

Agenda item: PL 4.2

Document C14/73-E
28 April 2014
Original: Russian

Note by the Secretary-General

CONTRIBUTION FROM THE RUSSIAN FEDERATION

SALES OF AND FREE ONLINE ACCESS TO ITU PUBLICATIONS

I have the honour to transmit to the Member States of the Council a contribution received from the **Russian Federation**.

Dr Hamadoun I. TOURÉ
Secretary-General

• <http://www.itu.int/council> •

Contribution from the Russian Federation

SALES OF AND FREE ONLINE ACCESS TO ITU PUBLICATIONS

Summary

Council-12 adopted Decision 571 on free online access to the Administrative Regulations, which granted the general public free online access to the Radio Regulations (RR) until PP-14, as well as free online access to the International Telecommunication Regulations on a permanent basis.

The Russian Federation considers that both sets of Administrative Regulations have analogous status and that free online access should therefore also be granted to the Radio Regulations on a permanent basis.

Under Article 14, No. 95, of the ITU Constitution and a number of provisions of the Radio Regulations, the Radio Regulations Board approves the Rules of Procedure that are used by the Radiocommunication Bureau and its Director when applying the Radio Regulations. It is thus necessary, for successful and effective application of the most complex provisions of the Radio Regulations by administrations, telecommunication operators and private companies, to refer both to the Radio Regulations and to the Rules of Procedure.

The Russian Federation therefore proposes that the general public be granted free online access to the Rules of Procedure.

Considering the crucial importance of telecommunications/ICTs for disaster preparedness, early warning, rescue, mitigation, relief and response, the Russian Federation proposes that free online access to ITU publications in this area of the Union's activities should also be provided.

Action required

The Council is invited to instruct the Secretary-General to grant the general public free online access, via the ITU website, to the Rules of Procedure and to ITU publications relating to the use of telecommunications/ICTs in emergency situations.

References

Document [C14/21](#)

Document [C14/INF/9](#)

Resolution [66](#) (Rev. Guadalajara, 2010)

Decision [12](#) (Guadalajara, 2010)

Council Decisions [571](#) and [574](#)

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1 Introduction

Pursuant to the decisions of PP-10, ITU expanded the scope of its policy of free online access to ITU documents and publications to include ITU-R Recommendations and Reports. It should be noted that the policy of free online access is helping to attain one of ITU's strategic objectives – dissemination of ITU standards to the general public, in particular in developing countries with financial constraints. This wide outreach via free online access helps to build the visibility of ITU's mission and mandate and reinforce ITU as a global telecommunication authority.

Council-12, in the operative paragraph of Decision 571 on free online access to the Administrative Regulations, decided:

- 1 to provide free online access to the International Telecommunication Regulations to the general public on a permanent basis;
- 2 to provide free online access to the Radio Regulations to the general public for a trial period from Council-12 to the 2014 Plenipotentiary Conference;
- 3 that paper copies of the Administrative Regulations will continue to be charged for on the basis of a two-tier pricing policy, whereby Member States, Sector Members and Associates and Academia pay a price based on cost recovery, whereas all others, i.e. non-members, pay a "market price"¹

Council-13, in its Decisions [571](#) and [574](#), expanded the scope of free online access to the ITU-R handbooks on spectrum management and the final reports of world telecommunication development conferences.

At the same time, in accordance with Article 14, No. 95, of the ITU Constitution and a number of provisions of the Radio Regulations, the Radio Regulations Board (RRB) approves the Rules of Procedure used by the Radiocommunication Bureau (BR) and its Director, as well as by administrations, telecommunication operators and private companies, in applying the Radio Regulations, regional agreements and resolutions of world and regional radiocommunication conferences.

Another cornerstone of ITU activities involves the carrying out of studies and development of regulatory provisions, recommendations and guidelines on the use of telecommunications/ICTs for ensuring disaster preparedness, early warning, rescue, mitigation, relief and response. This area of activity is of relevance to all ITU Member States and in particular to developing countries, least developed countries and countries with small economies.

2 Discussion

The Russian Federation considers that ITU should further expand the scope of the policy of free online access to ITU documents and publications, concentrating in the first instance on texts that are binding for ITU Member States and on vital publications relating to the preservation of human life and use of telecommunications/ICTs in emergency situations. The experience of recent years shows that this approach not only promotes the development and widespread introduction of telecommunications/ICTs worldwide, but also fosters wider use and greater effectiveness of

¹ The term "market price" is defined as the price determined by the Sales and Marketing Division, which is established to maximize revenues without being so high as to discourage sales.

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modern telecommunication systems and recognition of ITU's lead role in international standardization of telecommunications/ICTs.

One of the most important aspects of ITU policy is ensuring more efficient use of the limited natural resources represented by the radio-frequency spectrum and satellite orbits, something which largely depends on the precise application of the Radio Regulations. Given the complexity of many provisions of the Radio Regulations and the impossibility of including details of approaches and methods for applying them, the ITU Plenipotentiary Conference included in Article 14 of the ITU Constitution ("Radio Regulations Board") provision No. 95, according to which the duties of RRB include the approval of Rules of Procedure, which include technical criteria, in accordance with the Radio Regulations and with any decision which may be taken by competent radiocommunication conferences. The Rules of Procedure are used by BR and its Director in the application of the Radio Regulations to register frequency assignments made by Member States.

The Rules of Procedure approved by RRB concerning the application by BR of the Radio Regulations, regional agreements and resolutions of world and regional radiocommunication conferences, are applied by BR and complement the Radio Regulations by providing clarification regarding the application of particular provisions thereof or by establishing the necessary practical procedures that may be lacking in the current provisions.

Thus, the successful and effective application of many provisions of the Radio Regulations by administrations, telecommunication operators and private companies is possible only through the combined use of the Radio Regulations and Rules of Procedure.

In the light of the above, and considering that:

- the Radio Regulations are one of the two sets of Administrative Regulations cited in Article 4 of the ITU Constitution;
- pursuant to Article 6 of the Constitution, the Member States are bound to take the necessary steps to impose the observance of the provisions of the Constitution, the Convention and the Administrative Regulations upon operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries;
- it is impossible to implement the provisions of the Radio Regulations without reference to the Rules of Procedure, which complement the former by providing clarifications as to the application of particular provisions or by establishing the necessary practical procedures that may be missing in existing regulatory provisions,

the Russian Federation proposes that the Council instruct the Secretary-General to grant the general public free online access to the Rules of Procedure.

The Russian Federation considers that both sets of Administrative Regulations (the International Telecommunication Regulations and Radio Regulations) have analogous status and that free online access should therefore also be granted to the Radio Regulations on a permanent basis.

Considering the important role of telecommunications/ICTs in emergency situations and the need to carry out systematic work to create suitable infrastructure in all countries, especially developing countries, least developed countries, and countries with small economies experiencing financial constraints, the Russian Federation considers it essential to grant the general public free online access to ITU publications relating to the use of telecommunications/ICTs for ensuring disaster preparedness, early warning, rescue, mitigation, disaster assistance, and response.

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3 Proposals

It is proposed that the Council should instruct the Secretary-General to:

- 3.1 grant free online access for the general public on a permanent basis via the ITU website with unrestricted access, to the Rules of Procedure approved by RRB;
- 3.2 grant free online access for the general public **on a permanent basis*** to the Radio Regulations via the ITU website, with unrestricted access;
- 3.3 grant free online access for the general public on a permanent basis, via the ITU website, to ITU publications concerning the use of telecommunications/ICTs for ensuring disaster preparedness, early warning, rescue, mitigation, disaster assistance, and response.

* Currently, under the terms of Decision 571 (MODIFIED 2013), online access is granted for a trial period from Council-12 until PP-14.

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ANNEX

Draft amendments to Decision 571

DECISION 571 (MODIFIED 2014)

(adopted at the Plenary Meeting)

Free online access to the Administrative Regulations, Council Resolutions and Decisions and other ITU publications

The Council,

noting

a) Decision 12 (Guadalajara, 2010) of the Plenipotentiary Conference, on free online access to ITU publications, that approved free online access to ITU-T Recommendations, ITU-R Recommendations, ITU-R Reports, the basic texts of the Union and the final acts of Plenipotentiary Conferences;

b) that Decision 12 instructed Council to undertake a holistic study on the costs/benefits of providing other texts of the Union, including the Administrative Regulations of the Union, free online,

noting further

a) that Article 4 of the ITU Constitution that defines the Administrative Regulations (i.e. the International Telecommunication Regulations and the Radio Regulations) as instruments of the Union that complement the ITU Constitution and Convention;

b) that Article 6 of the ITU Constitution that determines that Member States are bound to abide by the provisions of the Administrative Regulations;

c) that according to Article 10 of the ITU Constitution the Council in the interval between Plenipotentiary Conferences shall act, as governing body of the Union, on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter and that Council Resolutions and Decisions serve as instruments to ensure the efficient coordination of the work of the Union and exercise effective financial control over the General Secretariat and the three Sectors;

d) Resolution 9 (Rev. Dubai, 2014) of the World Telecommunication Development Conference, on the participation of countries, particularly developing countries, in spectrum management, that recognizes the importance of facilitating access to radiocommunication-related documentation in order to facilitate the task of radio-frequency spectrum managers;

e) Resolution 34 (Rev. Dubai, 2014) of the World Telecommunication Development Conference, on the role of telecommunications/information and communication technology in disaster preparedness, early warning, rescue, mitigation, relief and response, which notes the importance for humankind of ITU publications relating to this area of activity.

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considering

- a) that providing free online access to the instruments of the Union helps to fulfil the core purposes of the Union, as defined in Article 1 of the ITU Constitution;
- b) that, regarding the instruments of ITU that are intended to be incorporated in national law, Member States have *de facto* freedom to reproduce, translate and publish such texts on official government department websites as well as in official journals or equivalent publications, in accordance with their respective national law;
- c) that providing free online access to the Council Resolutions and Decisions helps ITU Member-States and Sector Members to obtain information concerning plans, budget and activities of the General Secretariat and the three Sectors between Plenipotentiary Conferences;
- d) that increased involvement in ITU activities is a fundamental step towards enhanced capacity-building and Information and Communication Technologies (ICTs) development potential in developing countries, which will lead to a reduction of the digital divide;
- e) that in order to facilitate, increase and improve the participation of Member States and Sector Members from developing countries in ITU activities, these members need to be capable of interpreting and implementing ITU technical publications, the basic texts of the Union and the instruments of the Union;

f) that ITU publications concerning the use of telecommunications/ICTs in emergency situations are used in the preparation of national disaster response and relief plans, including consideration of the necessary enabling national regulatory and policy environments to support the development and effective use of telecommunications/ICTs for disaster mitigation, relief and response, should be accessible to the general public;

g) that an efficient way to ensure that developing countries have access to ITU publications is to provide them free of charge online,

considering further

that providing free online access to ITU publications may reduce the demand for paper copies of these documents, in alignment with the current ITU trend of soft format and of organizing paperless meetings, and with the overall goal of the United Nations to reduce paper usage and greenhouse gas (GHG) emissions,

taking into account

a) that, free online access to the Radio Regulations to the general public as indicated in Documents C13/21, C13/81 and C14/21 had no negative financial impact in 2012 and 2013;

b) that, according to Document C13/81, during the open free online access trial period, the income from sales of the Radio Regulations in paper and DVD format in 2012 increased by more than 60% comparing with sales in all formats (including online purchases) during the same time interval in 2008 – the year when the previous edition of the Radio Regulations was published,

decides

1 to provide free online access to the International Telecommunication Regulations to the general public on a permanent basis;

2 to provide free online access to the Radio Regulations to the general public on a permanent basis;

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3 to provide free online access to the Rules of Procedure to the general public on a permanent basis;

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4 to provide free online access to Council Resolutions and Decisions to the ITU membership on a permanent basis;

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5 to provide free online access to the ITU-R Handbooks on radio-frequency spectrum management¹ to the general public on a permanent basis;

6 to provide free online access to ITU publications concerning the use of telecommunications/ICTs for ensuring disaster preparedness, early warning, rescue, mitigation, relief and response;

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7 that paper copies of the Administrative Regulations and Rules of Procedure will continue to be charged for on the basis of a two-tier pricing policy, whereby Member States, Sector Members and Associates and Academia pay a price based on cost recovery, whereas all others, i.e. non-members, pay a "market price"²;

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8 that paper copies of the ITU-R Handbooks on radio-frequency spectrum management and ITU publications concerning the use of telecommunications/ICTs for ensuring disaster preparedness, early warning, rescue, mitigation, relief and response will continue to be charged for on the basis of a two-tier pricing policy, whereby Member States, Sector Members and Associates and Academia pay a price based on cost recovery, whereas all others, i.e. non-members, pay a "market price"²,

instructs the Directors of the Bureaux

to draw up lists of the important publications proposed to be made available for free online access, with assistance of the Sector Advisory Groups,

instructs the Secretary-General

to report to the 2014 Plenipotentiary Conference and Council-15 on the impact on revenues of the implementation of decides 2, 3, 4, 5 and 6 and proposals for free online access to publications submitted in accordance with *instructs the Directors of the Bureaux* above, on means for balancing the financial impacts, with the assistance of the Bureaux Directors and the Sector Advisory Groups if any are identified.

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Deleted: to publish this report before the Council-14 and, if modified, after the Council-14 on the Council Web-page for consideration by all ITU Member-States and Sector Members in order to develop their views and ITU Member-States proposals on this issue for 2014 Plenipotentiary Conference.

¹ These include the ITU-R Handbooks on National Spectrum Management, Computer Aided Techniques for Spectrum Management, and Spectrum Monitoring.

² The term "market price" is defined in Resolution 66 (Rev. Guadalajara, 2010) as the price determined by the Sales and Marketing Division, which is established to maximize revenues without being so high as to discourage sales.

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