

Plenipotentiary Conference (PP-14)
Busan, 20 October – 7 November 2014



WORKING GROUP OF THE PLENARY

Revision ~~1-2~~3 of
Document DL/29-E
30 October 2014
Original: English

WORKING GROUP OF THE PLENARY

RESOLUTION 64

• www.itu.int/plenipotentiary/ •

[RESOLUTION 64 (Rev. ~~Guadalajara, 2010~~BUSAN, 2014)]

Non-discriminatory access to modern telecommunication/information and communication technology facilities, services and applications, including e-meetings applied research and transfer of technology, on mutually agreed terms

The Plenipotentiary Conference of the International Telecommunication Union (~~Guadalajara, 2010~~Busan, 2014),

Recalling

- a) the outcomes of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society, especially §§ 15, 18 and 19 of the Tunis Commitment, and §§ 90 and 107 of the Tunis Agenda for the Information Society; [keep existing text]
- b) Resolution 64 (Rev. ~~Antalya~~Guadalajara, ~~2006~~2010) of the Plenipotentiary Conference;
- c) the outcomes of the World Telecommunication Development Conference, especially Resolutions 15 (Rev. Hyderabad, 2010), on applied research and transfer of technology, 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/ICT facilities, services and related applications and 37 (Rev. ~~Hyderabad~~Dubai, ~~2010~~2014), on bridging the digital divide, [ok]
- d) the WSIS+10 High-Level Event Outcomes (Geneva-2014) especially those related to transfer of know-how and technology and non-discriminatory access through conducting the needed activities in that regard [OK];
- e) Resolution 69 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly, [OK] including its instruction both to Director of the Telecommunication Standardization Bureau and to the Secretary General
- f) Resolution 167 (Busan, 2014) of the Plenipotentiary Conference, on strengthening ITU capabilities for electronic meetings and means to advance the work of the Union, which emphasizes that that there is a need for procedures to ensure fair and equitable participation by all (revised wordings from Res.167, Busan 2014) [OK];
- g) Resolution 71 (Rev. Busan, 2014) of the Plenipotentiary Conference, [OK]

(under recalling)

[Relevant Articles of the ITU Constitution]

Alternatively

- a) [That one of the purposes of ITU laid down in Article 1 of the ITU Constitution is “to maintain and extended international cooperation among all its Member States for the improvement and rational use of telecommunications of all kinds”(agreed in WTSA Resolution 69)
- b) That the Preamble of Constitution establish as its object the facilitating peaceful relations, international cooperation among peoples and economic and social development and the Article 34 and 35 of the Constitution establish the provisions for Stoppage of Telecommunications and Suspension of Services,
- c) The United Nations Human Rights Council resolution on the promotion, protection and enjoyment of human rights on the Internet (A/HRC/20/L.13), (agreed in WTSA Resolution 69)]

taking into account

the importance of telecommunications/information and communication technology (ICT) for political, economic, social and cultural progress,

- a) the preamble and challenges chapters of statement of the WSIS+10 High-Level Event, Geneva (June 2014), especially §§ 8 (ok);
- b) the preamble and challenges chapters of statement of the WSIS+10 High-Level Event, Geneva (June 2014), especially §§ 4 (ok);

taking into account also

- a) that ITU plays an essential role in the promotion of global development of telecommunications/ICTs and ICT applications, within the mandate of ITU, specifically with respect to Action Lines C2, C5 and C6 of the Tunis Agenda, in addition to participating in the implementation of other action lines, particularly Action Lines C7 and C8 of the Tunis Agenda;
- b) that, to this end, the Union coordinates efforts aimed at securing harmonious development of telecommunication/ICT facilities, permitting non-discriminatory access to these facilities and to modern telecommunication services and applications;
- c) that this access will help to bridge the digital divide,

taking into account further

the need to draw up proposals on issues determining a worldwide strategy for development of telecommunications/ICTs and ICT applications, within the mandate of ITU, and to facilitate the mobilization of the necessary resources to that end,

ARB/79A2/3: Proposal by Arab States

ADD new:

emphasizing

that fair and equitable e-participation of Member States in ITU meetings will bring considerable benefits by facilitating and widening the scope for participation in ITU work and meetings, (Agreed: wordings from Res.167, Busan 2014)

noting

- a) that modern telecommunication/ICT facilities, services and applications are established, in the main, on the basis of recommendations of the ITU Telecommunication Standardization Sector (ITU-T) and the ITU 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/ICT facilities, services and applications 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;
- d) Resolution 15 (Rev. Hyderabad, 2010), on applied research and transfer of technology **(Keep existing text)**;
- e) Resolution 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/ICT facilities, services and related applications **(Keep existing text)**;
- f) the strategic plan for the Union set out in Resolution 71 (Rev. Guadalajara, 2010) of this conference,

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/ICT facilities, services and related applications, including applied research and transfer of technology, on mutually agreed terms, without prejudice to national regulations and international commitments within the competence of other international organizations,

reaffirm the need to ensure the access of Member States to international telecommunication services (ok)

resolves

1 to continue, within the mandate of ITU, fulfilling the need to [promote][ensure] (UK consult) non-discriminatory access to telecommunication and information technologies, facilities, services and related applications, including applied research and transfer of technology, on mutually agreed terms, established on the basis of ITU-T and ITU-R recommendations;

2 that ITU should facilitate non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations;

3 that ITU should encourage to the greatest extent possible cooperation among the members of the Union on the question of non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations with a view to satisfying user demand for modern telecommunication/ICT services and applications,

instructs the Directors of the three Bureaux

within their respective spheres of competence, to implement this resolution and achieve its goals,

invites ~~the governments of the Member States of the Union~~

ARB/79A2/3: Proposal by Arab States

ADD new:

[1 to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing fully to the public Internet [sites] and using its relevant resources, within the spirit of Article 1 of the Constitution and the WSIS principles;]

Refrain from taking any unilateral and/or discriminatory actions that could impede access to the internet (more wordings from US) and [relevant resources], within the spirit of Article 1 of the Constitution and the WSIS principles

1 to help telecommunication/ICT equipment manufacturers and providers of services and applications in ensuring that telecommunication/ICT facilities, services and applications established on the basis of ITU-T and ITU-R recommendations may be generally available to the public without any discrimination, and in facilitating applied research and technology transfer, considering where relevant the WSIS+10 High-Level Event Outcomes (Geneva-2014); [ok]

2 to ~~cooperate with~~ explore ways and means for greater collaboration and coordination with one another in the implementation of this resolution, [ok]

CUB/70/1: Proposal by Cuba

ADD new:

3 to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing public Internet sites and telecommunication resources or from acquiring new telecommunication technologies and modern telecommunication/ICT facilities, services and related applications, within the spirit of Article 1 of the ITU Constitution and the principles of WSIS, [same as text under consultation by mexico]

ARB/79A2/3: Proposal by Arab States

ADD new:

instructs the Secretary-General, in close cooperation with the Directors of the three Bureaux

{1 to compile and distribute a list of available [ITU] online services and applications, [relevant to the ITU including to the ITU,] and identify those that cannot be accessed, based on information received from ITU Member States.;}

{2 to take appropriate measures and steps [to promote as broad participation as practical][to ensure the fair and equitable participation of all members] in ITU online services and applications;}

3. to cooperate and coordinate with the relevant organizations to take the appropriate measures to promote access to ITU online services and materials for all ITU members; [ok]

{5 to submit an annual report to the Council on the implementation of this resolution,}

further instructs the Secretary-General

to transmit the text of this resolution including its recommendations, 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 and information technologies and modern telecommunication/ICT, services and related applications, within the mandate of ITU, as an important factor for world technological progress, and on applied research and technology transfer between Member States, on mutually agreed terms, as a factor that may help to bridge the digital divide.

[instructs the Secretary-General

- 1. To report, as a matter of urgency, based on the information received from Member States on any action arising from non observance on objective of this resolution as stipulated in the invited State members*
- 2. To publish such reports in formal notification bulletin of ITU for other administration (Iran)]*

ADD AFCP/69A1/16

DRAFT NEW RESOLUTION [AFCP-2]

Non-discriminatory access to online Services and Applications used by ITU

The Plenipotentiary Conference of the International Telecommunication Union (Busan, 2014),

recalling

- a) the outcomes of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society;
- b) Resolution 64 (Rev. Guadalajara, 2010) of the Plenipotentiary Conference on non-discriminatory access to modern telecommunication/information and communication technology facilities and services;
- c) Resolution 20 (Rev. Hyderabad, 2010) on non-discriminatory access to modern telecommunication/ICT facilities, services and related applications;
- d) that ITRs 2012 recognized the right of access as Human Rights,

taking into account

the importance of telecommunications/information and communication technology (ICT) for increasing the participation of developing countries in ITU events,

taking into account also

- a) that ITU plays an essential role in the promotion of online applications and tools and makes sure that all ITU material and services are available equally to all member states;
- b) that, to this end, the Union coordinates efforts aimed at securing harmonious development of telecommunication/ICT facilities, permitting non-discriminatory access to these facilities and to modern telecommunication services and applications;
- c) that this access will help to bridge the digital divide,

taking into account further

the need to make a global commitment to foster equitable access to online information and services,

noting

- a) that modern telecommunication/ICT facilities, services and applications are established, in the main, on the basis of recommendations of the ITU Radiocommunication Sector (ITU-R), ITU Telecommunication Standardization Sector (ITU-T) and the ITU Development Sector (ITU-D);
- b) that limitations on the access to telecommunication/ICT facilities, services and applications on which national telecommunication development depends and which are established on the basis of ITU-T, ITU-R and ITU-D recommendations constitute an obstacle to the harmonious development and compatibility of telecommunications worldwide,

recognizing

that full harmonization of telecommunication networks is not possible unless all member countries of the Union, without exception, have non-discriminatory access to new telecommunication technologies and modern telecommunication/ICT facilities, services and related applications, without prejudice to national regulations, traditions and customs, and national sovereignty,

resolves

- 1 that ITU should facilitate non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations;
- 2 that ITU should encourage to the greatest extent possible cooperation among the members of the Union on the question of non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations with a view to satisfying user demand for modern telecommunication/ICT services and applications,

Instructs the Secretary General of the ITU

- 1 to prepare and publish the list of online services and applications that are not accessible as complains received from ITU member states;
- 2 to take the appropriate measures to adopt non- discriminatory access to ITU online services and materials;
- 3 to coordinate with other UN agencies to foster the usage of available telecommunication/ICT tools and facilities by all peoples;
- 4 to liaise with other organizations in order to adopt telecommunication/ICT facilities that can be accessed to all without restrictions and discrimination due to ethnic, geographical, political or other factors;
- 5 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 and information technologies and modern telecommunication/ICT services and related applications, within the mandate of ITU, being an important factor for world technological progress as a factor that may help to bridge the digital divide;
- 6 within their respective spheres of competence, to implement this resolution and achieve its goals,

invites Member States of the Union

- 1 to adopt national policies that promote regional traffic exchange and discourage discriminatory access;
- 2 to cooperate with one another in the implementation of this resolution.