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**WORKING GROUP OF THE PLENARY**

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**WORKING GROUP OF THE PLENARY**

**RESOLUTION 64**

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

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

**ARB/79A2/3: Proposal by Arab States**

**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]~~

**AFCP/69A1/6: Proposal by African States**

*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;~~

**ARB/79A2/3: Proposal by Arab States**

*recalling*

a) the outcomes of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society (~~WSIS~~), especially §§ 15, 18 and 19 of the Tunis Commitment, and §§ 90 and 107 of the Tunis Agenda for the Information Society;

b) Resolution 64 (Rev. ~~Antalya~~Guadalajara, ~~2006~~2010) of the Plenipotentiary Conference;

**AFCP/69A1/6: Proposal by African States**

b) Resolution 64 (Rev. ~~Antalya, 2006~~Guadalajara, 2010) of the Plenipotentiary Conference;

**CUB/70/1: Proposal by Cuba**

b) Resolution 64 (Rev. ~~Antalya, 2006~~ Guadalajara, 2010) of the Plenipotentiary Conference;

**ARB/79A2/3: Proposal by Arab States**

b) Resolution 64 (Rev. ~~Antalya, 2006~~ Guadalajara, 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]

**CUB/70/1: Proposal by Cuba**

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, 2010~~ Dubai, 2014), on bridging the digital divide;i

**ARB/79A2/3: Proposal by Arab States**

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, 2010~~ Dubai, 2014), on bridging the digital divide;ij

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,

**CUB/70/1: Proposal by Cuba**

**ADD new:**

d) Resolution 69 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly, which invites Member States to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing public Internet sites and using resources,

### **ARB/79A2/3: Proposal by Arab States**

#### **ADD new:**

d) Resolution 167 (Guadalajara, 2010) of the Plenipotentiary Conference, on strengthening ITU capabilities for electronic meetings and means to advance the work of the Union, which emphasizes that there is a need for procedures to ensure fair and equitable participation by all;

e) that the International Telecommunication Regulations adopted by the World Conference on International Telecommunications (Dubai, 2012) recognize the right of access of Member States to international telecommunication services;

f) Resolution 69 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly, on non-discriminatory access and use of Internet resources, which invites Member States to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing public Internet sites and using resources, within the spirit of Article 1 of the ITU Constitution and the WSIS principles;

g) Resolution 71 (Rev. Guadalajara, 2010) of the Plenipotentiary Conference,

*taking into account*

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

### **AFCP/69A1/6: Proposal by African States**

#### **ADD new:**

*taking into account*

~~*the importance of telecommunications/information and communication technology (ICT) for political, economic, social and cultural progress,*~~ a) the statement and Vision beyond 2015 preamble of the WSIS+10 High-Level Event, Geneva (June 2014), “The evolution of the information society over the past 10 years is contributing towards, inter alia, the development of knowledge societies around the world that are based on principles of freedom of expression, quality education for all”, universal and non-discriminatory access to information and knowledge, and respect for cultural and linguistic diversity and cultural heritage. When mentioning the information society, we also refer to the above mentioned evolution and to the vision of inclusive knowledge societies;

b) the preamble and challenges chapters of statement of the WSIS+10 High-Level Event, Geneva (June 2014), especially §§ 4 “We recognize and acknowledge that challenges on bridging the digital divide still remain unaddressed adequately and requires sustainable investments in ICT infrastructure and services, capacity building, facilitate know-how transfer, as well as to promote the transfer of technology on mutually agreed terms”. And §§ 8 “The evolution of the information society over the past 10 years is contributing towards, inter alia, the development of knowledge societies around the world that are based on principles of freedom of expression, quality education for all, universal and non-discriminatory access to

information and knowledge, and respect for cultural and linguistic diversity and cultural heritage. When mentioning the information society, we also refer to the above mentioned evolution and to the vision of inclusive knowledge societies”,

**ARB/79A2/3: Proposal by Arab States**

**ADD new:**

*taking into account*

a) the Preamble to the Statement and Vision of the WSIS+10 High Level Event to review implementation of the WSIS outcomes (Geneva, 2014), §8: "The evolution of the information society over the past 10 years is contributing towards, *inter alia*, the development of knowledge societies around the world that are based on principles of freedom of expression, quality education for all, universal and non-discriminatory access to information and knowledge, and respect for cultural and linguistic diversity and cultural heritage. When mentioning the information society, we also refer to the above mentioned evolution and to the vision of inclusive knowledge societies";

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

*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,

*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;

**AFCP/69A1/6: Proposal by African States**

~~d) — Resolution 15 (Rev. Hyderabad, 2010), on applied research and transfer of technology;~~

e) Resolution 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/ICT facilities, services and related applications;

**AFCP/69A1/6: Proposal by African States**

~~e) — Resolution 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/ICT facilities, services and related applications;~~

f) the strategic plan for the Union set out in Resolution 71 (Rev. Guadalajara, 2010) of this conference,

**AFCP/69A1/6: Proposal by African States**

~~f)~~ the strategic plan for the Union set out in Resolution 71 (Rev. ~~Busan, 2014~~Guadalajara, 2010) of this conference,

**CUB/70/1: Proposal by Cuba**

f) the strategic plan for the Union set out in Resolution 71 (Rev. ~~Guadalajara, 2010~~ Busan, 2014) of this conference,

**ARB/79A2/3: Proposal by Arab States**

~~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,

*resolves*

1 to continue, within the mandate of ITU, fulfilling the need to ~~[promote]~~[ensure] 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,

**AFCP/69A1/6: Proposal by African States**

**ADD new:**

*instructs the Directors of the three Bureaux*

1. within their respective spheres of competence, to implement this resolution and achieve its goals; [ok]

2. within their respective role and mandate to consider implementing 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;~~

**ARB/79A2/3: Proposal by Arab States**

~~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~~

**AFCP/69A1/6: Proposal by African States**

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

**ARB/79A2/3: Proposal by Arab States**

~~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 public Internet sites and using resources, within the spirit of Article 1 of the Constitution and the WSIS principles;~~ (Mexico to consult and come back with text)]

~~2 —to adopt national policies that promote the exchange of regional traffic and prevent discriminatory access; (ok to delete)~~

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;

**AFCP/69A1/6: Proposal by African States**

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, as referred to in the noting considering where relevant the WSIS+10 High-Level Event Outcomes (Geneva-2014); [ok]

**ARB/79A2/3: Proposal by Arab States**

3 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, in line with the work of the WSIS+10 High Level Event to review implementation of the WSIS outcomes (Geneva, 2014);

2 to cooperate with one another in the implementation of this resolution,

**AFCP/69A1/6: Proposal by African States**

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 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 collaborate and coordinate with United Nations agencies, other organizations and all concerned parties in taking the necessary measures to adopt telecommunication/ICT facilities, services and applications that are accessible to all without ethnic, geographic, political or other form of discrimination; 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]~~

~~4 — to take into account implementation of the outputs of the WSIS+10 High Level Event (Geneva, 2014) to review the implementation of WSIS outcomes, especially those relating to the transfer of technology and knowledge and provision of non-discriminatory access, through the various ITU activities in this field; [ok to delete]~~

~~[5 — to submit an annual report to the Council on the implementation of this resolution,] [ok]~~

*instructs the Secretary-General*

#### **AFCP/69A1/6: Proposal by African States**

**ADD new**

*instructs the Secretary-General*

~~1 — to cooperate and coordinate with the relevant organizations involved in the development of IP-based networks and the future internet to take the appropriate measures to promote access adopt non-discriminatory access to ITU online services and materials for all ITU members to the greatest extent practical; [ok]~~

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, 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.

#### **ARB/79A2/3: Proposal by Arab States**

*further instructs the Secretary-General*

to transmit the ~~[text of measures taken by ITU to implement]~~ 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. [ok]

**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.

