advice on policy and structural options;
- to promote the development, expansion and operation of international, regional and national telecommunication networks in developing countries by reinforcing capabilities for human resources development, planning, management, resource mobilization and research and development, in cooperation with other ITU Sectors and other international and regional organizations and in partnership with the private sector;
- to promote and coordinate programmes to accelerate the transfer of appropriate technologies to the developing countries;
- to encourage participation by industry in telecommunication development in developing countries, and offer advice on the choice and transfer of appropriate technology;
- to give special attention to the requirements of and provide assistance to the least developed Countries (LDCs).

C.2 The development environment

37 The telecommunication development environment is characterized by:

- restructuring and liberalization of the telecommunication sector at the national and international level, so that the provision of telecommunication services is increasingly governed by the laws of competition;
- overall, the gap between developed and developing countries has narrowed slightly in terms of access to basic telephone services, but has widened where advanced telecommunication services are concerned;
- rapid development of telecommunications in some countries, particularly in the Asia-Pacific and Latin America regions, associated with general economic growth;
- little progress in other countries, particularly in the Africa region, where economic growth has stagnated and telecommunications have not been restructured;
- a change in UNDP strategy, which now emphasizes national execution of development projects rather than international execution through specialized agencies;
- a consequent drop in project execution funding which has been only partially offset by a rise in funds-in-trust and voluntary contributions, thereby reducing the financial resources available to the Development Sector to discharge its dual responsibility referred to in paragraph 36;
- increasing emphasis on policy and regulatory frameworks which create open markets and encourage private investment (including foreign investment), with the result that development programmes rely less and less on technical assistance and more and more on partnerships and trade agreements;
- the funds available to the ITU for telecommunication development will remain limited when compared with the needs of developing countries, requiring the ITU to play a catalytic role.

C.3 The Development Sector strategy

38 The strategy of the Development Sector is based on three main areas:

Direct assistance—The Development Sector provides assistance to developing countries, to strengthen, expand and harmonize their telecommunication networks and services by:

- assisting countries to create the necessary policy, strategic and investment environment that will allow and enable the successful development of telecommunications, by mobilizing the support of key decision-makers in all

sectors;

- assisting the telecommunication sector to develop and strengthen its institutional capacity;
- assisting the telecommunication sector to develop plans;
- assisting those who are involved in the telecommunication sector to acquire the necessary and appropriate knowledge and expertise in the latest developments in telecommunications.

Partnership—In the second area, the Development Sector plays a catalytic and facilitating role in encouraging all the actors in telecommunications to work together in telecommunication development. More specifically, it promotes and facilitates the active involvement of developed countries and the international community in the development process by:

- working cooperatively with other international and national organizations in order to promote an integrated approach to sustainable development, particularly in rural areas through an integrated rural development (IRD) approach;
- working cooperatively with regional telecommunication organizations and with the global, regional and national development and financing organizations;
- encouraging the private sector to participate in the activities of the Development Sector;
- optimizing cooperation with the other Sectors of the Union and minimizing duplication of effort;
- mobilizing resources in support of telecommunication development projects.

Resource development and mobilization—The Development Sector develops and mobilizes resources, including financial and human resources, technology, information and expertise for telecommunication development, through constant action to:

- identify sources of financing;
- develop human resources management tools and systems;
- develop and manage information databases of interest for the development process.

CA Priorities of the Development Sector for 1995–1999

39 The world and regional telecommunication development conferences have identified through their resolutions and through a concrete work programme for the Telecommunication Development Sector, the Buenos Aires Action Plan,¹ the priorities specific to the Development Sector and the areas of cooperation with its development partners.

40 The work programme will be implemented as a matter of urgency and within the available resources in coordination and cooperation with development partners, with emphasis on assistance to the LDCs. It comprises three chapters:

Chapter 1

- The development of recommendations, guidelines, models, etc. to assist, advise and inform, *inter alia*, policy-makers by means of a programme of cooperation among members, the relevant work of the two study groups (and working parties as required), and development conferences.

Chapter 2

- Updating existing programmes and studies;
- implementing projects and activities within 12 new complementary programmes in the areas of:
 - policies, strategies and financing;

¹The official text of the Buenos Aires Action Plan is set out in the Final Report of the World Telecommunication Development Conference (Buenos Aires, 1994).

- human resources management and development;
- guidelines for the elaboration of a business-oriented development plan;
- development of maritime radiocommunication services;
- computer-aided network planning;
- frequency management;
- improvement of maintenance;
- mobile cellular radio telephone systems;
- integrated rural development;
- broadcasting infrastructure;
- information services;
- development of telematics and computer networks;
- providing ad hoc assistance;
- executing of UNDP and funds-in-trust projects.

Chapter 3

- Special programme of assistance for LDCs to ensure the adequate participation of LDCs in implementation of the Buenos Aires Action Plan.

C.5 Development Sector actions

41 The intended actions of the Development Sector in accordance with its mission, priorities and strategies and in pursuance of the decisions of the first World Telecommunication Development Conference (Buenos Aires, 1994) include:

- full implementation of the Buenos Aires Action Plan, with special focus on the needs of LDCs;
- implementation of recommendations of development study groups through field trials and project-type activities;
- updating of existing and preparation of new handbooks/manuals following the transfer of special autonomous groups (GAS) activities (Resolution 7 of the Additional Plenipotentiary Conference (Geneva, 1992));
- encouraging enhanced participation by non-administration entities in the activities of the BDT;
- mobilizing resources for development projects bearing in mind in particular the needs of the LDCs;
- further development of cooperation with other Sectors and organizations for the benefit of telecommunication development and with the aim of avoiding duplication;
- continuing to provide updated statistical information, development indicators and other related reports.

D Regional presence

42 The regional presence of the ITU was established gradually by previous Plenipotentiary Conferences without any clear definition of its objectives and purposes. At the same time, the Plenipotentiary Conference (Nice, 1989) set up the BDT and adopted Resolution 17 to strengthen regional presence without adequately specifying how it fitted together with the various components of the Union, in particular the BDT. After five years of operation of reinforced regional presence and taking account of the conclusions of the world and regional development conferences, the principle of a strong ITU regional presence, with a certain form of delegation of authority and responsibility, should be consolidated.

43 The main purpose of the regional presence must be to enable the Union to be as close as possible to its Members and, within the limits of the available resources, to carry out BDT activities to meet the increasing and diverse requirements of the developing countries in expanding their telecommunication networks and services. To achieve this, ITU regional presence should, in general, serve mostly as technical and logistical support to BDT

activities, assisting in the implementation, in the field, of the decisions, recommendations, actions, programmes and projects approved by the Member countries or the relevant Sector of the Union, by means of direct and sustained contacts with the responsible national authorities, regional and subregional organizations and other bodies concerned. To this end, the Conference has redefined the purposes and the mission of regional presence in Resolution 25.

IV Management and personnel strategies and priorities

44 To support the strategies and priorities proposed in this plan, the secretariat should continue the process of management reform which was begun in the plenipotentiary period 1990-1994, following the recommendations made by the consultants and the High Level Committee. Priorities for the period 1995-1999 include:

- continuing to develop and integrate the strategic planning, operational planning, financial management and performance management systems that have been put in place during the plenipotentiary period 1990-1994;
- continuing to improve the efficiency and effectiveness of the ITU's conference services;
- developing and implementing a strategy for electronic and paper publications;
- continuing to develop the ITU information systems and services strategy, particularly services such as TIES¹/ITUDOC which benefit the membership.

45 The ITU staff are among the Union's most precious resources. To enable the secretariat effectively to assist ITU Members in adapting the organization's activities to the rapidly changing telecommunication environment, a global approach should be taken to the development and management of the ITU's human resources within the framework of the United Nations common system. Key priorities for the period 1995-1999 are:

- **post classification**—the development of post classification criteria which will ensure that due attention is given to:
 - the highly technical requirements of many ITU professional positions which call for specialized expertise but do not entail extensive managerial responsibilities;
 - the important managerial requirements of some other positions, where the need for the relevant knowledge, skills, aptitudes and experience outweighs the technical requirements;
- **staffing table**—the profile of established posts and the distribution of permanent and fixed-term contracts should be reviewed in view of the structural changes, the technological developments and the nature of the work:
 - in general, to achieve a better balance between permanent and fixed-term contracts throughout the organization;
 - in particular, to achieve a better balance between the situation of staff in the BDT and elsewhere in the organization;
- **recruitment and promotion**—the development and implementation of recruitment and promotion policies and procedures designed to:
 - ensure equitable geographical representations within the ITU;
 - improve the representation of women in professional positions;
 - allow for the development of a dynamic workforce by creating suitable positions for the entry of recent university graduates;
 - ensure career development and internal promotions;
- **organizational and career development**—the strengthening of the organization and the enhancement of career development opportunities through:
 - the implementation of a comprehensive in-service training programme, with the provision of the necessary financial resources, having due regard to increasing the number of women in the professional category;
 - the use of the entire classification structure of the United Nations common

¹Telecom Information Exchange Services.

- system from G.1 to D.2;
- the provision of career guidance, planning and counselling and performance evaluation services.

V Financial considerations

46 The strategic plan proposed in this report calls upon the ITU to undertake a number of policy and programme initiatives in the plenipotentiary period 1995–98. This section of the plan outlines the financial factors considered by the Kyoto Plenipotentiary Conference when examining global options for the period 1995–99.

47 Income side of the ITU budget: The ordinary income of the ITU comes from three main sources:

- assessed contributions of Member administrations to the ordinary budget of the Union;
- assessed contributions of members of the ITU Sectors to the ordinary budget of the Union;
- support cost income earmarked to cover the cost of technical cooperation projects executed by the ITU Development Sector on behalf of UNDP and funds-in-trust.

48 An analysis of income trends indicates that:

- assessed contributions from Member administrations to the ordinary budget has reached a plateau; income from these sources appears unlikely to grow dramatically and may begin to decline;
- UNDP funding has declined precipitously in the plenipotentiary period 1990–1994; it appears unlikely that this trend will be reversed because of the change in strategy at UNDP.

49 These income trends are significant for the plenipotentiary period 1995–1998. At the commencement of the period covered by this plan, 86% of the ITU's ordinary income comes from the contributions of Members administrations. A further 12% is contributed by members, while the remaining 2% comes from UNDP and funds-in-trust. Only the contributions of Member administrations are highly predictable.

50 Expenditure side of the ITU budget: The ITU has both fixed and variable expenditures:

- approximately 75 per cent of the fixed expenditures are staff costs; the bulk of the remainder is for maintaining and improving physical facilities;
- the variable expenditures are related mainly to the programme of conferences and meetings; approximately 20% of the ITU's total expenditure falls in this class.

51 Against this background, and taking into account the maximum total that the Members estimate they can spend, the Plenipotentiary Conference has adopted Decision 1 establishing the limit of expenditure for the financial period 1995–1999 for a maximum of 750 million Swiss francs, value at 1 January 1994.

52 In the light of the many changes taking place in the telecommunication environment, Resolution 39 provides for a comprehensive study of the financial foundations of the Union during the plenipotentiary period 1995–1998, involving participation by Members and members.

RESOLUTION 2

Establishment of a Forum to Discuss Strategies and Policies in the Changing Telecommunication Environment

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that the telecommunication environment has undergone considerable changes since the 1980s under the combined influence of advances in technology, the globalization of markets and growing user demand for integrated cross-border services increasingly adapted to their needs;

- b) that the forces shaping the telecommunication environment have led in many countries to a restructuring of the telecommunication sector, especially the separation of regulatory and operating functions, the gradual liberalization of services and the appearance of new players in this area;
- c) that this restructuring of telecommunication policies and regulations, which began in the industrialized countries, is now being followed by regional initiatives to introduce liberalization through new regulatory frameworks, such as the Latin American Blue Paper of the Inter-American Telecommunications Commission (CITEL) and the African Green Paper;
- d) that, alongside these regional initiatives, many countries have started liberalizing their telecommunication services and in some cases privatizing them;
- e) that, as a result of these changes, the need for a global framework to exchange information on telecommunication policies has been evident for many years;
- f) that national telecommunications policies and regulations have to be recognized and understood, so as to allow the development of global markets which can support the harmonious development of telecommunication services,

conscious

- a) that the purposes of the Union are, *inter alia*, to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society, to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants and to harmonize the actions of Members in the attainment of those ends;
- b) that the idea of trying to provide a global framework in order to introduce and develop these new global technologies has already been discussed on many occasions,

recalling

- a) that in its report entitled "The Changing Telecommunication Environment", the Advisory Group on Telecommunication Policy noted that the ITU:
 - has made relatively little provision for the harmonizing and coordination of national policy considerations;
 - with its proven track record of international cooperation, is the only telecommunication organization in which virtually all governments of the world are Members;
 - is uniquely positioned to provide a forum for coordination, information exchange, discussion and harmonization of national, regional and international telecommunication policies;
- b) that these observations were echoed by the Nice Plenipotentiary Conference (1989), which, in its Resolution 14, took into consideration and recognized:
 - that effective policies for telecommunications cannot be determined in isolation by those involved in such activities;
 - that the ITU is the only telecommunication organization in which virtually all countries of the world are Members, which makes it an appropriate forum for assisting in the harmonization of national, regional and international telecommunication policies;
- c) that, lastly, the Additional Plenipotentiary Conference (Geneva, 1992) continued the debate on the need to establish a policy coordination mechanism (Resolution 15) and recognized the need to establish a forum in which policy coordination between Members would be expedited. The means whereby such coordination could be ensured, however, are not explained. In particular, the question of the nature of such a forum, the scope of its action and the form it might take remain to be settled,

emphasizing

- a) that ITU Members realizing the need for constant review of their own telecommunication policies and legislation and for coordination in the rapidly changing telecommunication environment should be able to discuss strategies and policies;
- b) that it is necessary for the Union, as an international organization playing a leading role in the field of telecommunications, to organize a forum to facilitate the exchange of information on telecommunication policies;
- c) that the forum should be a facilitator for information gathering and exchange, and provide a platform for the periodic discussion, *inter alia*, of broad policy issues, technological advances, service options and opportunities, infrastructure development and financial business considerations;
- d) that the forum should give special attention to the interests and needs of the developing countries, where modern technologies and services can contribute significantly to telecommunication infrastructure development,

resolves

1. that a world telecommunication policy forum shall be established to discuss and exchange views and information on telecommunication policy and regulatory matters;
2. that the world telecommunication policy forum shall neither produce prescriptive regulatory outcomes nor produce outputs with binding force; however it shall prepare reports and, where appropriate, opinions for consideration by Members and relevant ITU meetings;
3. that the world telecommunication policy forum shall be open to all Members and entitles and organizations other than administrations authorized to participate in the activities of the Union under Article 19 of the Convention (Geneva, 1992) but, if appropriate, may in some cases restrict some sessions to Members only;
4. that the world telecommunication policy forum should be convened once or twice before the next Plenipotentiary Conference in conjunction with other ITU conferences and meetings, depending on topics, scheduling and financial constraints;
5. that the world telecommunication policy forum shall be convened on an ad hoc basis to respond quickly to emerging policy issues arising from the changing telecommunication environment;
6. that Council shall decide on the duration, date, venue, agenda and themes of the world telecommunication policy forum;
7. that the agenda and themes shall be based on a report by the Secretary-General, including input from any conference, assembly or meeting of the Union, and on contributions from Members and members of the Union;
8. that discussions at the world telecommunication policy forum shall be based on contributions from Members and members of the Union, the report of the Secretary-General and the views expressed by the participants on a given topic;
9. that the world telecommunication policy forum shall be convened in conjunction with one of the conferences or meetings of the Union in order to minimize the impact on the budget of the Union;
10. that the world telecommunication policy forum shall adopt its own Rules of Procedure, based on a draft by the Secretary-General which will be examined by the Council,

instructs the Secretary-General

to make the necessary preparations for the world telecommunication policy forum based on the resolves above,

instructs the Council

to decide upon the duration, date, venue, agenda and themes of the world telecommunication policy forum,

further instructs the Council

to submit to the next Plenipotentiary Conference a report on the world telecommunication policy forum for evaluation and any necessary action,

invites the next Plenipotentiary Conference

to consider whether to formalize the forum in the Constitution and Convention of the Union, bearing in mind the experience gained during the plenipotentiary period 1995-1998.

RESOLUTION 3

Future Conferences of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

having considered

- a) Document 38 submitted by the Secretary-General on planned conferences;
- b) the proposals submitted by several Members of the Union;
- c) the necessary preparatory work to be carried out both by the Sectors of the Union and by the administrations before each session of a conference,

resolves

1. that the schedule of future conferences shall be as follows:
 - 1.1 Radiocommunication Assembly (RA-95), Geneva, 16-20 October 1995;
 - 1.2 World Radiocommunication Conference (WRC-95), Geneva, 23 October-17 November 1995;
 - 1.3 Regional Telecommunication Development Conference (RTDC), second quarter of 1996;
 - 1.4 Regional Telecommunication Development Conference (RTDC), fourth quarter of 1996;
 - 1.5 World Telecommunication Standardization Conference (WTSC), October 1996, eight days;
 - 1.6 Radiocommunication Assembly (RA-97), October/November 1997;
 - 1.7 World Radiocommunication Conference (WRC-97), October/November 1997;
 - 1.8 World Telecommunication Development Conference (WTDC), Malta, March/April 1998;
 - 1.9 Plenipotentiary Conference (PP-98), United States of America, between September and December 1998;
 - 1.10 Regional Telecommunication Development Conference (RTDC), second quarter of 1999;
 - 1.11 Radiocommunication Assembly (RA-99), October/November 1999;
 - 1.12 World Radiocommunication Conference (WRC-99), October/November 1999;
2. that:
 - 2.1 the agenda of the Conference referred to in resolves 1.2, already established by the Council, shall remain unchanged;
 - 2.2 the agenda of the Conference referred to in resolves 1.7 shall be established by the Council, taking into account the Resolutions and Recommendations of WRC-93 and WRC-95;
 - 2.3 the agenda of the Conference referred to in resolves 1.12 shall be established by the Council, taking into account the Resolutions and Recommendations of WRC-95 and WRC-97;

3. that the conferences shall be held within the periods indicated in resolves 1, the precise dates and venues, where not already decided, being set by the Council after consulting the Members of the Union, and leaving sufficient time between the various conferences. However, in cases where precise dates are specified, they shall not be changed. The durations indicated in resolves 1 for conferences for which agendas have already been established shall not be changed; the precise duration of the other conferences shall be decided by the Council after their agendas have been established, within the duration limits indicated in resolves 1.

RESOLUTION 4

Duration of Plenipotentiary Conferences of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

noting

- a) that Article 8 of the Constitution of the International Telecommunication Union (Geneva, 1992) provides that Plenipotentiary Conferences of the Union shall be convened every four years and that this will enable them to be of shorter duration;
- b) the increasing demands on the resources of the Union, on administrations and on delegates involved in international conferences on telecommunication subjects,

resolves

that future Plenipotentiary Conferences shall, unless there is a pressing need otherwise, be limited to a maximum duration of four weeks,

instructs the Secretary-General

to take appropriate measures to facilitate the most efficient use of time and resources during such conferences.

RESOLUTION 5

Invitations to Hold Conferences or Meetings away from Geneva

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

that expenditure on conferences and meetings of the Union is distinctly lower when they are held in Geneva,

considering, however

that there are advantages in holding certain conferences and meetings in countries other than the headquarters country,

bearing in mind

that the United Nations General Assembly, in Resolution 1202 (XII), decided that meetings of organs of the United Nations should, as a general rule, be held at the headquarters of the organ concerned, but that a meeting could be held away from headquarters if an inviting government agreed to defray the additional expenditure involved,

recommends

that the world conferences and assemblies of the Union should normally be held at the seat of the Union,

resolves

1. that invitations to hold conferences and assemblies of the Union away from Geneva should not be accepted unless the host government agrees to defray the additional expenditure involved;

2. that invitations to hold development conferences and meetings of the study groups of the Sectors away from Geneva should not be accepted unless the host government provides at least adequate premises and the necessary furniture and equipment free of charge, except that in the case of developing countries equipment need not necessarily be provided free of charge by the host government, if the government so requests.

RESOLUTION 6

Attendance of Liberation Organizations Recognized by the United Nations at Conferences and Meetings of the International Telecommunication Union as Observers

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

Considering

- a) Article 8 of the Constitution of the International Telecommunication Union (Geneva, 1992), vesting full powers in Plenipotentiary Conferences;
- b) Article 49 of that Constitution, defining the relations of the Union with the United Nations;
- c) Article 50 of the Constitution, defining the relations of the Union with other international organizations,

having regard to

relevant resolutions of the United Nations General Assembly dealing with the question of liberation movements.

resolves

that the liberation organizations recognized by the United Nations may attend at any time conferences, assemblies and meetings of the International Telecommunication Union as observers,

instructs the Council

to take the necessary action to implement this Resolution.

RESOLUTION 7

Procedure for Defining a Region for the Purpose of Convening a Regional Radiocommunication Conference

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recognizing

- a) that certain provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) (in particular No. 43 of the Constitution and No. 138 of the Convention) relate to the convening of a regional radiocommunication conference;
- b) that some regions and areas are defined in the Radio Regulations;
- c) that a Plenipotentiary Conference and a world radiocommunication conference have the competence to define a region for a regional radiocommunication conference;
- d) that, whereas a regional radiocommunication conference may be convened on a proposal by the Council, the Council has not been explicitly authorized to take a decision on the definition of a region,

considering

- a) that it may be necessary to define a region for the purpose of convening a regional radiocommunication conference;

b) that the Council is the most appropriate body for defining a region, when such action is necessary in the interval between competent world radiocommunication conferences or Plenipotentiary Conferences,

resolves

1. that, if and when it becomes necessary to define a region for the purpose of convening a regional radiocommunication conference, the Council shall propose a definition of the region;

2. that all Members of the proposed region shall be consulted on and all members of the Union informed of that proposal;

3. that the region shall be deemed to have been defined when two thirds of the Members of the proposed region have responded in the affirmative within a time period determined by the Council;

4. that the composition of the region shall be communicated to all Members,

invites the Council

1. to take note of this Resolution and to take any appropriate action;

2. where appropriate, to consider combining the consultation of Members on the definition of the region with the consultation on convening the regional radiocommunication conference.

RESOLUTION 8

Instructions for the Continuation of Work on the Rules of Procedure of Conferences and Meetings of the International Telecommunication Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

Resolution 12 of the Additional Plenipotentiary Conference (Geneva, 1992),

considering

the report which the Council has submitted to this Conference (Document 30 + Corr.1) with a view to obtaining instructions or guidelines from this Conference for the continuation of work on the Rules of Procedure of conferences and meetings of the ITU.

having examined

the aforementioned report,

instructs the Council

1. to continue the preparation and revision of the draft Rules of Procedure, on the basis of the first draft and of the comments submitted by Members, as contained in the report or received by the Secretary-General by 1 March 1995;

2. to ensure, should the preparation of the draft necessitate establishment of the group of experts which the Council is empowered to set up, as it was under the terms of the aforementioned Resolution 12:

2.1 that the group of experts, if set up, or the Secretary-General, submits a preliminary provisional report, along with all related documentation, to the 1996 session of the Council for consideration, and that the provisional report, together with the Council's views, is circulated to the Member States of the Union for comment;

2.2 that the group of experts, if set up, or the Secretary-General, submits to the 1997 session of the Council for further consideration a final report containing the draft Rules of Procedure, and that the report is subsequently circulated to the Member States at least one year before the next Plenipotentiary Conference;

3. to submit through the Secretary-General a report containing the final draft Rules of Procedure to the 1998 Plenipotentiary Conference for decision,

authorizes the Council

to modify the above timetable, if necessary, in the light of any decision it may take with regard to the establishment of the group of experts and the accomplishment of the work to be carried out.

RESOLUTION 9

Inaugural Meeting of the New Council and 1995 Session of the Council

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

conscious of

the need to have provisional arrangements for the sessions of the new Council, until the entry into force of the 1994 amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992),

noting

that the Council shall be composed of forty-six Members, as now elected,

resolves

1. that the new Council as elected by the present Conference shall meet on 14 October 1994 and perform the duties assigned to it under the Convention (Geneva, 1992) currently in force;

2. that the Chairman and Vice-Chairman shall be elected by the Council at the inaugural meeting of the new Council and shall remain in office until the election of their successors at the opening of the annual session of the Council in 1996.

RESOLUTION 10

Observer Status at Council Meetings for Members of the Union Which Are Not Members of the Council

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

that the number of Members of the Council shall not exceed 25% of the total number of Members of the Union,

recognizing

a) the important responsibilities of the Members elected to the Council, but also that the Members of the Union which are not Members of the Council have a legitimate interest in the work of the Council, its committees and its working groups;

b) that, in other specialised agencies of the United Nations, observer status for Members which are not Members of the governing body is a common practice,

resolves

1. that, for a trial period up to the 1998 Plenipotentiary Conference, any Member of the Union which is not a member of the Council may, if it gives sufficient notice to the Secretary-General, send one observer, at its own expense, to meetings of the Council, its committees and its working groups;

2. that an observer may receive documents during a meeting, but shall not have the right to vote or to address the meeting.

instructs the Council

to amend its Rules of Procedure accordingly, in order to allow observers of Members which are not Members of the Council to attend on a provisional basis the sessions held from 1995 until the 1998 Plenipotentiary Conference,

further instructs the Council

to report to the 1998 Plenipotentiary Conference on the results of the trial attendance at meetings of the Council, its committees and its working groups during this period of observers from Members which are not Members of the Council,

invites

the 1998 Plenipotentiary Conference to review the attendance at meetings of the Council, its committees and its working groups of observers from members which are not Members of the Council, and to take any necessary action.

RESOLUTION 11

World and Regional Telecommunication Exhibitions and Forums

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that telecommunication exhibitions and associated forums are of considerable assistance in keeping the membership of the Union and the wider telecommunication community informed of the latest advances in all fields of telecommunications and the possibilities of applying them for the benefit of all Members of the Union, particularly the developing countries;
- b) that world and regional TELECOMs fulfil the mandate to keep Members informed of, and offer a universal opportunity for the display of, state-of-the-art technology concerning all aspects of telecommunications and related fields of activity;
- c) that regional TELECOMs bring the potential benefits of telecommunications closer to the people of all continents by emphasizing the specific problems of each region and indicating possible solutions to them;
- d) that such regional exhibitions and forums organized on a regular basis by the ITU, with no commercial interest, staged at the invitation of Members, are an excellent means of catering for the needs of both developed and developing countries and facilitate the transfer of technology and of essential information to developing countries,

noting

- a) that the Secretary-General is fully accountable for TELECOM as a part of the permanent activities of the Union;
- b) that, further to a recommendation of the High Level Committee, a board has been established to assist the Secretary-General in the management of TELECOM activities;
- c) that TELECOM activities are subject to the ITU Staff Rules and Regulations, publication practices and Financial Regulations, including internal control and internal audit;
- d) that the external audit of TELECOM activities should continue to be carried out by the external auditors of the Union,

resolves

1. that the Union should, in collaboration with its Members, continue to organize world telecommunication exhibitions and forums on a regular basis, preferably in the city of the seat of the Union;

2. that the Union should continue to cooperate with Members in organizing regional exhibitions and forums. As far as possible, these events should be synchronized with other important meetings or conferences of the Union, with a view to minimizing expenses and encouraging wide participation;

3. that the management of TELECOM and its structure should be strengthened;

4. that the operational flexibility it needs in order to meet all the challenges of its field of activity should be maintained;

5. that a significant part of any surplus income over expenditure derived from the activities of TELECOM should be used for specific telecommunication development projects, primarily in the least developed countries,

instructs the Secretary-General

1. to enhance the supervision of TELECOM and give dedicated responsibilities to the TELECOM Board, keeping in mind the main objectives of the Union, and ensuring that ties between the Board and TELECOM secretariat are strengthened with a view to implementing the Board's recommendations as effectively and smoothly as possible;

2. to enhance the transparency of TELECOM activities and report on them in a regular annual report to Council, including on action taken with respect to the use of surplus income;

3. to ensure that the TELECOM secretariat, while being governed by the Staff Regulations of the Union, maintains the necessary flexibility in its decision-making process to compete in its semi-commercial environment;

4. to enhance the internal control and internal audit of the accounts for the different TELECOM activities,

instructs the Council

1. to review the annual report on TELECOM activities and give guidance on future trends for those activities;

2. to approve the TELECOM accounts after examination of the report of the external auditors of the Union;

3. to approve the use of surplus TELECOM funds.

RESOLUTION 12

Resumption of Full Participation of the Government of South Africa in the Plenipotentiary Conference and All Other Conferences, Meetings and Activities of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

Resolution 12 of the Plenipotentiary Conference (Nice, 1989) on exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences, meetings and activities of the Union,

considering

that the first free democratic elections have taken place in South Africa, in which all people of that Member State of the Union were able to participate as equal citizens, as a result of which a new Government of National Unity was formed in May 1994, following the triumphant culmination of the long and arduous struggle of the people of South Africa for equality, justice and dignity, thus signifying that the policy of apartheid pursued in that country had been ended,

resolves

1. to endorse wholeheartedly the action taken by the Council of the Union at its 1994 session in adopting Resolution 1055, facilitating immediate restoration of the full rights of the Government of National Unity of South Africa in the Union as from 10 May 1994;

2. to confirm the resumption of full participation of the Government of National Unity of South Africa in the conferences, meetings and activities of the Union, including the Plenipotentiary Conference (Kyoto, 1994);

3. to abrogate Resolution 12 of the Plenipotentiary Conference (Nice, 1989).

RESOLUTION 13

Approval of the Memorandum of Understanding Between the Representative of the Government of Japan and the Secretary-General of the International Telecommunication Union Relating to the Plenipotentiary Conference (Kyoto, 1994)

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a)* that a Memorandum of Understanding concerning the arrangements to be made for organizing and financing the Kyoto Plenipotentiary Conference was signed between the Representative of the Government of Japan and the Secretary-General of the ITU, under Council Resolution 83 (amended);
- b)* that the Memorandum of Understanding has been considered by the Budget Control Committee.

resolves

to approve the Memorandum of Understanding signed between the Representative of the Government of Japan and the Secretary-General.

RESOLUTION 14

Recognition of the Rights and Obligations of all Members of the Sectors of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a)* that the rights and obligations of administrations of Members of the Union are set out in Article 3 of the Constitution (Geneva, 1992);
- b)* that Article 19 of the Convention (Geneva, 1992) lists the types of entities and organizations which may be authorized to participate in the activities of the Sectors, which are called members of the Sector;
- c)* that the Council, at its 1993 session, adopted the procedure applicable to the granting of this authorization for the categories of members mentioned in Nos. 234 and 235 of the Convention (Geneva, 1992);
- d)* that it is desirable to state more precisely the conditions of participation of administrations of Members as well as other authorized members in the activities of the Sectors;
- e)* that, notwithstanding the provisions of Nos. 239 and 409 of the Convention (Geneva, 1992), only administrations of Members have the right to vote, particularly for the approval of recommendations and questions, in accordance with Article 3 of the Constitution,

recognizing

that entities and organizations authorized according to Article 19 of the Convention, hereinafter called "members", may participate in all activities of the Sector concerned, with the exception of formal votes and of some treaty-making conferences; in this regard members:

- a)* are entitled, under the Rules of Procedure of the Sector concerned, to receive from the Bureau of that Sector all the documents which they have requested relating to the Sector's study groups, assemblies or conferences in which they may participate under the relevant provisions;
- b)* may send contributions to such study groups or conferences, notably those in which they have requested to participate in due time in accordance with the Sector's Rules of Procedure;

- c) may send representatives to such meetings, after having announced their names to the Bureau in due time, in accordance with the Sector's Rules of Procedure;
- d) may propose items for inclusion in the agendas of such meetings, except in relation to the structure and functioning of the Union;
- e) may take part in all discussions and may assume responsibilities such as chairmanship or vice-chairmanship of a study group, working party, expert group, rapporteur's group or any other ad hoc group, according to the competence and availability of their experts;
- f) may take part in the drafting work and editorial work necessary prior to the adoption of recommendations,

recognizing further

that coordination between Members and members at the national level has proved to increase the efficiency of the work,

resolves

to invite members to take part in any decision-finding procedure aimed at facilitating the achievement of a consensus in study groups, in particular in the field of standardization,

instructs the Directors of the Bureaux

to develop respective provisions in the Rules of Procedure of their Sectors,

invites administrations of Members

to conduct, at the national level, broad coordination among all members from their countries.

RESOLUTION 15

Review of the Rights and Obligations of all Members of the Sectors of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

noting

- a) that the rights and obligations of administrations of Members of the Union are set out in Article 3 of the Constitution (Geneva, 1992);
- b) that Article 19 of the Convention (Geneva, 1992) lists the types of entities and organizations which may be authorized to participate in the activities of the Sectors, which are called members of the Sectors according to No. 238 of the Convention (Geneva, 1992);
- c) that the Council, at its 1993 session, adopted the procedures applicable to the granting of this authorization for the categories of members mentioned in Nos. 234 and 235 of the Convention (Geneva, 1992),

considering

- a) that the strategic plan approved by the Plenipotentiary Conference (Kyoto, 1994) makes reference to the fact that continued participation of the non-administration entities and organizations is a prerequisite for achievement of the ITU's purposes;
- b) that the plan also states that "Members must remain ever conscious of the strategic need to maintain and strengthen the relationship between the public and private sectors within the ITU" and that "Members must be prepared to adjust to ITU's structures and working methods" accordingly;
- c) that it is desirable to state more precisely the conditions of participation of all members in the activities of the Sectors (Nos. 86 to 88, 110 to 112 and 134 to 136 of the Constitution (Geneva, 1992));
- d) that Sector advisory groups have the responsibility to review priorities and strategies, progress in the implementation of the work programmes and the working methods of their respective Sectors,

recognizing

- a) that the ITU must maintain its position as the pre-eminent body in world telecommunications by clearly demonstrating its capacity to respond adequately to the needs of the rapidly changing telecommunication environment;
- b) that the majority of work within the study groups has been carried out by the members, who provide not only straight financial support but also a massive resource in terms of experts to study groups and working parties, and that a fair distribution of obligations and rights is therefore essential to stimulate participation in the ITU;
- c) that the level of contribution to the ITU and its Sectors should remain a free choice;
- d) that members, in making contributions to a particular Sector, expect those contributions to stay within the budget of that Sector;
- e) that decision-taking at conferences of treaty-making nature (i.e. Plenipotentiary Conferences, radiocommunication conferences and world conferences on international telecommunications) as well as formal voting is the responsibility of Members;
- f) that the new Financial Regulations of the ITU provide that each Sector has its own budget with all costs and revenues clearly identified;
- g) that both Members and members actively participate in the Sector advisory groups,

resolves

that the rights and obligations of members should be reviewed, with the aim of enhancing their rights in recognition of their contribution to the work of the ITU, in such a way that their active and effective participation is promoted in order to make the ITU more responsive to the rapidly changing telecommunication environment,

instructs the Secretary-General

to establish a Review Committee to analyse the current situation and the need for the ITU to demonstrate the value of its activities and, taking into account the above "resolves", to make recommendations based on that analysis.

In particular it should be ensured that:

- membership of the Review Committee should be a well-balanced and representative cross section of Members and members;
- any Member or member not on the Committee is able to make written submissions;
- there are appropriate inputs from the advisory groups of the three Sectors;
- the financial management of each Sector should be reviewed, with the aim of giving each Sector maximum budgetary independence and responsibility;
- recommendations, together with proposals for changes to the Constitution and Convention, should in the first place be made to the 1996 session of the Council, which may adopt those within its powers, others being forwarded to the 1998 Plenipotentiary Conference,

instructs the Directors of the Bureaux

to initiate a review of the procedures and processes of their Sectors, as set out in the appropriate resolutions, with a view to enhancing the participation of members within their Sectors.

RESOLUTION 16

Refinement of the Radiocommunications Sector and Telecommunication Standardization Sector

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that the ITU should be the pre-eminent global standardization body in the telecommunication field, including radiocommunication;
- b) that the ITU is the pre-eminent body for efficient worldwide cooperation in the radio regulatory field;
- c) that, by its Resolution 2, the Additional Plenipotentiary Conference (APP) (Geneva, 1992) recognized Nos. 78 and 104 of the Constitution (Geneva, 1992) as an initial allocation of work between the Radiocommunication (ITU-R) and Telecommunication Standardization (ITU-T) Sectors;
- d) that Resolution 2 of the APP (Geneva, 1992) outlines general principles and guidelines pertaining to the allocation of work between ITU-R and ITU-T;
- e) that, in application of the instructions handed down by the APP (Geneva, 1992), the World Telecommunication Standardization Conference (Helsinki, 1993) and the Radiocommunication Assembly (Geneva, 1993) adopted resolutions that confirmed the allocation of work to ITU-R and ITU-T as envisaged by Resolution 2 of the APP (Geneva, 1992) and established procedures for ongoing review and, as appropriate, allocation of work, in order to achieve goals in terms of effectiveness and efficiency;
- f) the need to involve all interested participants of ITU-R and ITU-T in this ongoing review;
- g) the consequent need to maintain the review within current mechanisms, as far as possible, so as to reduce the burden on the limited resources of many of the interested participants and on the resources of the Bureaux of the Sectors;
- h) that, in order to permit a period of consolidation and adjustment, a significant departure from existing practices would not be advisable at this stage;
- i) that the functions and responsibilities of each of the ITU Sectors should be clear and transparent,

resolves

1. that the current process in conformity with Resolution 2 of the APP (Geneva, 1992), providing for ongoing review of new and existing work and its allocation to ITU-R and ITU-T, shall be maintained;

2. that the Directors of the Radiocommunication and Telecommunication Standardization Bureaux shall, with the assistance of the Radiocommunication Advisory Group (RAG) and the Telecommunication Standardization Advisory Group (TSAG), consider further elements for refining the ITU's structure, including any necessary amendments to the Constitution and the Convention, and prepare a preliminary report to the 1996 Council and a final report to the 1998 Council,

instructs the Secretary-General

to encourage all ITU-R and ITU-T participants to participate in the meetings and joint meetings of the RAG and TSAG at an appropriately high level of representation, taking account of the strategic nature of this task,

instructs the Council

1. to consider, on this basis of the report of the Directors to the 1996 Council session, whether the progress of the work carried out in accordance with resolves 2 is satisfactory;
2. to prepare a report for consideration by the 1998 Plenipotentiary Conference.

RESOLUTION 17

Advisory Groups for the Radiocommunication and Telecommunication Standardization Sectors

The Plenipotentiary Conference of the International Telecommunications Union (Kyoto, 1994),

considering

the need for measures to review priorities and strategies in the Union's radiocommunication and telecommunication standardization activities and to advise the Directors of the Radiocommunication and Telecommunication Standardization Bureaux, and that the Radiocommunication and Telecommunication Standardization Advisory Groups have been set up to that end,

recognizing

- a) that the field of telecommunications is constantly evolving;
- b) that the activities of the Sectors should be continually reviewed;
- c) the importance of the work already commenced on the improvement of working methods in the Radiocommunication and Telecommunication Standardization Sectors by the Radiocommunication Advisory Group and the Telecommunication Standardization Advisory Group, and the desirability that this work should continue,

resolves

1. that world telecommunication standardization conferences and radiocommunication assemblies shall maintain these advisory groups;
2. that these groups shall continue to:
 - review priorities and strategies for activities in the respective Sectors;
 - review progress in the implementation of the respective work programmes of the Sectors;
 - provide guidelines for the work of study groups;
 - recommend measures, *inter alia*, to foster cooperation and coordination with other standards bodies, with the Telecommunication Development Sector, within and between the two Sectors, and with the Strategic Planning Unit in the General Secretariat,

instructs the Directors of the Radiocommunication and Telecommunication Standardization Bureaux

1. to continue to support the work of the respective advisory groups, which shall be open to representatives of administrations, entities and organizations authorized in accordance with the provisions of Article 19 of the Convention, and representatives of study groups;
2. to report each year to the members of their respective Sectors and to the Council on the results of the work carried out by their respective advisory groups.

RESOLUTION 18

Review of the ITU's Frequency Coordination and Planning Framework for Satellite Networks

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that Article 44 of the Constitution (Geneva, 1992) sets out the basic principles for the use of the radio-frequency spectrum and the geostationary-satellite orbit;
- b) the increasing globalization and diversification of telecommunication systems, particularly satellite networks;
- c) that there is growing concern about the accommodation of new satellite networks, including those of new ITU Members, and the need to maintain the integrity of ITU procedures and agreements;

- d) that the report of the Voluntary Group of Experts on Simplification of the Radio Regulations to be considered at the 1995 World Radiocommunication Conference (WRC-95) maintains the current coordination procedures, albeit in simplified form;
- e) that the agenda for WRC-95, and the provisional agenda for the 1997 World Radiocommunication Conference (WRC-97), includes consideration of the broadcasting-satellite plans for Regions 1 and 3 in Appendices 30 and 30A of the Radio Regulations;
- f) that radiocommunication study groups are considering possible improvements to these plans, taking into account that since the plans were devised more modern technologies, including digital techniques, have emerged which may provide more effective and affordable alternative options for the provision of services;
- g) that the radiocommunication study groups are also developing technical coordination procedures for satellite networks and have requested the Regulatory Working Party of the Conference Preparatory Meeting (1995) to develop complementary regulatory provisions;
- h) the concerns of some Members about lack of compliance with coordination procedures;
- i) that many developing countries are in need of assistance in the implementation of satellite network coordination procedures,

resolves to instruct the Director of the Radiocommunication Bureau

1. in consultation with the Radiocommunication Advisory Group and taking into account inputs from the Radio Regulations Board (RRB), to initiate a review of some important issues concerning international satellite network coordination, including:

- i) linkages between ITU procedures and commitments to take up notified frequencies and orbital positions;
- ii) the ongoing need for the ITU's frequency coordination and planning framework for satellite networks to continue to be relevant to rapidly advancing technological possibilities in order, for example, to facilitate the establishment of multiservice satellite systems,

with the objectives of:

- i) ensuring equitable access to the radio-frequency spectrum and the geostationary-satellite orbit, and the efficient establishment and development of satellite networks;
- ii) ensuring that international coordination procedures meet the needs of all administrations in establishing their satellite networks, while at the same time safeguarding the interests of other radio services;
- iii) examining technological advances in relation to the allotment plans with the aim of determining whether they foster the flexible and efficient use of the radio-frequency spectrum and the geostationary-satellite orbit;

2. to ensure that this review takes account of the ongoing work of the Radiocommunication Sector and, in particular, in the RRB and in radiocommunication study groups;

3. to coordinate activities, as necessary, with the Directors of the other two Bureaux;

4. to make a preliminary report to WRC-95 and a final report to WRC-97,

instructs the Secretary-General

to encourage the participation of all interested parties, including satellite system operators, at an appropriately high level, and to afford the Director all necessary assistance for the successful completion of the review.

RESOLUTION 19

Improved Use of the Technical and Data Storage/Dissemination Facilities of the Radiocommunication Bureau

The Plenipotentiary Conference of the International Telecommunications Union (Kyoto, 1994),

considering

- a) the broad range of activities performed by the Radiocommunication Bureau in its technical examination and handling of frequency assignment records and in the storage and dissemination of the relevant data;
- b) that the Master International Frequency Register contains records in excess of five million entries, representing over one million frequency assignments;
- c) that the Bureau handles more than 70,000 records annually, some of which require detailed technical examination and consideration;
- d) that the Union, through its various services, is required to process, document, store and disseminate records and outcomes of the work of the Bureau,

taking into account

- a) the sustained efforts made in recent years to improve management of the functions associated with the activities of the Bureau;
- b) the sustained heavy workload of the Bureau;
- c) the diverse efforts which are required of the Bureau in order to deal with the variety of records, and the resources necessary to fulfil the various types of tasks dealing with technical examination of those records,

resolves

that the costs involved in the technical examination of assignment notifications, for various classes of radio stations, satellite networks, etc., including the costs of electronic data storage, shall continue to be studied,

instructs the Secretary-General

to continue to study and report on its outcome, including possible ways of minimizing the above-mentioned costs,

invites the Council

to consider the matter in the light of the Secretary-General's report.

RESOLUTION 20

Use by the Broadcasting Service of the Bands Additionally Allocated to this Service

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that the World Administrative Radio Conference (Geneva, 1979) (WARC-79) and the World Administrative Radio Conference (Malaga-Torremolinos, 1992) allocated additional HF bands to the broadcasting service;
- b) that the use of these bands by the broadcasting service shall be subject to provisions to be established by the world administrative radio conference for the planning of HF bands allocated to this service;

- c) that, within these bands, broadcasting stations shall not be brought into service before the date of completion of satisfactory transfer, according to the procedures described in Resolution 8 of WARC-79, of all assignments to the stations in the fixed service operating in accordance with the Table of Frequency Allocations and other provisions of the Radio Regulations, which are recorded in the Master Register and which may be affected by broadcasting operations;
- d) that work is proceeding in the Radiocommunication Sector to study alternative planning procedures that might be used to alleviate HF congestion and optimize the use of the HF bands allocated to the broadcasting service;
- e) that the results of this work are to be available for the 1995 and 1997 World Radiocommunication Conferences,

resolves

1. that administration shall comply strictly with the provisions of the Radio Regulations;

2. that broadcasting stations in the bands referred to above shall not be operated until planning is completed and the conditions stipulated in the Radio Regulations are fulfilled.

urges administrations

to participate in and follow the progress of the work currently taking place in the Radiocommunication Sector on the use of the HF bands allocated to the broadcasting service.

RESOLUTION 21

Special Measures Concerning Alternative Calling Procedures on International Telecommunication Networks

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

the difference in tariffs of outgoing telecommunications between Member States of the International Telecommunication Union,

noting

- a) the existence of some operating entities which utilize international telecommunication networks outside the scope of bilateral agreements between international telecommunication operators;
- b) that such practices adversely affect the revenue derived by some ITU Member States from their international telecommunication services;
- c) that such practices are viewed by some ITU Member States as a misuse of their telecommunication networks;
- d) that such practices infringe the national law of some Member States,

noting further

- a) the right of ITU Member States to suspend their international telecommunication services, as provided for in Article 35 of the Constitution (Geneva, 1992);
- b) the right of ITU Member States to enter into bilateral agreements, in accordance with § 1.5 of Article 1 of the International Telecommunication Regulations, concerning the international exchange of telecommunication traffic between the administrations of ITU Member States or recognized operating agencies,

considering further

- a) that a Member State should be able to act to prevent the use of its networks for the provision of services other than those authorized by its administration, or for the transmission of information for use by another person without payment for that transmission;

- b) that operating agencies should as far as possible set tariffs and operating policies to ensure that the lowest practicable tariffs are available to customers, and that § 6.1.1. of Article 6 of the International Telecommunication Regulations requires administrations to try to avoid too great a dissymetry between the charges applicable in each direction of the same relation,

resolves

1. that parties to bilateral agreements between international telecommunication operators shall take all measures within the constraints of national law to eliminate unauthorized practices not in conformity with such bilateral agreements.

2. that, when practices by an operating entity infringe the national law of a Member State and that Member State informs the Member State having jurisdiction over the said operating entity, the latter Member shall inquire into the matter and take such actions as may be appropriate within the constraints of its national law,

urges Members

to cooperate among themselves to resolve any difficulty arising from the application of this Resolution, in order to ensure that national laws and regulations of ITU Members are respected,

instructs the Telecommunications Standardization Sector

to accelerate its studies concerning these practices with a view to developing appropriate solutions and recommendations,

instructs the Director of the Telecommunications Standardization Bureau

to submit a report to Member States and to the Council on the progress of those studies.

RESOLUTION 22

Apportionment of Revenues in Providing International Telecommunication Services

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the importance of telecommunications for the social and economic development of all countries;
- b) that the International Telecommunication Union has an important role to play in promoting the universal development of telecommunication;
- c) that the Independent Commission for World-Wide Telecommunications Development, in its report "The Missing Link", recommended *inter alia*, that Member States of the ITU should consider setting aside a small portion of revenues from calls between developing and industrialized countries to be devoted to telecommunications in developing countries;
- d) that ITU-T Recommendation D.150, which provides for the apportionment of accounting revenues from international traffic between terminal countries, in principle on a 50/50 basis, has been amended to provide for sharing in a different proportion in some cases where there are differences in the costs of providing and operating telecommunication services;
- e) that the ITU, in pursuance of Resolution 23 of the Plenipotentiary Conference (Nice, 1989) and as a follow-up to the recommendation in the "The Missing Link", carried out a study of the costs of providing and operating international telecommunication services between developing and industrialized countries and established that the cost of providing telecommunication services is much higher in developing countries than in developed ones;

- f) that ITU-T Study Group 3 is pursuing studies for completion of Recommendation D.140 to establish the principles of cost-orientated accounting rates and accounting rate shares in each relation,

recognizing

- a) that the continuing social and economic underdevelopment of a large part of the world is one of the most serious problems affecting not only the countries concerned but also the international community as a whole;
- b) that the development of telecommunication infrastructure and services is a precondition for social and economic development;
- c) that the uneven penetration of telecommunication facilities globally results in a widening of the gap between the developed and the developing world in terms of economic growth and technological progress;
- d) that the trend is towards falling costs of international telecommunication transmission and switching, contributing towards a lowering of accounting rate levels, especially between developed nations, but that the conditions for lowering rates are not uniformly present throughout the world;
- e) that raising telecommunication network quality and telephone penetration levels to developed-country levels throughout the world would assist significantly in achieving economic equilibrium and in diminishing existing call and cost imbalances,

recalling

- a) the Buenos Aires Declaration adopted by the first World Telecommunication Development Conference (WTDC-94), and in particular the recognition of the need to pay special attention to the requirements of the least developed countries (LDCs) when devising development cooperation programmes;
- b) the recommendation in "The Missing Link" that Members should consider a rearrangement of their international traffic accounting procedures in relations between developing and industrialized countries such that a small proportion of call revenue be used for development purposes,

resolves

that, in cases where bilateral agreements are reached on apportioning accounting rates other than on a 50/50 basis, to the advantage of the developing countries concerned, the latter should be able to use the resulting additional revenues for the improvement of their telecommunications,

invites administrations

to consider, in the light of the findings of ITU-T studies, taking such action as may be deemed appropriate and, if necessary, to request the Secretary-General for any assistance in this regard,

instructs the Telecommunication Standardization Sector

to accelerate current studies relating to accounting rates and relating to the completion of relevant recommendations, which take account of the cost of providing service, for the Director of the Telecommunication Standardization Bureau (TSB) to report to the Council so that the latter can in turn prepare a report on the subject of this Resolution to the next Plenipotentiary Conference,

instructs the Council

to examine the report of the Director of the TSB on the studies carried out by the Telecommunication Standardization Sector, to consult Members and to prepare a report to the next Plenipotentiary Conference with any recommendation it may consider appropriate,

instructs the Director of the Telecommunication Development Bureau

in cooperation with the Director of the TSB, to extend any further assistance to administrations, if so requested.

RESOLUTION 23

Implementation of the Buenos Aires Action Plan

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the Buenos Aires Declaration on Global Telecommunication Development for the 21st century;
- b) the Buenos Aires Action Plan (BAAP) for the Global Development of Telecommunications established by the first World Telecommunication Development Conference (Buenos Aires, 1994);
- c) Article 19 of the Convention (Geneva, 1992) defining the entities and organizations which may be authorized to participate in the activities of the Sectors,

recognizing

- a) that the far-reaching objectives of the BAAP cannot be achieved without a joint effort on the part of the whole international telecommunication community;
- b) that the ordinary budget of the ITU Development Sector will allow the Telecommunication Development Bureau (BDT) to implement the core actions of the BAAP;
- c) that extrabudgetary resources are needed in order to implement projects associated with the 12 programmes of the BAAP as well as for field trials of the outputs and recommendations of the development study groups;
- d) that a growing number of members of the ITU Development Sector have shown interest in participating in both study groups and BAAP programmes,

resolves

that Development Sector members as well as other private sector entities should be encouraged to participate in the implementation of the BAAP,

invites

administrations of Members to encourage, at the national level, the participation of Development Sector members and other private sector entities interested in telecommunication in the ITU Development Sector activities, and in particular those related to the BAAP,

instructs the Council

to carry out an annual evaluation of the BAAP, in order to ensure that it is implemented as rapidly as possible,

instructs the Director of the BDT

to take appropriate steps to ensure enhanced participation of Development Sector members and other private sector entities in the implementation of the BAAP within the framework of the relevant provisions of the ITU Convention,

instructs the Secretary-General

to support the action of the Director of the BDT, for the implementation of this Resolution.

RESOLUTION 24

Role of the International Telecommunication Union in the Development of World Telecommunications

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), together with those of the International Telecommunication Regulations (Melbourne, 1988) and the Radio Regulations;
- b) the recommendations of the Radiocommunication and Telecommunication Standardization Sectors,

considering also

- a) that together these instruments are essential to provide the technical foundations for the planning and provision of telecommunication services throughout the world;
- b) that the pace of development of technology and services necessitates the continuing cooperation of all administrations and recognized operating agencies to ensure the worldwide compatibility of telecommunication systems;
- c) that the availability of modern telecommunications is vital to the economic, social and cultural progress of all countries,

recognizing

the interests of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the General Agreement on Tariffs and Trade (GATT) and other international organizations in certain aspects of telecommunications,

resolves

that the International Telecommunication Union should:

1. continue to work for the harmonization, development and enhancement of telecommunications throughout the world;
2. ensure that all its work reflects its position as the authority responsible within the United Nations system for establishing in a timely manner technical and operational standards for all forms of telecommunications and for ensuring the rational use of the radio-frequency spectrum and of the geostationary-satellite orbit;
3. encourage and promote technical cooperation in the field of telecommunications among Members to the maximum possible extent.

RESOLUTION 25

Regional Presence

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

the relevant provisions of Resolutions 26 of the Plenipotentiary Conference (Nairobi, 1982) and 17 of the Plenipotentiary Conference (Nice, 1989) and Resolutions 6 and 16 of the Additional Plenipotentiary Conference (Geneva, 1992),

having considered

the report by the Secretary-General and the contributions by Members relating to regional presence,

considering

- a) the conclusions of the world and regional telecommunication development conferences;
- b) the need for enhanced regional presence in order to enable the Telecommunication Development Bureau (BDT) to carry out more effectively its mission in the field, for better dissemination of information on the Union's activities and for relations between the Union and regional and subregional organizations, chiefly those dealing with telecommunications, financing and development;
- c) that, in order to enable regional presence to play an effective role, it is necessary to define clearly its objectives and mission, bearing in mind the particular features of the various regions;
- d) that the mission of regional presence should be defined in the context of the overall terms of reference of the Development Sector,

noting

- a) that the rate of development of telecommunication services in the developing countries of various regions should be stepped up in the coming years, in order to close the telecommunication gap between the North and the South;
- b) the constant need to improve the productivity and the effectiveness of the working methods of the Union,

resolves

1. that the principal aim of regional presence is to enable the Union to be as close as possible to its members, particularly the developing countries, and to be able to satisfy as far as possible, taking into account the available resources, the growing and diversified telecommunication needs of those countries by means of actions in the field;
2. that ITU regional presence must, in general, serve mostly as technical and logistical support to the BDT activities, in order to implement in the field, through direct and sustained contact with the competent national authorities, regional telecommunication organizations and other organizations concerned, the decisions, recommendations, actions, programmes and projects approved by the Union, with the primary aim of promoting and supporting the programmes and activities of the Development Sector;
3. the regional presence serves also to:
 - represent, as and when required, the Secretary-General or one of the Directors of the Bureaux of the three Sectors;
 - provide necessary support to the Directors of the Radiocommunication and Standardization Bureaux for the organization, in the region concerned, of certain events;
 - act, as far as possible, as a link for the exchange and dissemination of information on the activities of the Radiocommunication and Standardization Sectors in the mutual interests of the Union and the countries of the region;
4. that the missions entrusted to the Union's regional presence, as part of activities within the ambit of the BDT, should cover the four basic functions of the Development Sector identified in the strategic plan of the Union, namely: specialized agency, executing agent, resource mobilization and information centre;
5. that so far as their precise content is concerned, these missions should be geared to the specific requirements of each region and should periodically be the subject of a detailed evaluation, in the light of results obtained, the changing requirements of the developing countries and the telecommunication environment, as well as the resources available to the Union;
6. that, in order to carry out their missions, the regional offices of the ITU should:
 - have clear guidelines and support from headquarters and cooperate closely on specific subjects with the regional telecommunication organizations, in line with general ITU policy aimed at strengthening its relations with such organizations, as set out in Resolution 58;

- actively contribute, by means of targeted field activities, to the implementation of all action plans adopted by development conferences, including the Buenos Aires Action Plan, and become more involved in the work of the development study groups and in the preparation of development conferences, specifically in the formulation of issues to be studied by them;
- coordinate activities with concerned organizations in order to optimize the use of resources and avoid duplication of efforts.

instructs the Council

to set up a limited and balanced group of experts, with the task of:

- carrying out a detailed evaluation of regional presence, taking into consideration previous evaluations, without prejudice to the continuance of existing programmes, projects and activities;
- examining the results of this evaluation and adopting measures aimed at improving the structure and management of the strengthened regional presence, particularly with regard to the identification of responsibilities, functions and duties of regional and area offices,

instructs the Secretary-General and Director of the BDT

to provide both the Council and group of experts with all necessary assistance for this evaluation.

RESOLUTION 26

Improvement of the Union's Capabilities for Providing Technical Assistance and Advice to Developing Countries

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

having taken note

of the sections of the report of the Council dealing with the activities of the Telecommunication Development Sector (Document 20),

recognizing

the technical assistance rendered to developing countries in pursuance of the provisions of the Constitution and Convention (Geneva, 1992),

considering

- a) that the volume of the Union's technical assistance needs to be increased and the quality further improved;
- b) that in many cases the developing countries, and in particular the least developed countries, need advice of a highly specialized nature and that such advice must often be obtained at short notice;
- c) that technical knowledge and experience of great value to the developing countries is also obtainable from or through the Radiocommunication and Telecommunication Standardization Sectors,

resolves

1. that the duties of the Telecommunication Development Bureau (BDT) shall include the provision of technical experts:

- 1.1 to work with the Radiocommunication and Telecommunication Standardization Bureaux in providing information and advice on subjects of importance to developing countries for the planning, organization, development and operation of their telecommunication systems;
- 1.2 at the request of administrations, to prepare standard technical specifications for the most commonly used equipment;

- 1.3 to give prompt and constructive advice, either by correspondence or by mission, in response to practical questions addressed to it by developing countries, Members of the Union;
 - 1.4 to provide an opportunity for expert and high-level consultation for senior personnel from developing countries visiting the seat of the Union;
 - 1.5 to participate in seminars and courses organized at the seat of the Union or elsewhere on specialized aspects of telecommunication subjects;
2. that highly qualified experts shall be recruited, as needed, for periods normally not exceeding one month at a time to complement the expertise provided by the BDT,

instructs the Secretary-General

to include in the annual reports to the Council:

1. the specialities and the type of assistance required from the BDT by the developing countries, taking into account rapid changes in technology;
2. an appraisal of the volume and quality of the technical assistance provided, mentioning any difficulties encountered in meeting these requests,

instructs the Council

1. to consider the Secretary-General's annual reports and to take all necessary measures in order to meet requests for the BDT's services;
2. to include in the budget of the Union the credits necessary to cover the estimated costs of the services of the short-term experts mentioned in resolves 2;
3. to follow closely the development of the volume and quality as well as the type of technical assistance provided by the Union in application of this Resolution.

RESOLUTION 27

Participation of the Union in the United Nations Development Programme, in Other Programmes of the United Nations System and in Other Funding Arrangements

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994)

having noted

- a) No. 45 of the Constitution of the International Telecommunication Union (Nice, 1989) establishing the Telecommunication Development Bureau (BDT);
- b) the sections of the report of the Council dealing with the technical co-operation activities of the Union (Document 20) and the decisions of the World Telecommunication Development Conference (Buenos Aires, 1994),

recognizing

- a) that the United Nations Development Programme (UNDP), and particularly its inter-country programme, is one of the valuable means of assisting the developing countries in improving their telecommunication services;
- b) the action taken by the Council in application of Resolution 16 of the Plenipotentiary Conference (Nairobi, 1982) as regards participation of the Union in UNDP,

expressing its appreciation

of the consideration given to this matter in certain regions by UNDP in making available to the ITU allocations for inter-country projects of technical cooperation to developing countries, while noting however that these allocations do not adequately meet some regions' aspirations,

resolves

that the Union, as part of its dual function as the United Nations specialized agency for telecommunications and a UNDP executing agency, shall continue to participate fully in UNDP activities, within the framework of the Constitution (Geneva, 1992) and under the conditions established by the UNDP Governing Council or by other competent bodies of the United Nations system,

invites UNDP

with a view to strengthening technical cooperation in the telecommunication sector and thereby contributing significantly to an accelerated pace of integration and development, to consider favourably a sufficient increase of the allocations to country and inter-country assistance projects and to sectoral support activities in this sector,

invites Member governments

to pursue this matter appropriately with a view to achieving the objective of this Resolution,

invites those Members of the Union which are also Members of the UNDP Governing Council

to take steps to ensure this Resolution is given favourable consideration in that Council,

instructs the Secretary-General

1. to submit each year to the Council a detailed report on the Union's participation in UNDP and other funding arrangements;

2. to submit each year to the Council such recommendation as he may deem necessary to improve the efficiency of that participation,

instructs the Council

to take all necessary measures to ensure maximum efficiency of the Union's participation in UNDP activities and other funding arrangements, taking into account the decisions of the UNDP Governing Council and the need to maintain a balance between income and expenditure.

RESOLUTION 28

Special Voluntary Programme for Technical Cooperation

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recognizing

- a) the fundamental role of telecommunications in the achievement of balanced economic and social development;
- b) the interest of all Members in the expansion of worldwide networks based on well-developed national telecommunication networks,

and recognizing in particular

- a) the need to bring telecommunications within easy reach of all mankind by the early part of the next century; and therefore
- b) the requirement for specific technical assistance in many countries in order to improve the capacity and efficiency of their telecommunication equipment and networks, and thereby narrow the large gap between the developing and developed countries,

considering

that the needs of the developing countries for technical co-operation and assistance to improve their national networks cannot be fully satisfied by the funds allocated in the ordinary budget of the Union to this purpose nor by the allocation of funds from the United Nations Development Programme to telecommunication projects executed by the ITU,

considering also

that the Union can play a very useful catalytic role in identifying development projects and bringing them to the attention of bilateral and multilateral programme managers with a view to a better matching of resources to needs,

resolves

to maintain and strengthen the Special Voluntary Programme for Technical Cooperation based on financial contributions, expert services, or in any other form of assistance to meet as many of the telecommunication requests of developing countries as possible,

urges Members of the Union, their recognized operating agencies scientific or industrial organizations and other entities and organizations.

to support the Special Voluntary Programme by making available the required resources in whatever form may be convenient to meet the telecommunication needs of the developing countries more effectively.

instructs the Director of the Telecommunication Development Bureau

1. to ascertain the specific types of technical cooperation and assistance required by developing countries and suited to this Special Voluntary Programme;
2. actively to seek wide support for the Programme and regularly to publish the results for the information of all the Members;
3. within existing resources, to provide the necessary administrative and operational structure for the functioning of the Programme;
4. to ensure proper integration of the Programme with other technical cooperation and assistance activities;
5. to submit to the Council an annual report on the development and management of the Programme,

instructs the Council

to review the results achieved by the Programme and take all steps necessary to promote its continued success.

RESOLUTION 29

International Programme for the Development of Communication

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

- a) the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948;
- b) Resolutions 31/139 and 33/115 adopted by the United Nations General Assembly on 16 December 1976 and on 18 December 1978, respectively;
- c) the recommendations of the Intergovernmental Conference for Cooperation Activities, Needs and Programmes for Communication Development (Paris, 1980), and in particular Recommendation viii) of part III of the report of that Conference;

- d) Resolution No. 4.21 of the 21st Session of the United Nations Educational Scientific and Cultural Organization (UNESCO) General Conference (Belgrade, 1980), establishing the International Programme for the Development of Communication (IPDC),

recognizing

- a) the importance of the cooperation between the Union and UNESCO for the effective development of the IPDC activities;
- b) the good results being achieved through the ITU/IPDC joint efforts concerning the development of broadcasting in Africa;
- c) the importance of providing adequate telecommunication infrastructure to meet the objectives of the IPDC;
- d) the necessity of maintaining continuous liaison between the Union and the various UNESCO units involved in the work of the IPDC,

reaffirming

the paramount role played in the field of telecommunications within the United Nations system by the Union, which is the main international forum for the consideration and promotion of international cooperation for the improvement and rational use of telecommunications of all kinds,

approves

the measures taken by the Secretary-General for the enhancement of the participation of the Union in the work of the IPDC through the Special Voluntary Programme,

resolves

that the Council and the Secretary-General shall maintain and support the Union's participation of the IPDC, including its Intergovernmental Council, this participation also being directly related to the Union's activities in rendering technical assistance to developing countries,

requests countries Members of UNESCO

to make available greater resources for the telecommunication components of IPDC projects contributing to the development of all communications facilities, set up to improve the quality of life in the developing countries,

instructs the Secretary-General

1. to report to the Council on the development of these activities;
2. to bring this Resolution to the attention of the United Nations General Assembly, the Intergovernmental Council of the IPDC and the Director General of UNESCO,

instructs the Council

to study the reports submitted by the Secretary-General and to take appropriate action to assure technical support by ITU for the work of the IPDC by including in the budget of the Union appropriate credits for maintaining liaison with the Intergovernmental Council, the Secretariat of the IPDC and the UNESCO units involved in the work of IPDC.

RESOLUTION 30

Special Measures for the Least Developed Countries

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

United Nations General Assembly Resolution 36/194 of 17 December 1981, which adopted the "Substantial New Programme of Action for the 1980s for the Least Developed Countries" established by the United Nations Conference on the Least Developed Countries (Paris, September 1981), United Nations General Assembly Resolution 45/206

of 21 December 1990 on the Implementation of the Programme of Action for the Least Developed Countries for the 1990s as adopted by the Second United Nations Conference on the Least Developed Countries (Paris, September 1990), and the section of the report of the Council (Document C94/20) which deals with the action taken in application of Resolution 26 of the Plenipotentiary Conference (Nice, 1989),

recognizing

the importance of telecommunications for the development of the countries concerned,

having noted

Resolution 1 of the World Telecommunication Development Conference (Buenos Aires, 1994) and the Buenos Aires Action Plan,

concerned

that the number of LDCs has continued to rise steadily over the years from 25 in 1971 to 47 in 1993,

instructs the Secretary-General

1. to continue to review the state of telecommunication services in the least developed countries, so identified by the United Nations and needing special measures for telecommunication development, and to identify areas of critical weakness requiring priority action;

2. to report his findings to the Council;

3. to propose concrete measures intended to bring about genuine improvements and provide effective assistance to these Least Developed Countries from the Special Voluntary Programme for Technical Cooperation, the Union's own resources and other sources of finance;

4. within existing resources to provide the necessary administrative and operational structure and proper administration of the resources appropriated for the Least Developed Countries;

5. to report annually on the matter to the Council;

instructs the Council

1. to consider the above-mentioned reports and take appropriate action so that the Union may continue to display its keen interest and cooperate actively in the development of telecommunication services in these countries;

2. to make appropriations for this purpose from the Special Voluntary Programme for Technical Cooperation, the Union's own resources and other sources of finance;

3. to keep the situation under constant review and to report on the matter to the next Plenipotentiary Conference.

RESOLUTION 31

Telecommunication Infrastructure and Socio-Economic and Cultural Development

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recognizing

that the social and economic underdevelopment of a large part of the world is one of the most serious problems affecting not only the countries concerned but also the international community as a whole,

considering

a) that telecommunication facilities and services are not only the consequence of economic growth, but a prerequisite for overall development;

b) that telecommunications are an integral part of the national and international development process;

- c) that recent spectacular progress, and particularly the convergence of telecommunication and computer technologies and services, has transformed telecommunications into an agent of change for the information age,

stressing

the important participatory, and not merely infrastructural, role played by telecommunications in the development of agriculture, health, education, transport, industry, human settlement, trade, transfer of information for social welfare and in the general economic and social progress of developing countries.

recalling

- a) that the Union's 1994 World Telecommunication Development Report has highlighted the unacceptable imbalance in the distribution of telecommunications and the imperative and urgent need to remedy that imbalance;
- b) that in this context the World Telecommunication Development Conference (Buenos Aires, 1994) has *inter alia* called on governments, international agencies and all other parties concerned to accord, particularly in the developing countries, an appropriate higher priority to investment and other related actions for the development of telecommunications.

recognizing

- a) that given the constraints of the world economic situation, there is a continuing decline in resources available in most developing countries for investment in various development sectors;
- b) that, in this situation, doubts continue to arise as to the interrelated priorities for resource allocation among the various sectors to guide national decisions;
- c) that it was therefore necessary to provide decision-makers with relevant and timely information on the role and overall contribution of telecommunications to the totality of planned development;
- d) that past studies undertaken at the initiative of the Union for assessing the benefits of telecommunications have had a salutary effect.

appreciating

the various studies that have been carried out as part of the programme of technical cooperation and assistance activities of the Union.

resolves

1. that the Union should continue to organize, conduct or sponsor necessary studies to bring out, in a different and changing context, the contribution of telecommunications to overall development;
2. that the Union should also act as a clearing house for information on the results of similar studies carried out by other national, regional and international bodies,

invites

the administrations and governments of Member States, agencies and organizations of the United Nations system, non-governmental and intergovernmental organizations, financial institutions and providers of telecommunication equipment and services to extend their support for the satisfactory implementation of this Resolution,

urges

all agencies responsible for development aid and assistance, including the International Bank for Reconstruction and Development (IBRD), the United Nations Development Programme (UNDP), as well as donor and recipient Member States of the Union, to attach greater importance to telecommunications in the development process and to accord an appropriate higher priority for resource allocation to this sector,

instructs the Secretary-General

1. to bring this Resolution to the attention of all interested parties, including, in particular, UNDP, IBRD, regional development banks and national development funds for cooperation;
2. to organize studies, from time to time, as necessary, within the available credits;
3. to report annually to the Council on the progress made in the implementation of this Resolution;
4. to arrange for the wide dissemination of the findings of the studies carried out in accordance with this Resolution,

instructs the Council

1. to review the Secretary-General's reports and take appropriate measures to ensure the implementation of this Resolution;
2. to report on the matter to the next Plenipotentiary Conference.

RESOLUTION 32

Technical Assistance to the Palestinian Authority for the Development of Telecommunications

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) the peace process now in progress in the Middle East and particularly the agreements signed by Israel and the Palestine Liberation Organization,

considering

- a) that the peace process has fundamentally changed the situation in the Middle East;
- b) that the fundamental principles of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) are designed to strengthen peace and security in the world for the development of international cooperation and better understanding among peoples,

considering further

- a) that a reliable telecommunication network is essential for consolidation and enhancement of the common understanding among the peoples concerned;
- b) that it is essential for the international community, either jointly through international organizations or by individual action, to assist the Palestinian Authority in developing a modern and reliable telecommunication network infrastructure,

noting

- a) the report of the Secretary-General submitted to the Plenipotentiary Conference (Kyoto, 1994) (Document 52);
- b) that in a recent study the World Bank recognized that technical assistance in telecommunications for the Palestinian Authority would facilitate the development of a regulatory framework and the transfer of authority over public services from the Israelis to the Palestinians, and help the Palestinian Authority receive training to manage those services,

resolves

to explore and study the needs of the Palestinian Authority in order to improve the telecommunication infrastructure and identify where assistance is needed,

instructs the Secretary-General

to circulate among Members the results of that study, inviting them to contribute to the improvement of the Palestinian Authority's telecommunication networks,

invites Members

to offer assistance needed by the Palestinian Authority based upon that study report, as well as any other available assistance,

instructs the Council

1. to review that report and, together with the three Sectors of the ITU, to find the means of providing the assistance;
2. to cooperate with the World Bank in its projects concerning telecommunications for the Palestinian Authority.

RESOLUTION 33

Assistance and Support to the Republic of Bosnia and Herzegovina for Rebuilding its Telecommunications Network

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

- a) the noble principles, purpose and objectives embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights;
- b) the efforts of the United Nations to promote sustainable development and the relevant United Nations Security Council resolutions concerning the situation in Bosnia and Herzegovina,
- c) the purposes of the Union as enshrined in Article 1 of its Constitution (Geneva, 1992).

recognizing

- a) that a reliable telecommunication network is indispensable for promoting the socio-economic development of countries, in particular those having suffered from natural disasters, domestic conflicts or war;
- b) that telecommunication facilities in the Republic of Bosnia and Herzegovina have been severely damaged due to the war in that country;
- c) that the damage to telecommunications in the Republic of Bosnia and Herzegovina should be of concern to the whole international community, in particular to the International Telecommunication Union, which is the United Nations specialized agency responsible for telecommunications;
- d) that, under the present conditions and in the foreseeable future, the Republic of Bosnia and Herzegovina will not be able to bring its telecommunications system up to an acceptable level without help from the international system up to an acceptable level without help from the international community, bilaterally or through international organizations,

resolves

that special action shall be initiated within the framework of the activities of the Telecommunications Development Sector of the Union, with specialized assistance from the two other Sectors, to provide appropriate assistance and support to the Republic of Bosnia and Herzegovina in rebuilding its telecommunication network,

calls upon Members

to offer all possible assistance and support to the Government of the Republic of Bosnia and Herzegovina, either bilaterally or through—and at any rate in coordination with—the special action of the Union referred to above,

instructs the Council

to allocate the necessary funds within available resources and initiate the action,

instructs the Secretary-General

to invite the Government of the Republic of Bosnia and Herzegovina to report on the current status of its telecommunication network, to put forward its views on how to rebuild it, to coordinate the activities carried out by the three Sectors in accordance with resolves above, to ensure that the ITU action in favour of the Republic of Bosnia and Herzegovina is as effective as possible and to report on the matter to the Council.

RESOLUTION 34

Assistance and Support to Liberia, Somalia and Rwanda for Rebuilding their Telecommunication Networks

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

- a) the noble principles, purpose and objectives embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights;
- b) the efforts of the United Nations to promote sustainable development;
- c) the purposes of the Union as enshrined in Article 1 of its Constitution (Geneva, 1992),

recognizing

- a) that a reliable telecommunication network is indispensable for promoting the socio-economic development of countries, in particular those having suffered from natural disasters, domestic conflicts or war;
- b) that telecommunication facilities in Liberia, Somalia and Rwanda have been severely damaged due to the wars in those countries;
- c) that the damage to telecommunications in these Member countries should be of concern to the whole international community, in particular to the International Telecommunication Union, which is the United Nations specialized agency responsible for telecommunications;
- d) that, under the present conditions and in the foreseeable future, these countries will not be able to bring their telecommunication systems up to an acceptable level without help from the international community, bilaterally or through international organizations,

resolves

that special action shall be initiated within the framework of the activities of the Telecommunication Development Sector of the Union, with specialized assistance from the two other Sectors, to provide appropriate assistance and support to Liberia, Somalia and Rwanda in rebuilding their telecommunication networks, when the conditions of order and security sought by United Nations resolutions have been achieved,

calls upon Members

to offer all possible assistance and support to the Governments of Liberia, Somalia and Rwanda, either bilaterally or through—and at any rate in coordination with—the special action of the Union referred to above,

instructs the Council

1. to allocate the necessary funds within available resources and initiate the action;
2. to extend, if necessary, the action referred to under resolves to other Member countries which find themselves in the same situation and which may so request,

instructs the Secretary-General

1. to invite the Governments of Liberia, Somalia and Rwanda to report on the current status of their telecommunication networks and to put forward their views on how to rebuild them;
2. to coordinate the activities carried out by the three Sectors in accordance with **resolves** above, to ensure that the ITU action on favour of Liberia, Somalia and Rwanda is as effective as possible and to report on the matter to the Council.

RESOLUTION 35

Telecommunication Support for the Protection of the Environment

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that telecommunication and information technologies have an important role to play in protecting the environment and in promoting development activities at low risk to the environment;
- b) that application of the latest telecommunication and information technologies, especially those associated with space systems, can be extremely useful in implementing and conducting environment protection activities such as monitoring air, river, harbour and sea pollution, remote sensing, wildlife studies, forestry development, and others;
- c) that the application of telecommunication technology can reduce paperwork, which ultimately saves forests;
- d) that telecommunication and information technologies respect the environment, and that the related industries can be located in rural areas in order to reduce urban congestion;
- e) that in many cases telecommunication and information technologies may facilitate, more economically than other means of communication, rapid decisions relating to the protection of the environment;
- f) that there is a need to disseminate information on these aspects, as stated in the Rio Declaration on Environment and Development, Agenda 21,

resolves

that the Union shall give every possible encouragement to an increasing role being played by telecommunication and information technologies in promoting environmental protection and sustainable development,

instructs the Secretary-General

1. to carry out a study, with the assistance of the Directors of the Bureaux, and in collaboration with competent international and regional organizations, on a policy for promoting the use of telecommunication, information and space technologies for applications devoted to the protection of the environment;
2. to prepare a report on this matter for dissemination following consideration by the Council,

instructs the three Sectors

to assist the Secretary-General in the application of this Resolution by providing him with all relevant information and by conducting studies in selected areas for evaluating and highlighting the advantages of telecommunication applications for the protection of the environment,

instructs the Director of the Telecommunication Development Bureau

to organize seminars and training programmes to meet the objectives of this Resolution and to encourage participation in exhibitions and similar activities for the same purpose.

RESOLUTION 36

Telecommunications for Disaster Mitigation and Disaster Relief Operations

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

endorsing

Resolution 7 of the World Telecommunication Development Conference (WTDC) (Buenos Aires, 1994) on disaster communications,

noting

the programme of action of the World Conference on Natural Disaster Reduction (Yokohama, May 1994),

recognizing

the importance of telecommunications for disaster mitigation and disaster relief operations,

considering

a) that the need for an international convention on disaster communications has been stated repeatedly, in particular in paragraphs 12 and 15 of the Tampere Declaration as annexed to WTDC Resolution 7;

b) that telecommunication technology and services can play an important role in disaster mitigation and disaster relief operations,

concerned

that in many cases regulatory barriers and the high cost of services limit the effective use of telecommunications for disaster mitigation and disaster relief operations,

instructs the Council

to address the issues of WTDC Resolution 7 and take appropriate action towards its implementation,

instructs the Secretary-General

to report to the Council at its 1995 session on the measures taken pursuant to WTDC Resolution 7,

urges administrations

to take all practical steps for facilitating the rapid deployment and the effective use of telecommunication equipment for disaster mitigation and for disaster relief operations by reducing and, where possible, removing regulatory barriers and strengthening transborder cooperation between States.

RESOLUTION 37

Training of Refugees

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

having noted

United Nations General Assembly Resolution 36/68 on the implementation of the declaration on the granting of independence to colonial countries and peoples and other resolutions relevant to assistance to refugees,

instructs the Secretary-General

1. to continue his efforts with a view to the application of the United Nations resolution;

2. to collaborate fully with the organizations concerned with the training of refugees, both within and outside the United Nations system;

3. to report to the next Plenipotentiary Conference on the implementation of this Resolution,

invites the Members of the Union

to do even more to receive certain selected refugees and to arrange for their training in telecommunications in professional centres or schools.

RESOLUTION 38

Contributory Shares in Union Expenditure

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that No. 468 of the Convention of the International Telecommunication Union (Geneva, 1992) allows the least developed countries as listed by the United Nations to contribute to Union expenditure in the 1/8 or 1/16 unit class;
- b) that, under this provision, the 1/8 or 1/16 unit class may also be chosen by other countries determined by the Council;
- c) that some countries with a small population and a low per capita gross national product may encounter financial difficulties in contributing to Union expenditure in the 1/4 unit class;
- d) that it is in the interest of the Union that participation should be universal, that all countries should be encouraged to become Members of the Union and that all Members are able to pay their contributions,

instructs the Council

at each session to review, on request, the situation of countries not included in the United Nations list of the least developed countries in order to decide which of them may be considered as being entitled to contribute to Union expenditure in the 1/8 or 1/16 unit class.

RESOLUTION 39

Strengthening the Financial Base of the International Telecommunication Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the adoption of a strategic planning approach to ITU management and budgeting, as recommended by the High Level Committee on the structure and functioning of the ITU;
- b) the need to look more closely for savings and revenue options to enable the ITU to take on additional high-priority tasks while containing costs;
- c) that entities participating in the work of the ITU should make financial contributions at least in line with the costs attributable to their use of ITU services and to their involvement in the ITU Sectors,

noting

- a) the responsibilities assigned to the Plenipotentiary Conference, the Council, the Secretary-General and the Coordination Committee for strategic planning and management of the work of the Union in Articles 8, 10 and 11 of the Constitution and Articles 4, 5 and 6 of the Convention (Geneva, 1992);
- b) action taken by the Secretary-General pursuant to Resolution 13 of the Additional Plenipotentiary Conference (Geneva, 1992) on the improved use of the technical and data storage/dissemination facilities of the Radiocommunication Bureau;

- c) action taken by the Secretary-General pursuant to Resolution 5 of the Additional Plenipotentiary Conference (Geneva, 1992) to implement improved management practices relating to the transparency of cost allocations and budget controls;
- d) the need to ensure that the ordinary budget of the ITU, provided by Members' contributions in accordance with Article 28 of the Constitution (Geneva, 1992), continues to provide a secure base for the services provided to Members in line with the purposes of the Union, and is subject to strict financial discipline under the supervision of the Secretary-General and the Council;
- e) that cost recovery is already practised, to some extent, in various ITU activities including the sale of publications, the holding of TELECOMs and the assignment of issuer identification numbers for international telecommunication charge cards,

noting also

the significant number of entities, principally recognized operating agencies, that currently make no financial contribution to the ITU Sectors,

requests

Members to take steps to encourage all entities that they have recognized and sponsored to make an appropriate financial contribution (see **considering** c) above),

resolves

1. that a cost attribution framework be developed to identify clearly the costs connected with specific functions and activities of the ITU;
2. that an examination of the costs and revenue options in ITU activities be undertaken with a view to strengthening the financial base of the Union, including:
 - 2.1 options to reduce costs, where practicable, with close attention to more effective allocation of resources and ranking of activities according to the objectives set out in the strategic plan;
 - 2.2 further steps to encourage wider financial participation by non-Member entities;
 - 2.3 ways of making better use of the ITU's information resources, and where appropriate, of charging fees for ITU services, particularly where these services are sought on a discretionary basis or to a greater extent than the level of facilities generally provided,

instructs the Secretary-General

1. to conduct a study of the issues and options outlined in resolves 1 and 2, and to report his findings and recommendations to the Council;
2. when presenting draft ITU budgets to the Council, to identify offsetting savings and revenue options that can assist the ITU in funding its work without increasing the level of the contributory unit.

RESOLUTION 40

Funding Arrangements for Telecommunication Programmes

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recognizing

- a) the essential role of the ITU as the global specialized agency for telecommunications;
- b) the economic importance of modern telecommunications to all ITU Member States;
- c) the growing demands on the Union to discharge its global responsibilities in relation to the promotion and development of telecommunications in ITU Member States,

noting

- a) that the funding arrangements of the ITU have not changed since its establishment;
- b) that assessed contributions from Member States to the ordinary budget have reached a plateau,

resolves

that Member States of the ITU should, where necessary, seek new and innovative ways of honouring their responsibilities to contribute to the financial health of the Union, given the derived benefits of telecommunications.

RESOLUTION 41

Settlement of Arrears and Special Arrears Accounts

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

the report of the Council to the Plenipotentiary Conference on the situation with regard to amounts owed to the Union by Members and members (Document 20) and the note by the Secretary-General on arrears and special arrears accounts (Document 60),

regretting

the increasing level of arrears and non-settlement of special arrears accounts,

considering

that it is in the interest of all Members of the Union to maintain the finances of the Union on a sound footing,

urges

all Members and members in arrears or having special arrears accounts on 31 December 1993 to submit their repayment schedules to the Secretary-General within a period of six months from 15 October 1994, with a view to settling their arrears as quickly as possible,

resolves

that amounts due which have been transferred to special arrears accounts shall not be taken into account when applying No. 169 of the Constitution (Geneva, 1992), provided that the Members concerned have submitted their repayment schedules to the Secretary-General at the latest by 15 April 1995 and for as long as they strictly comply with it and with the associated conditions,

instructs the Secretary-General

1. to inform the competent authorities of all Members and members in arrears or having special arrears accounts of this Resolution;
2. to negotiate and agree with them, on the basis of each repayment schedule submitted, the terms for the settlement of their debts;
3. to report annually to the Council on the progress made by these Members and members towards repaying their debts as well as on any non-compliance with the agreed terms of settlement,

authorizes the Council

1. to approve any measures, such as temporary reductions in class of contribution under No. 165 of the Constitution (Geneva, 1992), in order to accelerate the settlement of arrears and special arrears accounts;
2. to take appropriate measures in respect of amounts owed by members or of non-compliance with the agreed terms of settlement, such as suspending their participation in the work of the respective Sector(s) of the Union;
3. to review the appropriate level of the Reserve for debtors' accounts;

4. to report to the next Plenipotentiary Conference on the results obtained in pursuance of this Resolution,

urges Members

to assist the Secretary-General and the Council in the application of this Resolution, also in respect of members whose participation in the Union's activities has been previously approved by them in conformity with the provisions of Article 19 of the Convention (Geneva, 1992).

RESOLUTION 42

Special Arrears and Interest Accounts

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

- a) the report of the Council to the Plenipotentiary Conference on the situation with regard to amounts owed to the Union;
- b) Resolution 10 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973), Resolution 53 of the Plenipotentiary Conference (Nairobi, 1982) and Resolution 38 of the Plenipotentiary Conference (Nice, 1989),

noting with satisfaction

- a) that the Republic of El Salvador has settled its debt with regard to Resolution 10 (Malaga-Torremolinos, 1973);
- b) that the Republic of Sudan has, in 1993 and 1994, made a payment for a partial settlement of its debt with regard to Resolution 38 (Nice, 1989);
- c) that the Republic of Liberia has initiated steps to make its first payment with regard to Resolution 38 (Nice, 1989);
- d) that the Republic of Chad has submitted a payment schedule with regard to Resolution 53 (Nairobi, 1982);
- e) that the Islamic Federal Republic of the Comoros has submitted a payment schedule with regard to Resolution 53 (Nairobi, 1982),

regretting

that the Republic of Bolivia and the Dominican Republic with regard to Resolution 10 (Malaga-Torremolinos, 1973), the Republic of Guatemala and the Islamic Republic of Mauritania with regard to Resolution 53 (Nairobi, 1982) and the Republic of Guatemala with regard to Resolution 38 (Nice, 1989) have made no settlements of their debts nor put forward any repayment schedule,

considering

that it is in the interest of all Members of the Union to maintain the finances of the Union of a sound footing,

resolves

1. that the amounts of 169 103 Swiss francs owed for 1988 to 1992 contributions and 17 517.30 Swiss francs owed for interest on overdue payments by the Democratic Republic of Sao Tome and Principe and

2. that the amounts of 90 071.15 Swiss francs owed for interest on overdue payments and 19 437.55 Swiss francs owed for publications by the Republic of Chad

shall be transferred to a special arrears account bearing no interest under the conditions laid down in Resolution 41;

3. that the amount of 27 897.75 Swiss francs owed for interest on overdue payments by the Democratic Republic of Sao Tome and Principe shall be transferred to a special interest account;

4. that the transfer to the special arrears accounts shall not release the Members concerned from the obligation to settle their arrears;

5. that this Resolution shall not in any circumstances be invoked as a precedent,

instructs the Secretary-General

1. to inform the competent authorities of the two Members concerned of this Resolution and of Resolution 41;

2. to report annually to the Council on the progress made by these two Members towards repaying their debts and on the action taken under Resolution 41,

instructs the Council,

1. to adopt appropriate measures for the application of this Resolution;

2. to report to the next Plenipotentiary Conference on the results obtained in pursuance of this Resolution;

3. to study ways of settling the special interest account.

RESOLUTION 43

Approval of the Accounts of the Union for the Years 1989 to 1993

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

a) the provisions of No. 53 of the Constitution of the International Telecommunication Union (Geneva, 1992);

b) the report by the Council to the Plenipotentiary Conference (Document 20), Document 15 and its Addendum 1 relating to the accounts of the Union for the years 1989 to 1993 and the report of the Finance Committee of the present Conference (Document 186),

resolves

to give its final approval of the accounts of the Union for the years 1989 to 1993.

RESOLUTION 44

Auditing of the Accounts of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

that the external auditor appointed by the Government of the Swiss Confederation audited the Union accounts for the years 1989 to 1993 most carefully, competently and accurately,

expresses

1. its warmest thanks to the Government of the Swiss Confederation;

2. the hope that the existing arrangements for the auditing of the Union accounts may be renewed,

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss Confederation.

RESOLUTION 45

Assistance Given by the Government of the Swiss Confederation in Connection with the Finances of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

that the Government of the Swiss Confederation, under the existing arrangements, places at the disposal of the Secretary-General, if necessary and if he so requests, funds to meet the temporary cash requirements of the Union,

expresses

1. its appreciation to the Government of the Swiss Confederation for its generous assistance in financial matters;

2. the hope that the existing arrangements in this field may be renewed,

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss Confederation.

RESOLUTION 46

Remuneration and Representation Allowances of Elected Officials

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

having regard to

Resolution 42 of the Plenipotentiary Conference (Nice, 1989),

recognizing

that the salaries of elected officials should be set at an adequate level above those paid to appointed staff in the United Nations common system,

resolves

1. that, subject to the measures which could be proposed by the Council to the Members of the Union in accordance with the instructions below, the Secretary-General, the Deputy Secretary-General, the Directors of the Radiocommunication, Telecommunication Standardization and Telecommunication Development Bureaux shall be paid with effect from 1 January 1995 salaries fixed in relation to the maximum salary paid to appointed staff on the basis of the following percentages:

Secretary-General	134%
Deputy Secretary-General, Directors of the Radiocommunication, Telecommunication Standardization and Telecommunication Development Bureaux	123%

2. that the above percentages shall apply to the net base salary at the dependency rate; all other elements of the remuneration shall be derived therefrom by applying the methodology in force in the United Nations common system, provided that an appropriate percentage is applied to each individual element of the remuneration,

instructs the Council

1. if a relevant adjustment is made in common system salary scales, to approve any modification of the salaries of elected officials which might result from the application of the above-mentioned percentages;

2. in the event of overriding factors appearing to the Council to justify a change in the above-mentioned percentages, to propose to the Members of the Union for approval by a majority, revised percentages with appropriate justifications,

further resolves

that representation expenses will be reimbursed against vouchers within the following limits:

	<i>Swiss francs per year</i>
Secretary-General	29 000
Deputy Secretary-General, Directors of the Radiocommunication, Telecommunication Standardization and Telecommunication Development Bureaux	14 500

RESOLUTION 47

Compensation Matters

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

noting

the adoption by the United Nations General Assembly at its 46th session of Resolution 46/192 resulting in the implementation of a pension adjustment system which largely protects the purchasing power of pensions as sought by the Plenipotentiary Conference (Nice, 1989) in its Resolution 43,

considering

- a) that the remuneration levels in the professional and higher categories in the common system are no longer competitive when compared to a number of other international civil services;
- b) the specific needs of the Union for attracting and retaining highly technical and specialized staff with knowledge of the most recent technological developments;
- c) that most civil services and organizations facing similar difficulties have been able to find suitable solutions;
- d) that staff motivation should be enhanced through the implementation of an incentive scheme as recommended by the High Level Committee,

concerned

by the increasing number of ad hoc measures taken by some Member States to give additional compensation to their nationals working in the United Nations system in order to compensate for the lack of competitiveness of remuneration levels in the United Nations common system,

recalling

the decision of principle taken by the United Nations General Assembly in Resolution 47/216 to introduce special occupational rates in the common system which still remains to be implemented,

invites the International Civil Service Commission (ICSC) and the United Nations General Assembly

- a) to remedy, as a matter of urgency, the problem of lack of competitiveness of the common system compensation scheme for staff in the professional and higher categories;
- b) actually to introduce the required flexibility in the United Nations common system to enable small highly technical agencies to be competitive in the labour market from which they draw their workforce;

- c) to design and approve a significant incentive scheme in order to enhance staff motivation, as is practised in many civil services and private industries,

instructs the Council

- a) to monitor with the greatest attention the question of protection of the purchasing power of pensions;
- b) to monitor the responsiveness of the ICSC and United Nations General Assembly in order to ensure that the specific needs of the ITU, as expressed in the present Resolution, are fulfilled.

RESOLUTION 48

Human Resources Management and Development

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

- a) Resolution 45 of the Plenipotentiary Conference (Nice, 1989) on in-service training;
- b) Resolution 46 of the Plenipotentiary Conference (Nice, 1989) on human resources development,

noting

- a) the report of the Council (1994) concerning training and human resources development;
- b) the recommendations of the International Civil Service Commission (ICSC), as reported by the Secretary-General in Document 12 entitled "General staff policy and management",

recognizing

the value of the human resources of the Union for the fulfilment of its goals,

recognizing further

the mutual value for the Union and its staff of developing those resources to the fullest extent possible, through various human resources development activities, and in particular in-service training,

considering

- a) the impact on the Union and its staff of the continuing evolution of activities in the field of telecommunications and the need for the Union and its human resources to adapt to this evolution;
- b) the increasing proportion of credits being allocated to training in the Union budget and the resulting impact on the activities of the Union,

considering further

the importance of strengthening and harmonizing the linkage between different human resources management and development factors,

noting

that the ICSC recognizes human resources management as "a systematic approach, contributing to the efficient and effective utilization of human resources",

recalling

its decisions on recruitment (Resolutions 29 and 41 of the Plenipotentiary Conference (Nice, 1989)) and the report of the Council (1994) concerning the recruitment of ITU staff and of experts for technical assistance missions,

resolves

1. that human resources management and development in the Union should be compatible with the objectives and activities of the ITU;
2. that principles of human resources management and development should be applied with regard to human resources planning, recruitment and selection, training, compensation, job classification, career development criteria, performance appraisal and end of service,

instructs the Secretary-General

1. to establish the "Rules for in-service training of the staff of the ITU" on the basis of the principles approved by the Council and to apply them to the ITU in-service training programme;
2. to prepare medium and long-term human resources development plans in order to respond to the needs of the Union and its staff;
3. to continue to study how human resources management and development principles, taking into account the recommendations of the ICSC, might best be applied within the Union, and report to the Council,

instructs the Council

to allocate the appropriate credits for in-service training in accordance with an established programme, which shall represent at least 1% and at most 3%, to be increased gradually, of the portion of the budget allocated to staff costs,

requests the Council

1. to ensure that the necessary staff and financial resources, as mentioned in Document 28 "Training and human resources development", are made available for reviewing issues related to human resources management and development of the ITU;
2. to examine the Secretary-General's report on this matter and to decide on the action to be taken.

RESOLUTION 49

Organizational Structure and Grading in the ITU

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

- a) the High Level Committee recommendations concerning the need to increase delegation of authority within the ITU secretariat;
- b) the structural changes implemented following the decisions of the Additional Plenipotentiary Conference (Geneva, 1992) and the resulting reduction in the number of ITU elected officials;
- c) the obligation for the Union to apply the job classification system as approved by the United Nations General Assembly for application in all organizations of the United Nations common system,

considering

- a) that the ITU should make full use of the United Nations common system grading structure (G.1 to D.2);
- b) that posts should be graded at the level resulting from the application of the United Nations common system job classification standards,

instructs the Council

1. to ensure the correct application of the United Nations common system job classification standards for senior management posts, taking into account the level of responsibilities and the delegation of authority;

2. to implement its decision of principle to use the D.2 level for these posts when justified by the United Nations common system standards;

3. to ensure, on the basis of a report by the Secretary-General, that relevant ITU rules and regulations and practices concerning appointments and promotions are applied.

RESOLUTION 50

Recruitment of ITU Staff and Experts for Technical Assistance Missions

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

noting

- a) No. 154 of the Constitution (Geneva, 1992);
- b) the report by the Council concerning the implementation of Resolution 41 of the Plenipotentiary Conference (Nice, 1989);
- c) the section of the report by the Council (Document 20) dealing with the action taken in application of Resolution 29 of the Plenipotentiary Conference (Nice, 1989);
- d) the increase in the number of countries from which the staff of the Union is recruited and the improvement in the geographical distribution of appointed staff,

further noting

- a) the recommendations of the International Civil Service Commission (ICSC) on recruitment policy and procedures, as reported by the Secretary-General in the conference document entitled "General staff policy and management" (Document 12);
- b) the report by the Council concerning the recruitment of ITU staff and of experts for technical assistance missions (Resolutions 29 and 41 of the Plenipotentiary Conference (Nice, 1989)),

considering

- a) the need to follow a recruitment policy appropriate to the requirements of the Union, including the redeployment of posts and the recruitment of young specialists, while observing the relevant recommendations of the ICSC;
- b) the need to continue to improve the geographical distribution of appointed staff of the Union;
- c) the need to encourage the recruitment of women in the professional and higher categories;
- d) the constant advances made in the technology and operation of telecommunications and the corresponding need to recruit the most competent specialists to work in the different Bureaux of the ITU and for the Union's technical assistance activities,

considering also

- a) the increasing difficulties encountered in the recruitment of experts for technical assistance missions, both quantitatively and qualitatively;
- b) the growing demand for highly specialized expertise over short periods both in traditional and new services;
- c) the great importance of strengthening technical assistance to developing countries,

having noted

that the Union's needs for highly qualified experts and information concerning vacancies are not adequately disseminated within the countries which are in a position to make such experts available,

wishes to express

its gratitude to the Members which have provided experts from their countries for technical assistance missions,

invites the Members of the Union and entities and organizations other than administrations

1. to increase their efforts to explore all sources of candidates, especially female candidates, for ITU posts and expert posts among the staff of administrations, recognized operating agencies, industry, universities and training institutions, scientific and research bodies, etc., by publicizing the information concerning vacancies as widely as possible and through direct contacts with these potential sources of expertise;

2. to facilitate to the maximum the secondment of the candidates chosen and their reintegration at the end of their assistance missions so that their period of absence does not prove a handicap in their careers;

3. to continue to make available, free of charge, lecturers and the necessary services for seminars organized by the Union,

invites the developing countries Members of the Union

to take particular account of candidates for technical assistance missions presented by other developing countries provided they meet the requirements,

resolves

1. that appointed staff in the professional and higher categories shall continue to be recruited on an international basis and, in general, vacancies for these posts shall be advertised as widely as possible and communicated to the administrations of all Members of the Union; however, reasonable promotion possibilities must continue to be offered to existing staff;

2. that, when filling vacant posts by international recruitment, in choosing between candidates who meet the qualification requirements for a post, preference shall be given to candidates from regions of the world which are insufficiently represented in the staffing of the Union, taking into account the desirable balance between female and male staff;

3. that, when filling vacant posts by international recruitment and when no candidate fulfils all the qualification requirements, recruitment can take place at one grade below on the understanding that a candidate will have to fulfil certain conditions before being given the full responsibilities of the post and the promotion, as the candidate does not meet all the requirements of the post;

4. that, in general, staff in the general service category (grades G.1 to G.7) shall be recruited from among persons resident in Switzerland, or in French territory within 25 km of Geneva. Exceptionally, when vacancies occur at grades G.5, G.6 and G.7 for posts of a technical nature, recruitment may be on an international basis,

instructs the Secretary-General

1. to continue to pursue a recruitment policy designed to improve the geographical representation of the appointed staff in those posts of the Union subject to geographical distribution;

2. to favour, other qualifications being equal, the appointment of women to posts in the professional and higher categories with a view to securing an equitable representation of women in the staff of the Union, subject to resolves 2 of this Resolution;

3. to recruit young specialists at the P.1/P.2 level, where appropriate, with a view to improving professionalism within the Union taking into account geographical distribution and the balance between female and male staff;

4. to pay the greatest possible attention to the qualifications, experience and aptitudes of candidates for vacant expert posts at the time of submission of candidatures to beneficiary countries;

5. not to impose strict age limits on candidacies for expert posts but to make sure that candidates who have passed the retirement age fixed in the United Nations common system are fit enough to perform the tasks listed in the vacancy notice;

6. to establish and disseminate, on a regular basis, a list of vacant expert posts which are to be filled during the forthcoming months and to provide information on conditions of service;

7. to continue to keep up to date the register of potential candidates for expert posts with due emphasis on specialists for short-term missions;

8. to submit each year to the Council a report on the measures adopted in pursuance of this Resolution and on the evolution of recruitment issues in general;

9. to continue to observe those recommendations of the ICSC which are applicable to the situation of the Union in matters of recruitment,

invites the Council

to follow with the greatest attention the question of recruitment and to adopt the measures it deems necessary to secure an adequate number of qualified candidates for Union posts and expert posts advertised by the Union.

RESOLUTION 51

ITU Staff Participation in Conferences of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) that staff are a key element in the achievement of the Union's objectives;
- b) the importance of good human resources management to the achievement of the Union's objectives;
- c) the importance of fruitful working relations between the staff and its employer and of staff participation in the management of the Union,

recognizing

the rights of staff under Article 8 of the Staff Rules and Regulations,

noting

the initiative of Council in creating a consultative group comprising staff representatives and Council members,

noting further

- a) that Council regularly invites the participation of staff representatives;
- b) that this participation is subject each time to prior agreement by Council;
- c) that this uncertainty prevents staff representatives from preparing sufficiently in advance,

considering further

that the participation of staff representatives would be beneficial to the Plenipotentiary Conference,

resolves

that staff will henceforth be represented by one person (or a maximum of two persons) who will participate in sessions of the ITU Council and in Plenipotentiary Conferences to state the staff's opinion concerning staff matters at the request of the Chairman of the Committee dealing with staff matters, such participation having no impact on the budget of ITU.

RESOLUTION 52

Rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent Funds

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

the precarious but nonetheless improving financial situation of the Provident Fund at 31 December 1993,

taking into account

that the support measures hitherto applied have been effective,

aware

that the Provident Fund continues to require support in the form of an annual contribution,

instructs the Council

to monitor carefully in coming years the situation of the ITU Staff Superannuation and Benevolent Funds, and in particular the Provident Fund, with a view to taking any measures it considers appropriate,

resolves

to reduce the annual contribution from the ordinary budget to the Provident Fund from 250,000 Swiss francs to a maximum of 200,000 Swiss francs and to maintain the contribution at the necessary level until the Fund is able to meet its obligations.

RESOLUTION 53

Measures to Enable the United Nations to Carry Out Fully any Mandate Under Article 75 of the Charter of the United Nations

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

conscious

of the decision taken by the Plenipotentiary Conference (Malaga-Torremolinos, 1973) to abolish associate membership in the Union and of Additional Protocol III to the International Telecommunication Convention (Nairobi, 1982),

taking into account

that the Plenipotentiary Conference (Nice, 1989) decided not to continue the use of additional protocols and adopted its Resolution 47 on the matter which is also the subject of the present Resolution,

mindful

of the request recently reiterated by the Secretary-General of the United Nations to continue, as in the past, the application, if the need arises, of measures enabling the United Nations to carry out fully any mandate under Article 75 of the Charter of the United Nations,

resolves

1. that the possibility enjoyed by the United Nations, in accordance with the relevant provisions of the International Telecommunication Convention (Montreux, 1965) concerning associated membership, when carrying out any mandate in accordance with Article 75 of the Charter of the United Nations shall be continued under the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992);
2. that each case related to resolves 1 shall be considered by the Council of the Union.

RESOLUTION 54

**Support to Members Hosting United Nations
Peacekeeping Forces**

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recognizing

- a) that some Members have to rely on the support of the United Nations to aid in resolving conflicts, restoring peace and security and providing humanitarian assistance during times of crisis;
- b) that effective telecommunications for United Nations agencies and other aid agencies are vital for the accomplishment of these important missions;
- c) that, in carrying out such missions, United Nations peacekeeping operations undertaken pursuant to a mandate from the United Nations Security Council may involve the deployment of United Nations peacekeeping forces and aid agencies (governmental and private) together with their communications facilities;

recognizing further

- a) that, in establishing their telecommunication facilities, United Nations peacekeeping forces would normally require the support of a host administration for such matters as application of national telecommunication regulations and frequency assignment;
- b) that the time when it is receiving a United Nations peacekeeping force is often when a Member most needs to apply its national regulations but is least able to do so because the situation which has made the United Nations intervention necessary may have rendered the host administration inoperable,

recalling

the Union's responsibility as a specialized agency of the United Nations and its agreement to co-operate with and render all possible assistance to the United Nations in accordance with the Agreement between the United Nations and the International Telecommunication Union (Article VI) and with their respective basic instruments,

consistent with

- a) the purposes of the Union set out in Article 1 of the Constitution, and specifically the ITU's mandate to co-ordinate efforts to eliminate harmful interference and to promote the use of telecommunications to facilitate peaceful relations;
- b) the procedures set forth under "Communications" (Annex II, Article IV, Part B) in the MCDA Project¹,

considering

that the purposes of the Union also include providing direct assistance to Members in matters related to the implementation of the provisions of the Radio Regulations, and that the ITU has regularly deployed missions of experts provided by Members,

¹The Project on the Use of Military and Civil Defence Assets for Natural Disaster Relief is under the mandate of the United Nations Department of Humanitarian Affairs and its guidelines refer to the use of such assets in situations where they are used exclusively as part of international humanitarian assistance following a natural disaster.

considering further

that the lack of an effective host administration able to support visiting United Nations military forces and aid agencies may:

- hamper the operations of United Nations peacekeeping forces, thereby hindering the restoration of peace in the region or the provision of humanitarian assistance;
- create situations in which neighbouring Members may suffer harmful interference and disruption to their telecommunication services;
- result in situations in which the long-term interests of the host administration may be compromised because it is unable to exercise its rights in spectrum utilization and international co-ordination,

instructs the Secretary-General

to study potential roles for the ITU and its Members in the area of frequency management support for selected peacekeeping endeavours, in consultation with the appropriate United Nations entities, taking into account legal, jurisdictional and financial considerations, and to report the findings to Council in 1996,

instructs the Council

to review the Secretary-General's report at its 1996 session and make appropriate recommendations for follow-up by the ITU and its Members.

RESOLUTION 55

Use of the United Nations Telecommunication Network for the Telecommunication Traffic of the Specialized Agencies

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the Agreement between the United Nations and the International Telecommunication Union (Atlantic City, 1947), and in particular Article 16 thereof;
- b) that, by its Resolution 50, the Plenipotentiary Conference (Nice, 1989) resolved that the United Nations telecommunications network may carry the traffic of the specialized agencies under specific conditions,

noting

- a) that the Secretary-General of the United Nations has requested that the International Telecommunication Union take such action as would allow the use of the United Nations telecommunication network by the specialized agencies;
- b) that, since 1989, ITU has been collaborating closely with the United Nations Telecommunication Service in the enhancement of the United Nations telecommunication network,

resolves

that the United Nations telecommunication network may carry the traffic of the specialized agencies which wish to use it, on condition that:

1. the specialized agencies pay for the telecommunication service on the basis of the cost of operation of the service by the United Nations and tariffs established by administrations within the framework of the Constitution and Convention (Geneva, 1992), Administrative Regulations and practices of the Union;
2. the use of the network is restricted to the principal organs of the United Nations, the United Nations offices and programmes, and the specialized agencies of the United Nations;
3. the transmissions are limited to information exchanges concerned with the conduct of the business of the United Nations system;

4. the network is operated in conformity with the Constitution and Convention (Geneva, 1992), Administrative Regulations and practices of the Union,

instructs the Secretary-General

to follow carefully the evolution of the United Nations telecommunication network, to continue co-operation with the United Nations Telecommunication Service and to provide guidance as appropriate,

further instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations.

RESOLUTION 56

Possible Revision of Article IV, Section 11, of the Convention on the Privileges and Immunities of the Specialized Agencies

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

Resolution 28 of the Plenipotentiary Conference (Buenos Aires, 1952), Resolution 31 of the Plenipotentiary Conference (Geneva, 1959), Resolution 23 of the Plenipotentiary Conference (Montreux, 1965), Resolution 34 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973), Resolution 40 of the Plenipotentiary Conference (Nairobi, 1982), and Resolution 53 of the Plenipotentiary Conference (Nice, 1989),

considering

- a) the apparent conflict between the definition of Government Telecommunications contained in the Annex to the Constitution of the International Telecommunication Union (Geneva, 1992) and the provisions of Article IV, Section 11, of the Convention on the Privileges and Immunities of the Specialized Agencies;
- b) that the Convention on the Privileges and Immunities of the Specialized Agencies has not been amended in the manner requested by the Plenipotentiary Conferences of Buenos Aires (1952), Geneva (1959), Montreux (1965), Malaga-Torremolinos (1973), Nairobi (1982) and Nice (1989),

resolves

to confirm the decisions of the Plenipotentiary Conferences of Buenos Aires (1952), Geneva (1959), Montreux (1965), Malaga-Torremolinos (1973), Nairobi (1982) and Nice (1989) and of the Additional Plenipotentiary Conference (Geneva, 1992) not to include the Heads of the specialized agencies among the authorities listed in the Annex to the Constitution (Geneva, 1992) as entitled to send or reply to Government Telecommunications,

expresses the hope

that the United Nations will agree to reconsider the matter and, bearing in mind the above decision, will make the necessary amendment to Article IV, Section 11, of the Convention on the Privileges and Immunities of the Specialized Agencies,

instructs the Council

to take the necessary steps with the appropriate organs of the United Nations with a view to reaching a satisfactory solution.

RESOLUTION 57

Joint Inspection Unit

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

Resolution 52 of the Plenipotentiary Conference (Nice, 1989),

having noted

the relevant section of the report of the Council to the Plenipotentiary Conference (Kyoto, 1994),

considering

that it is appropriate that the International Telecommunication Union continue to benefit from the useful role played by the Joint Inspection Unit (JIU) as an independent inspection and evaluation unit of the United Nations system,

instructs the Secretary-General

to continue to cooperate with the JIU and to submit to the Council reports of the JIU having a bearing on the Union, together with comments he considers appropriate,

instructs the Council

to consider the JIU reports submitted by the Secretary-General, and to take action thereon as it deems fit.

RESOLUTION 58

Strengthening of Relations with Regional Telecommunication Organizations

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

acknowledging

that Article 43 of the Constitution states that: "Members reserve the right to convene regional conferences, to make regional arrangements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis...",

considering

- a) that the Union and regional organizations share a common belief that close cooperation can promote regional telecommunication development through, *inter alia*, organizational synergy;
- b) that, at the World Telecommunication Development Conference (WTDC) (Buenos Aires, 1994), some regional telecommunication organizations, such as Asia-Pacific Telecommunity (APT), European Conference of Posts and Telecommunications Administrations (CEPT), Inter-American Telecommunications Committee (CITEL), Caribbean Telecommunications Union (CTU), Panafrican Telecommunications Union (PATU), Permanent Committee on Telecommunications of the League of Arab States (LAS), etc., expressed the need for the Union to cooperate more closely with regional telecommunication organizations;
- c) that there is a continued need for the Union to cooperate more closely with regional telecommunication organizations, given the increasing importance of regional organizations concerned with regional issues;
- d) that the Convention encourages the participation of the regional telecommunication organizations in the Union's activities and provides for their attendance at conferences of the Union as observers;
- e) that the WTDC (Buenos Aires, 1994) requested the Secretary-General to consider the thrust of its Resolution 6 in his report under Resolution 16 of the Additional Plenipotentiary Conference (APP) (Geneva, 1992),

noting

that the Secretary-General's report under Resolution 16 of the APP (Geneva, 1992), when available, should facilitate evaluation by the Council of the Union's own regional presence,

resolves

that the Union should develop stronger relations with regional telecommunication organizations,

instructs the Secretary-General

1. to consult with regional telecommunication organizations at an early date regarding cooperation on the basis envisaged in Resolution 16 of the APP (Geneva, 1992) and Resolution 6 of the WTDC (Buenos Aires, 1994);

2. to submit a report on the results of the consultation to the Council, for consideration at its 1995 session, and to report regularly to the Council thereafter,

instructs the Council

to consider the reports submitted and take appropriate measures, including arranging for dissemination of the findings in the reports and the Council's conclusions to non-Council Members and to regional telecommunication organizations.

RESOLUTION 59

Request to the International Court of Justice for Advisory Options

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

- a) Article VII of the Agreement between the United Nations and the International Telecommunication Union which provides that requests for advisory options may be addressed to the International Court of Justice by the Plenipotentiary Conference, or by the Council acting in pursuance of an authorization by the Plenipotentiary Conference;
- b) the decision of the Council "to affiliate the Union to the Administrative Tribunal of the International Labour Organization", and the declaration recognizing the jurisdiction of the Tribunal which was made by the Secretary-General pursuant to that decision;
- c) the provisions in the Annex the Statute of the Administrative Tribunal of the International Labour Organization under which that Statute applies in its entirety to any intergovernmental organization which has recognized the jurisdiction of the Tribunal in accordance with paragraph 5 of Article II of the Statute of the Tribunal;
- d) Article XII of the Statute of the Administrative Tribunal of the International Labour Organization under which, in consequence of the above-mentioned declaration, the Council of the International Telecommunication Union may submit to the International Court of Justice the question of the validity of a decision given by the Tribunal,

notes

that the Council is authorized to request advisory opinions from the International Court of Justice as provided under Article XII of the Statute of the Administrative Tribunal of the International Labour Organization.

RESOLUTION 60

Juridical Status

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

the agreement concluded on 22 July 1971 between the Swiss Federal Council and the International Telecommunication Union to define the legal status of this organization in Switzerland and the associated implementing arrangements,

having noted with satisfaction

the Council's remarks in section 2.2.7.1 of its report to the Plenipotentiary Conference (Document 20) concerning Resolution 56 of the Plenipotentiary Conference (Nice, 1989),

instructs the Secretary-General

to keep the agreement and the manner of its application under review in order to ensure that the privileges and immunities accorded to the ITU are equivalent to those obtained by other organizations of the United Nations family with their headquarters in Switzerland and report to the Council as necessary,

requests the Council

to report as necessary, on this subject to the next Plenipotentiary Conference.

RESOLUTION 61

Premises at the Seat of the Union: Construction of the "Montbrillant Building"

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

that the Plenipotentiary Conference (Nice, 1989), in its Resolution 57, authorized the Council:

"1. to consider the study submitted to it by the Secretary-General as soon as possible and to decide on the construction programme;

2. to take the administrative and financial action necessary for the implementation of its decision. The proposals of the Administrative Council and the resulting financial implications shall be submitted to Members for approval in accordance with section 8 of Decision 1,"

having studied

the report of the Council (Document 20) on the preliminary project relating to the new "Montbrillant Building" to provide the Union with the necessary premises,

considering

that adequate premises are required at the seat of the Union in Geneva to organize effective meetings, to provide sufficient office space, to make rational use of office space for all the staff at the seat of the Union and to improve space for the information services, the library and the archives services, as well as to provide the facilities, equipment and storage space necessary for the smooth operation of all services,

aware

that there is an exceptional and unique opportunity for the Union to construct the said building on the plot of land adjacent to its existing building in the rue de Varembe and in closest vicinity to its Tower building in the avenue Giuseppe Motta in Geneva,

resolves

to construct the new "Montbrillant Building", in order to provide the premises and facilities necessary to meet the Union's requirements, in accordance with the financing scheme proposed by the Council in Document 20,

instructs the Secretary-General

1. to confirm to the Swiss authorities the Union's decision to construct the new "Montbrillant Building", and to arrange with them the required financing for the construction project;

2. to organize the building project under efficient management and with due regard to cost, functional design and quality;

3. to ensure that the detailed design and construction of the building and related installations and facilities are carried out in the most appropriate manner;

4. to submit an annual report to the Council on the progress made in the implementation of this Resolution,

instructs the Council

to make all the administrative and financial arrangements and take the decisions necessary to facilitate the implementation of this Resolution, in the light of the annual reports submitted to it by the Secretary-General.

RESOLUTION 62

Interim Limitations in the Use of Official and Working Languages of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

having regard

to Article 29 of the Constitution and Article 35 of the Convention of the International Telecommunication Union (Geneva, 1992),

recalling

Resolution 59 of the Plenipotentiary Conference (Nice, 1989),

conscious

- a) of the desirability of making greater use of the official and working languages of the Union, so as to enable a larger number of Members to participate more actively in the work of the Union;
- b) of the technological, administrative, financial and staffing advantages thereof;
- c) of the need for greater use of the official and working languages in order to permit greater understanding among Members and to achieve fully the Union's purposes,

considering

that the full-scale use of all official and working languages of the Union in the present structure of the Union could involve significant resources which can now hardly be provided,

pursuant to

the provisions of No. 172 of the Constitution (Geneva, 1992),

resolves

1. that the following documents of the Union shall be drawn up in English, French, and Spanish only:

- all documents of conferences and assemblies of the Union except¹ the final texts of Final Acts, protocols, resolutions, questions, recommendations, opinions and handbooks;
- the preparatory documents of the study groups of the three Sectors of the ITU except² the final texts of questions, recommendations and handbooks;
- the proposals and contributions to conferences, assemblies and meetings of the three Sectors of the ITU communicated to Members, the originals of which have been submitted in any of the working languages of the Union;

¹In these cases, Article 29 of the Constitution shall apply; namely, all six working languages shall be used, and all texts shall be translated.

²In these cases, Article 29 of the Constitution shall apply; namely, all six working languages shall be used, and all texts shall be translated.

- all other documents for general distribution prepared by the Secretary-General in the course of his duties, except¹ the weekly circulars of the Radiocommunication Bureau, the circular-letters of the Secretary-General and the directors of the Bureaux of the three sectors of the ITU, by agreement between the Secretary-General and the Members or group of Members concerned;

2. that at meetings of the three Sectors of the ITU other than the world conferences, assemblies and study groups included in the programme of work approved by a conference or an assembly, which are governed by Article 29 of the Constitution (Geneva, 1992) and at which all six working languages shall be used, reciprocal interpretation between English, French and Spanish is provided if those Members which require interpretation for one of these languages give at least 90 days notice of their participation in these meetings;

3. that, should the need arise, and by agreement between the Secretary-General and the Members or group of Members concerned, proposals and contributions to a regional development conference should be drawn up in a different subset of the official and working languages, taking into account the working languages of the ITU used in the region, limited to a maximum of three languages;

4. that the total expenditure incurred shall remain within the financial limits fixed in Decision 1,

instructs the Secretary-General

1. to organize, after consulting the Members or groups of Members concerned, preparation of the documents of the Union in Arabic, Chinese and Russian as efficiently and economically as possible;

2. to submit a report to the Council on the progress made in this field,

instructs the council

1. to consider the report of the Secretary-General;

2. to take any necessary action to ensure the general circulation, in the official and working languages of the Union, of the documents chosen by the Members or groups of Members concerned within the credit limits fixed by this Conference.

RESOLUTION 63

Study of the Languages in the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the need to maintain and extend international cooperation between all Members of the Union for the improvement and rational use of telecommunications of all kinds, as well as to promote and to offer technical assistance to developing countries in the field of telecommunications;
- b) Article 29 of the Constitution and Article 35 of the Convention (Geneva, 1992) on languages;
- c) proposals for the work of the Plenipotentiary Conference on improving the use of languages;
- d) Resolution 59 of the Plenipotentiary Conference (Nice, 1989) on "Limitations in the Use of Working Languages";
- e) the desirability of making greater use of the official and working languages of the Union so as to enable a larger number of Members to participate more actively in the work of the Union,

conscious of

the impact on the finances and operation of the Union of the use of multiple languages,

¹In these cases, Article 29 of the Constitution shall apply; namely, all six working languages shall be used.

recognizing

the need to adopt efficient, effective and balanced policies on the use of languages in the Union,

noting

the wide range of views on the optimum balance of working languages to be used in meetings, documents and publications versus the associated cost and timeliness of production of documents and publications,

resolves

that a study be conducted to address the relevant issues in order to provide a report with recommendations for consideration at the 1998 Plenipotentiary Conference,

instructs the Council and the Secretary-General

- a) to carry out a study of the effective and efficient use of languages to be used in the Union, considering, *inter alia*:
 1. practices followed by other United Nations and international organizations;
 2. the role that emerging modern technological tools may play in the future;
 3. the interests of different language groups;
- b) to produce, no later than 1996, a report on the results of the study together with alternative recommendations;
- c) to distribute this report to all Members for comment before submitting it to the 1998 Plenipotentiary Conference.

RESOLUTION 64

Non-Discriminatory Access to Modern Telecommunication Facilities and Services

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

having examined

the "Buenos Aires Initiative" Resolution on "Non-Discriminatory Access to Modern Telecommunication Facilities and Services" submitted by the Secretary-General at the behest of the World Telecommunication Development Conference (Buenos Aires, 1994),

taking into account

the importance of telecommunications for political, economic, social and cultural progress,

taking into account also

- a) that the International Telecommunication Union plays an important role in the promotion of global telecommunication development;
- b) that, to this end, the Union coordinates efforts aimed at securing harmonious development of telecommunication facilities,

taking into account further

the need to draw up proposals on issues determining worldwide telecommunication development strategy, and to facilitate the mobilization of the necessary resources to that end,

noting

- a) that modern telecommunication facilities and services are established, in the main, on the basis of recommendations of the Telecommunication Standardization Sector (ITU-T) and the Radiocommunication Sector (ITU-R);

- b) that ITU-T and ITU-R recommendations are the result of the collective efforts of all those taking part in the standardization process within ITU and are adopted by consensus by the Members of the Union;
- c) that limitations on the access to telecommunication facilities and services on which national telecommunication development depends and which are established on the basis of ITU-T and ITU-R recommendations constitute an obstacle to the harmonious development and compatibility of telecommunications worldwide,

recognizing

that full harmonization of telecommunication networks is impossible unless all countries participating in the work of the Union, without exception, have non-discriminatory access to new telecommunication technologies and modern telecommunication facilities and services, without prejudice to national regulations and international commitments within the competence of other international organizations,

resolves

1. that there should be non-discriminatory access to telecommunication technologies, facilities and services established on the basis of ITU-T and ITU-R recommendations;

2. that the ITU should facilitate non-discriminatory access to telecommunication technologies, facilities and services established on the basis of ITU-T and ITU-R recommendations;

3. that the ITU should encourage to the greatest extent possible cooperation among the Members of the Union on the question of non-discriminatory access to telecommunication technologies, facilities and services established on the basis of ITU-T and ITU-R recommendations with a view to satisfying user demand for modern telecommunication services,

invites the governments of the Members of the Union

1. to help telecommunication equipment manufacturers and service providers in ensuring that telecommunication facilities and services established on the basis of ITU-T and ITU-R recommendations may be generally available to the public without any discrimination;

2. to cooperate with one another in the implementation of this Resolution,

instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations with a view to bringing to the attention of the world community the viewpoint of ITU, as a specialized agency of the United Nations, on the issue of non-discriminatory access to new telecommunication technologies and modern telecommunication facilities and services as an important factor for world technological progress.

RESOLUTION 65

Remote Access to ITU Information Services

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a) the instructions given in Resolution 62 of the Plenipotentiary Conference (Nice, 1989);
- b) the instructions given in Resolution 14 of the Additional Plenipotentiary Conference (Geneva, 1992);
- c) that information exchange with ITU Members and members and with the wider telecommunication community is one of the essential means for the achievement of the ITU's purposes defined in Article 1 of the Constitution (Geneva, 1992);
- d) that the Bureaux are mandated by the Convention (Geneva, 1992) (Nos. 178, 203 and 220) to "exchange with members data in machine-readable form"; and

- e) the increasing opportunities provided by the convergence of telecommunications, computers and other technologies, particularly the increased availability and affordability of worldwide communications and information networks,

recognizing

- a) the need to provide policy guidance for the Council to enable it to take the necessary decisions for execution by the Secretary-General and Directors of the Bureaux;
- b) the severe pressures on the budget of the Union,

instructs the Council

1. to authorize, within appropriate budgetary constraints, the systematic maintenance of ITU information in electronic form widely accessible and the progressive development at the Unions's headquarters and, as far as possible, at ITU regional/area offices, of facilities giving all participants in ITU activities remote access to appropriate information services;

2. to consult with the advisory groups of the three Sectors of the ITU in order to assist the Council in further developing these facilities and services,

instructs the Secretary-General

1. in consultation with the Coordination Committee and the advisory groups of the three Sectors of the ITU, to submit to Council detailed recommendations with proposed cost estimates for the extension of remote access information exchange facilities and services;

2. to ensure that these recommendations pay particular attention and respond to the problems that may face developing countries;

3. to use technical assistance programmes to support the related training and technology requirements of the developing countries.

RESOLUTION 66

Access to Documents and Publications of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994)

considering

- a) recommendation 46 of the High Level Committee ("Tomorrow's ITU: The Challenges of Change", Geneva, April 1991);
- b) the need for efficient marketing and distribution of documentation and publications of the Union to promote increased use of ITU recommendations and other publications;
- c) the evolution of electronic information handling;
- d) the development of new technologies for publishing (for example CD-ROM, online access to databases, etc.);
- e) the desirability of cooperation with bodies engaged in relevant standards development;
- f) matters connected with the Union's copyright in its publications;
- g) the need to sustain the revenue derived from publications as a means of recovering costs of production, marketing and sales to the Union;
- h) the need to provide a timely and efficient global standardization process,

considering further

- a) that a primary purpose of the Union is to extend the benefits of new telecommunication technologies to all the world's inhabitants;

- b)* the need to ensure a coherent financing and pricing policy which will assure the continuity of publications, including the development of new products and of modern methods of distribution,

resolves

1. that all documentation of the Union available in electronic form intended to facilitate the timely development of recommendation of the Union be made electronically accessible to any Member or member;

2. that all official publications that are made available in databases of the Union for electronic distribution, including recommendations of the Union made available in publication format by the Radiocommunication Sector or the Telecommunication Standardization Sector, should be made accessible by electronic means with appropriate provision for payment to the Union for a particular publication requested. A request for such a publication obliges the purchaser not to duplicate it for distribution or sale external to the purchaser's organization. Such a publication may be utilized in the receiving organization, to further the work of the Union or any standards body developing related standards, to provide guidance for product or service development and implementation and to serve as support for documentation associated with a product or service;

3. that none of the above is intended to dilute the copyright held by the Union so that any entity desiring to duplicate publications of the Union for resale must obtain an agreement for such purpose,

instructs the Secretary-General

1. to take the necessary steps to facilitate the implementation of this Resolution;
2. to ensure that paper publications are made available as quickly as possible so as not to deprive Members or members not possessing electronic facilities of access to publications of the Union;
3. to implement, within the financial constraints of the Union, strategies and mechanisms to enable all Members and members to acquire and use the facilities required to access the electronic documents and publications of the Union;
4. to ensure that prices for all forms of publications of the Union are reasonable in order to stimulate their wide distribution;
5. to seek consultation with the advisory groups of the three Sectors of the ITU to assist in developing policies on publications.

RESOLUTION 67

Updating of Definitions

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

- a)* that the Annexes to the Constitution and to the Convention of the International Telecommunication Union (Geneva, 1992) contain definitions of certain terms used in the Constitution, in the Convention and in the Administrative Regulations;
- b)* that, as a result of technical progress and the development of operating methods, it might be desirable to revise some of these definitions,

instructs the Secretary-General

to submit to the Council any changes accepted by a conference to definitions which are the Annexes to the Constitution and Convention (Geneva, 1992), for subsequent transmission to the Plenipotentiary Conference for any action the latter may deem appropriate.

RESOLUTION 68

World Telecommunication Day

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

considering

the opportunity which the annual celebration of World Telecommunication Day represents to promote the Union,

bearing in mind

Resolution 46 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973), instituting a World Telecommunication Day celebrated annually on 17 May.

invites administrations of Members

to celebrate the day annually by organizing appropriate national programmes, involving their recognized operating agencies, scientific or industrial organizations and other relevant entities, with a view to:

- increasing awareness of the vital role of telecommunications for the welfare of humanity;
- fostering interest in telecommunications in universities and other educational establishments with a view to attracting new and young talents into the profession;
- disseminating information on telecommunication issues and on the leadership role of the Union in international communications;
- strengthening the Union by making national telecommunication entities and organizations and development and financial institutions more aware of the benefits of becoming a member of the Sectors of the Union;
- supporting the main strategic objectives of the Union,

invites the Council

to adopt a specific topic for each World Telecommunication Day,

instructs the Secretary-General

to provide telecommunication administrations with information and assistance to coordinate their preparations for holding World Telecommunication Day,

RESOLUTION 69

Provisional Application of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) by Members of the Union Which Have Not Yet Become States Parties to Those Instruments

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

recalling

Resolution 1 of the Additional Plenipotentiary Conference of the Union (Geneva, 1992) on the provisional application of certain parts of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and Recommendation 1 of that Conference on the deposit of instruments and entry into force of the said Constitution and Convention,

noting

that, although the said Constitution and Convention entered into force on 1 July 1994 between Members having deposited their instruments of ratification, acceptance, approval or accession before that date, only 56 out of the 184 Members of the Union have deposited with the Secretary-General their respective instruments of consent to be bound by the said treaties,

mindful

of its call for expeditious deposit of such instruments as contained in Recommendation 1 of this Conference,

considering

that it is indispensable, for the proper functioning of the Union as an intergovernmental organization, that it be governed by one single set of provisions and rules as contained in its basic instrument, the Constitution (Geneva, 1992), and in the Convention (Geneva, 1992), the provisions of which complement those of the said Constitution.

resolves

to appeal to all Members of the Union which have not yet become States Parties to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) provisionally to apply the provisions thereof, until such time as they have become States Parties thereto by depositing with the Secretary-General their respective instruments of consent to be bound by the two treaties, and to confirm that the provisions of No. 210 of the said Constitution shall continue to apply until such time of deposit.

RECOMMENDATION 1

Deposit of Instruments Relating to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992)

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

taking into account

Recommendation 1 of the Additional Plenipotentiary Conference (Geneva, 1992) on the deposit of instruments and the entry into force of the Constitution and Convention of the International Telecommunication Union,

considering

that, pursuant to No. 238 of Article 58 of the Constitution, the instruments of the Union referred to above entered into force on 1 July 1994 between Members having deposited their instrument of ratification, acceptance, approval or accession before that date,

considering further

that it is in the interest of the Union that all Members become parties to the said Constitution and the Convention as soon as possible,

invites

all the Members of the Union which have not already done so to expedite their respective national procedures for ratification¹, acceptance or approval of (see Article 52 of the Constitution), or accession to (see Article 53 of the Constitution) the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and to deposit their respective "single instrument" with the Secretary-General as soon as possible,

instructs the Secretary-General

to bring this Recommendation to the attention of all the Members of the Union and to recall its contents periodically, as he sees fit, to those Members of the Union which have not yet deposited their respective instrument.

¹The United Kingdom deposited its Instrument of Ratification with the International Telecommunication Union on 11 February 1997.

RECOMMENDATION 2

Unrestricted Transmission of News and the Right to Communicate

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

- a) the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948;
- b) the Preamble and Articles 1, 33, 34 and 35 of the Constitution of the International Telecommunication Union (Geneva, 1992);
- c) the provision of the Constitution of the United Nations Educational Scientific and Cultural Organization (UNESCO) concerning the free flow of ideas by words and images and the declaration on the basic principles, adopted by the XXth session of the UNESCO General Conference, concerning the contribution of the mass media to strengthening peace and international understanding, to the promotion of human rights and to countering racialism, apartheid and incitement to war and the relevant resolutions of the XXIst session of the UNESCO General Conference;
- d) the recommendations of the World Conference on Human Rights adopted in Vienna in 1993, to the effect that the promotion and protection of human rights is a matter of priority for the international community,

conscious of

the noble principles that news should be freely transmitted and that the right to communicate is a basic human right,

conscious also of

the importance of the fact that these noble principles will promote the dissemination of news, thus strengthening peace, cooperation, mutual understanding between peoples and the spiritual enrichment of the human personality, as well as dissemination of culture and education among all people irrespective of their race, sex, language or religion,

recommends

that Members of the Union facilitate the unrestricted transmission of news by telecommunication services.

RECOMMENDATION 3

Favourable Treatment for Developing Countries

The Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994),

in view of

- a) the purpose of the Union, which is to maintain and extend international cooperation for the improvement and rational use of telecommunications of all kinds;
- b) the ever-widening gap between the economic growth and technological progress of the developed and the developing countries;
- c) the fact that the economic power of developed countries is founded on, or linked with, the high level of their technology, which is reflected in extensive and growing international markets, whereas the economies of developing countries are relatively weak and often in deficit because they are in the process of assimilating or acquiring technology,

recommends

1. that developed countries take into account requests for favourable treatment made by developing countries in service, commercial or other relations in telecommunications, thus helping to achieve the desired economic equilibrium conducive to a relaxation of present world tensions;

2. that the classification of countries in one or the other of these economic categories can be based on the criteria of per capita income, gross national income, national telephone development or any other mutually agreed parameters selected from those internationally recognized by the specialized information sources of the United Nations,

recommends further

that Members of the Union make available to the General Secretariat any relevant information on the implementation of this Recommendation,

instructs the Secretary-General

to monitor on the basis of information received from Members the extent to which any favourable treatment has been extended to developing countries by the developed countries,

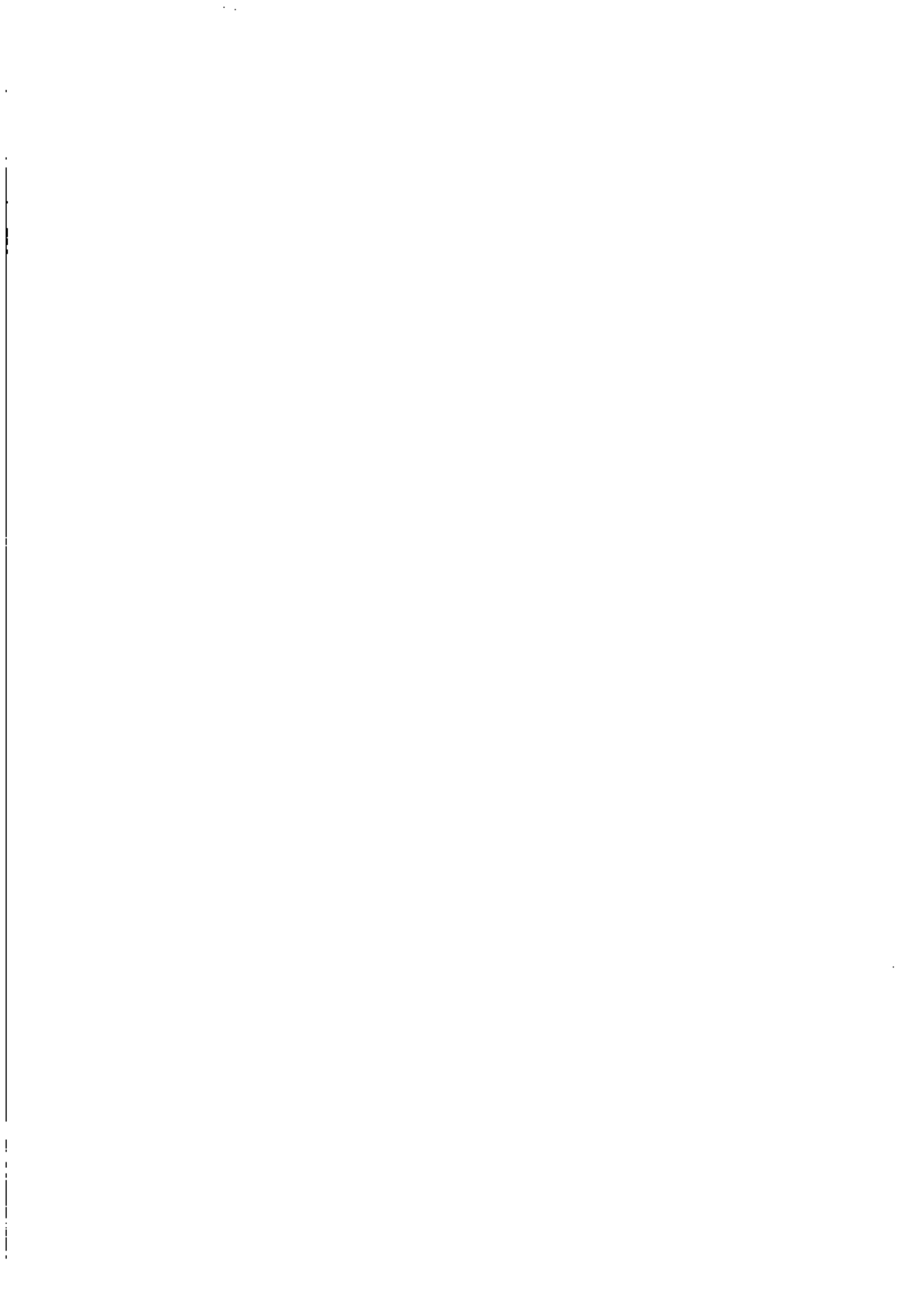
instructs the Council

to review the results achieved and take any steps necessary to promote the objectives of this Recommendation.

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