
PLENARY MEETING

**Addendum 1 to
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United States of America

PROPOSALS FOR THE WORK OF THE CONFERENCE

The United States of America is pleased to submit its second tranche of proposals for consideration by the 2014 ITU Plenipotentiary Conference (PP-14).

Overview

As noted in our first tranche of proposals, the Plenipotentiary Conference presents an opportunity for ITU Member States to ensure the Union is prepared for the continuing advancements in the telecommunications environment, re-affirm the fundamental objectives of the Union, and to commit to a collaborative, cooperative, and inclusive relationship with all stakeholders and with other international organizations. To that end, the United States will focus its contributions to the Plenipotentiary Conference on: (1) ensuring the continued stability of the basic instruments of the Union; (2) ensuring transparency and accountability in decision-making; and (3) promoting a more inclusive environment to expand participation in the work of the Union and encourage cooperation with all stakeholders and other international organizations.

This second tranche is particularly focused on enhancing transparency and accountability in decision-making and expanding participation in the work of the Union. We remain committed to building on the progress that has been made in this regard and believe further progress will serve to strengthen the ITU. To that end, the United States makes the following proposals:

- Enabling participation of the ITU membership in all Council Working Groups and providing for the active participation of all interested stakeholders in the Council working groups discussing international Internet-related public policy issues as a regular practice through modifications to Decision 11 (Guadalajara, 2010).
- A new decision on access to ITU documents to provide the widest possible access to ITU documents at all levels. Consistent with this approach, the United States also proposes making PP-14 documents available to the public from the beginning of the conference.

- Defining Council's oversight of the ITU's roles as a signatory to Memoranda of Understanding with financial and/or strategic consequences through a new Resolution on MoUs.
- Taking another step to enable the participation of persons with disabilities in conferences, assemblies and meetings of the Union by modifying Resolution 144 (Antalya, 2006) to include webcasting and captioning as an integral part of the model host country agreement.
- Provide for the continuation of the Independent Management Advisory Committee and public access to reports of the Independent Auditor, External Auditor, and the annual report of the Internal Auditor, in accordance with best practices, through modifications to Resolution 162 (Guadalajara, 2010) and a new Resolution regarding the Reports of the External Auditor.

Additionally, we propose No Change to the definitions in the Constitution and Convention, a key factor in ensuring the continued stability of the basic instruments of the Union.

CONSTITUTION OF THE INTERNATIONAL TELECOMMUNICATION UNION

CHAPTER I

Basic Provisions

NOC **USA/27A1/1**

ARTICLE 5

Definitions

Reasons: The United States supports IAP/34A1/40. The United States proposes No Change (NOC) to Constitution Article 5, the terms used in the Constitution (CS) and defined in its Annex, and the terms used in the Convention (CV) and defined in its Annex. We believe the current definitions are flexible and technology neutral and maintaining them will help ensure fundamental stability of the basic instruments of the Union. The current definitions allow the Union to respond to the rapidly changing telecommunications environment, and maximize benefits to various ITU members. In addition, many administrations have incorporated these definitions into their national laws and regulations and would be compelled to amend those laws and regulations if the definitions are revised. The United States believes that the current definitions provide Member States the ability to adopt national telecommunication policies and regulations which support the harmonious development of international telecommunication services.

NOC **USA/27A1/2**

ANNEX

Definition of Certain Terms Used in this Constitution, the Convention and the Administrative Regulations of the International Telecommunication Union

Reasons: In support of the **NOC** to Article 5 of the Constitution, the United States proposes **No Change (NOC)** to the terms that are defined in the associated Annex of the Constitution (CS). Specifically, this refers to No. 1001 through 1017 of the Constitution.

**CONVENTION OF
THE INTERNATIONAL
TELECOMMUNICATION UNION**

NOC **USA/27A1/3**

ANNEX

**Definition of Certain Terms Used in this Convention and
the Administrative Regulations of the International
Telecommunication Union**

Reasons: The United States supports IAP/34A1/41. In support of the NOC to Article 5 of the Constitution, the United States proposes **No Change (NOC)** to the terms that are defined in the associated Annex of the Convention (CV). Specifically, this refers to No. 1001 through 1006 of the Convention.

MOD USA/27A1/4

DECISION 11 (~~GUADALAJARA, 2010~~REV. BUSAN, 2014)

Creation and management of Council working groups

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

considering

- a) that the purposes of the Union are set out in Article 1 of the ITU Constitution;
- b) that Article 7 of the Constitution states that the Council acts on behalf of the Plenipotentiary Conference;
- c) that Article 10 of the Constitution states that, in the interval between plenipotentiary conferences, the Council 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;
- d) that Resolution 71 (Rev. ~~Guadalajara, 2010~~Busan, 2014) of this conference, on the strategic plan for the Union for ~~2012-2016-2015~~2019, identifies key issues, goals, strategies and priorities for the Union as a whole, for each of the Sectors and for the General Secretariat;
- e) that the ITU Council adopted at its 2011 session Council Resolution 1333 on guiding principles for the creation, management and termination of Council working groups,

considering further

- a) that the current Council and working group schedule has caused considerable strain on Member State and Sector Member resources;
- b) that the constraints of the world economic situation also serve to further increase the growing demands placed on the activities of the Union and to highlight the limited resources available from Member States and Sector Members;
- c) that, in the resulting economic crisis facing the Union, Member States and Sector Members, there is an urgent need to seek innovative ways to rationalize internal costs, optimize resources and improve efficiency,

recognizing

- a) that the Council acts as the governing body of the Union between Plenipotentiary Conferences in accordance with the powers delegated to it by the Conference;
- b) that Council Working Groups provide support and recommendations to the Council by addressing and considering broad policy issues relating to the purposes and activities of the Union and implementation of the Strategic Plan to ensure that the Union's policies and strategies fully respond to today's dynamic, rapidly changing telecommunications environment;
- c) that Council ensures efficient coordination of the Union's work and exercises financial control over the General Secretariat and the Sectors;

d) the WSIS principles of multistakeholderism and inclusiveness, the widely successful informal experts group used to prepare for the 2013 World Telecommunication Policy Forum and the Multistakeholder Preparatory Platform for developing drafts of the outcome documents for consideration by the WSIS+10 High-Level Event,

taking into account

a) United Nations Resolution A/RES/66/288, “The Future We Want” paragraph 248 instructs the United Nations “to establish an inclusive and transparent intergovernmental process on sustainable development goals that is open to all stakeholders”;

b) the full involvement of the membership, including Sector Members, as well as interested stakeholders, is critical to successful development of international Internet-related public policy issues,

decides

1 that the Council should decide to create working groups based on key issues, goals, strategies and priorities identified in Resolution 71 (Rev. ~~Guadalajara, 2010~~Busan, 2014)¹;

2 that the Council should decide the working groups' mandates, and working procedures consistent with the Rules of Procedure of the Council;

3 that the Council should decide the leadership of the working groups with an aim of providing geographical and gender balance;

4 that the Council should, ~~based on criteria to be adopted at its ordinary 2011 session,~~ decide on the termination of working groups, according to circumstances under which termination is appropriate, including completion of the tasks under their mandate, changing requirements, the need to avoid duplication of effort, and budgetary reasons;

5 that, to the extent possible, the Council should integrate working group meetings into the agenda and time allocation of the annual sessions of the Council₂.

Instructs the Council

1 to make all Council working groups open to all Member States and Sector Members;

2 to provide for the active and full participation of all interested stakeholders in the discussions and contributions of all working groups addressing international Internet-related public policy issues.

Reasons: The working groups of Council address issues that affect the whole membership of the ITU. The membership could provide valuable expertise as participants of these groups. Therefore, the United States proposes that all Council working groups be open to the ITU membership.

The 2013 World Telecommunication Policy Forum (WTPF) endorsed an open, transparent, multistakeholder process whereby Member States, Sector Members and other stakeholders were able to discuss International Internet-related public policy matters and successfully adopt six consensus opinions. Similarly, the Multistakeholder Preparatory Platform for developing drafts of the outcome documents for consideration by the WSIS+10 High-Level Event was an open and inclusive consultation among WSIS stakeholders, including governments, the private sector, civil

¹ taking into account the decisions of the Plenipotentiary Conference.

society, international organizations, and the relevant regional organizations. We believe that it is now time to take the next step and provide for the active participation of all interested stakeholders in the Council working groups discussing international Internet-related public policy issues as a regular practice. These are important steps toward the ITU continuing to promote openness and transparency in its processes – with regard to both the working methods and the issues under discussion.

ADD USA/27A1/5

DRAFT NEW DECISION [USA-1]

Access to ITU Documents

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

considering

a) Council Decision 563, which requested the Council Working Group on Financial and Human Resources to review the ITU document access policy to determine the extent to which documents should be made publicly accessible;

b) the Study conducted by the ITU Secretariat comparing document access policies at the ITU with those in the U.N. and Specialized Agencies, which demonstrates that the ITU lags substantially behind those entities in making documents publicly available,

noting

Decision 12 (Guadalajara, 2010) concerning free online access to ITU publications, which recognized the strategic need to increase the visibility and availability of ITU outputs,

believing

that making ITU documents publicly accessible will enhance transparency of ITU decisions, improve decision making, and help ensure accountability,

appreciating

that there are certain categories of documents that are considered confidential and therefore not available to the public, and that there should be exceptions to the document access policy to protect the privacy of individuals and third parties, legal privilege, contractual, proprietary or commercial information, and certain internal governance matters,

decides

1 that the ITU should provide the widest possible public access to documents for meetings at all levels;

2 that public access should be provided for all input documents to meetings (i.e., contributions, reports, etc.) and all output documents (i.e., final decisions, Resolutions, reports, etc.);

3 that there should be exceptions to the policy of providing public access to meeting documents to protect the privacy of individuals and third parties, legal privilege, contractual, proprietary or commercial information, and certain internal governance matters,

instructs the Secretary General

- 1 to develop a policy on public access to ITU documents consistent with this Decision;
- 2 to present the plan to Council 2015 for consideration and approval.

Reasons: With this proposal, the United States focuses on improved transparency, accountability in decision making, and increased participation in the work of the Union. Specifically, the United States proposes that the ITU make all input and output documents for ITU meetings at all levels publicly available. The ITU lags substantially behind other U.N. and Specialized Agencies in making documents publicly available. The comparisons in Document CWG-FHR-3/15 show that, with few exceptions, the other U.N. Agencies have adopted a presumption of full disclosure of all information and documents generated by the organization, including for meetings at the working level and for governance bodies. By contrast, for example, the ITU presumes no public disclosure for meeting documents. Making ITU documents publicly accessible will enhance transparency of ITU decisions, improve decision making, help ensure accountability, and will make ITU practices more consistent with those of other U.N. Agencies.

The ITU should provide the widest possible public access to documents for meetings at all levels, from Working Groups/Rapporteur Groups to treaty conferences, and should include:

- input documents – contributions, reports, etc.
- output documents - final decisions, Resolutions, reports, etc.

The ITU's document access policies also should establish well-defined categories of documents that are considered confidential and therefore not available to the public. For example, there should be exceptions to protect the privacy of individuals and third parties, legal privilege, contractual, proprietary or commercial information, and certain internal governance matters.

Some have expressed concern that making ITU documents publicly available will diminish the benefits of membership and lead to a decrease in the number of Sector Members. The United States believes that because making documents available to the public will increase the awareness of the issues being considered and the decisions being made within the ITU, membership will likewise increase as only members can participate in that decision-making process. Some have also suggested that making ITU documents publicly available can lead to inaccurate reports about the nature of ITU deliberations. To the contrary, making ITU documents widely available on a regular basis will help reduce misperceptions about the nature of the ITU's work as the public becomes more familiar with the ITU. Full disclosure of documents will facilitate a better understanding of the issues being deliberated at the ITU, create greater trust in the outcome of ITU deliberations, and increase interest in participation and membership.

Finally, the United States proposes that the Plenipotentiary Conference agree to make publicly available all input documents (contribution, reports, etc.) related to the Conference and all output documents (resolutions, decisions, reports). Input documents should be made available at the outset of the Conference.

USA/27A1/6

This proposal is withdrawn.

MOD USA/27A1/7

RESOLUTION 144 (~~ANTALYA, 2006~~REV. BUSAN, 2014)

Availability of model host-country agreements in advance for conferences and assemblies of the Union held away from Geneva

The Plenipotentiary Conference of the International Telecommunication Union (~~Antalya, 2006~~Busan, 2014),

recalling

a) the relevant provisions of the General Rules of conferences, assemblies and meetings of the Union, particularly

- sections 1, 2 and 3 of Chapter I thereof concerning the holding of conferences and assemblies when there is an inviting government; and

- section 12 of Chapter II thereof concerning setting up of committees;

b) the relevant provisions of Article 5 of the ITU Convention concerning duties and responsibilities of the General Secretariat, and particularly No. 97, which provides that the Secretary-General shall provide, where appropriate in cooperation with the inviting government, the secretariat of conferences of the Union;

c) Resolution 5 (Kyoto, 1994) of the Plenipotentiary Conference, which considers that there are advantages in holding certain conferences and meetings in countries other than the headquarters country;

d) that Resolution 5 (Kyoto, 1994) resolves 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;

e) that Resolution 5 (Kyoto, 1994) resolves 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;

f) that Resolution 175 (Guadalajara, 2010) of the Plenipotentiary Conference, resolves to take account of persons with disabilities in the work of ITU,

considering

a) that the conferences and assemblies of the Union have high importance due to the powers conferred on them and the effects they have;

b) that it is important to remove barriers that limit participation of persons with disabilities;

c) that webcasting and captioning are invaluable tools, which benefit persons with disabilities and specific needs;

~~bd)~~ that the precise place and exact dates of conferences and assemblies must be fixed in accordance with the provisions of Articles 1 and 3 of the Convention, following consultations with the inviting government;

~~ee)~~ that the decision to accept an invitation to hold a conference or assembly of the Union away from Geneva is usually taken by the Council;

~~df)~~ that preparations for conferences and assemblies require extensive work, which includes various installations and facilities as well as the planning and organization of logistic services in a timely fashion for the smooth functioning of the conference or assembly;

~~eg)~~ that, when there is an inviting government, the General Secretariat defines the conditions and requirements of the conference or assembly in a host-country agreement and annexes thereto,

considering, however

a) that past and current experience demonstrates that host-country agreements show significant variations not only from one conference or assembly to another, but also for different host countries;

b) that host-country agreements and their annexes require the inviting government to deploy the necessary financial and human resources for the preparatory work;

c) that requirements for the inviting governments usually differ from the facilities provided by ITU for conferences and assemblies held and organized by ITU in Geneva, resulting in additional effort and expenditures;

d) that the conditions attached to host-country agreements and annexes thereto are of significance in the decision-making process of a government considering whether to invite and host a conference or assembly of the Union;

e) that the availability of the texts of the host-country agreement and annexes thereto well in advance of a conference or assembly will not only increase transparency but also will serve as a measure for the Union to accept the invitation and for the governments to take a decision on an invitation to hold a conference or assembly;

f) that, as things stand at present, finalization of the complete text of the host-country agreement and its annexes takes a long time, which in turn leaves the inviting government very little time to not only complete the domestic ratification procedures but also fulfil all the commitments and requirements laid down in the above-mentioned texts,

recognizing

national sovereignty and the different national laws of the Member States,

resolves

that model host-country agreements and the annexes thereto, including the requirements in terms of basic infrastructure and arrangements for webcasting facilities and captioning (including transcripts of the captioning) when convening conferences, assemblies and meetings for the Union

as articulated in Chapter II, Section 12 Setting up of committees of the *General Rules Of Conferences, Assemblies And Meetings Of The Union*, shall be provided at least two years before the proposed date of any conference or assembly, in order to facilitate the work of Member States wishing to offer to host the conference or assembly under well-defined conditions,

instructs the Secretary-General

- 1 to prepare model host-country agreements and the annexes thereto, including the requirements in terms of basic infrastructure, for each of the conferences and assemblies of the Union, at least two years before the proposed date of the conference or assembly;
- 2 to submit the model of host-country agreements and the annexes thereto to the Council, for consideration and adoption of any measures that may be appropriate;
- 3 to provide the model host-country agreements and the annexes thereto, including the requirements in terms of basic infrastructure, to the Member States before any decision is taken concerning the selection of the host country for the conference or assembly,

instructs the Council

to review and adopt, at its first session after they have been made available, model host-country agreements and the annexes thereto, including the requirements in terms of basic infrastructure, and arrangements for webcasting facilities and captioning (including transcripts of the captioning) for each of the conferences and assemblies of the Union, and to adopt any measures that may be appropriate.

Reasons: The United States supports IAP/34A1/37. Consistent with ITU Resolution 175 (Rev. Guadalajara, 2010) on Telecommunication/information and communication technology accessibility for persons with disabilities, including age-related disabilities and the ITU Accessibility Policy, it is important that Conferences, Assemblies and Meetings of the Union remove barriers that limit participation of persons with disabilities. Webcasting and captioning are invaluable tools, which benefit persons with disabilities and specific needs. Modifying the Host Country Agreements to include the necessary arrangements for including the requirements in terms of basic infrastructure and arrangements for webcasting facilities and captioning for each of the conferences and assemblies of the Union as articulated in Chapter II, Section 12 Setting up of committees of the *General Rules Of Conferences, Assemblies And Meetings Of The Union*.

MOD USA/27A1/8

RESOLUTION 162 (~~GUADALAJARA, 2010~~REV. BUSAN, 2014)

Independent management advisory committee

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

considering

the recommendation of the Representatives of Internal Audit Services of the United Nations organizations and multilateral financial institutions on the establishment of effective and independent audit committees,

recalling

- a)* the report of the Joint Inspection Unit entitled *Oversight Lacunae in the United Nations System (JIU/REP/2006/2)* and in particular recommendation 1 thereof on the establishment of an independent external oversight board;
- b)* Council Decision 565 (C11) appointing five independent experts as members of the independent management advisory committee (IMAC) to serve for a term of four years;
- c)* Council Decision 563 (modified 2014), which adds to the Council Working Group on Financial and Human Resources terms of reference “to undertake on an annual basis, a review of the status of the implementation of the recommendations of the Independent Management Advisory Committee as presented annually to Council, taking into account Resolution 162 (Guadalajara, 2010)”;
- d)* the decision of Council 2014 to approve the publication on a temporary and exceptional basis until the PP-14 decides on the general policy of accessing ITU information and documents of:
- the report of the IMAC for 2013;
 - the report of the external auditor for 2013; and
 - summary of the internal auditor report for 2013,

reaffirming

its commitment to efficient, accountable and transparent management of the Union,

recognizing

- a)* that the establishment of an independent management advisory committee contributes to effective oversight and governance of an organization;
- b)* that an independent management advisory committee is a governance tool and does not duplicate the financial audit functions of either the internal or the external auditor;
- c)* that the established practice among international institutions is that an independent management advisory committee serves in an expert advisory capacity and assists the governing

body and the ~~head~~ management of the agency in fulfilling their oversight and governance responsibilities;

d) the valuable contribution of the IMAC in assisting ITU Council and the Secretary-General in fulfilling their governance responsibilities, including ensuring the effectiveness of ITU's internal control systems, risk management, and governance processes,

noting

that Resolution 162 (Guadalajara, 2010) instructed the Council to establish IMAC on a trial basis for four years, and to report to the 2014 plenipotentiary conference,

noting further

the reports by the Council and the Chairman of the Council Group on the Financial Regulations and other related financial management issues (Group FINREGS) to this Plenipotentiary Conference on the activities of the IMAC (Documents C10/28 and WG-RG-18/2),

noting further

~~Annex D to the report by the Chairman of the Standing Committee on administration and management of the Council (Document C10/75), which contains draft terms of reference for the establishment of an independent management advisory committee with the title "Independent audit advisory committee of experts (IAACE)",~~

resolves

to establish the ITU Independent Management Advisory Committee (IMAC) on a permanent basis according to approve the terms of reference for the ITU Independent Management Advisory Committee (IMAC) contained in the annex to this resolution,

instructs the Council

~~to establish IMAC on a trial basis for four years, and to report to the 2014 plenipotentiary conference.~~

1 to appoint, at its first regular session following each plenipotentiary conference, five independent experts as members of the IMAC to serve for a term of four years;

2 to consider the annual reports and recommendations of the IMAC and take appropriate action,

instructs the Secretary-General

to publish, without delay, and provide public access to the report of the IMAC and the annual report of the Internal Auditor, on a publicly accessible website.

Reasons: ITU Resolution 162 (Guadalajara, 2010) formed the foundation for the Independent Management Advisory Committee (IMAC) and instructed Council to establish the IMAC on a trial basis for four years. Council appointed five independent experts as the first members and IMAC reported to Council during its 2012, 2013, and 2014 sessions, making a number of valuable recommendations.

The United States proposes modifying Resolution 162 (Guadalajara, 2010) to establish the IMAC on a permanent basis, instruct Council to appoint five new members and consider IMAC's annual reports and take appropriate action, and instruct the Secretary General to publish the reports of

the IMAC and the Internal Auditor on a publicly accessible website. Public disclosure of internal audits is a best practice already followed by major UN funds and programs, and public disclosure of audit committee reports is considered best practice across the entire UN system.

ADD USA/27A1/9

DRAFT NEW RESOLUTION [USA-1]

Reports of the External Auditor

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

considering

- a) that the public disclosure of the reports of External Auditors to international organizations is currently recognized as a best practice throughout the UN system and among experts in the field of audit, such as the International Organization of Supreme Audit Institutions (INTOSAI), which is an umbrella organization for the external government audit community;
- b) that the UN Panel of External Auditors, of which the ITU External Auditor, Corte dei Conti of Italy, is a member, posts on its public website the audited financial statements and reports of the external auditor of a number of UN organizations, in recognition of this best practice;
- c) that the Board of Auditors, which is the External Auditor for the United Nations secretariat, the UN funds and programmes and a number of other UN bodies, publishes on its publicly accessible website reports dating back to the 2000-2001 biennium, and ITU remains one of the few specialized agencies within the UN system that does not provide public access to its audited financial statements and reports of the external auditor;
- d) the recommendation of the Standing Committee on Administration and Management to Council 2014 to approve the publication on a temporary and exceptional basis until the PP-14 decides on the general policy of accessing ITU information and documents of:
 - the report of the IMAC;
 - the report of the external auditor; and
 - summary of internal audit report,

instructs the Secretary-General

to publish, without delay, and provide public access to the reports of the External Auditor, on a publicly accessible website.

Reasons: The purpose of this proposal is to ensure that ITU is implementing transparency and accountability measures that are consistent with demonstrated best practice across the UN system. While the majority of organizations within the UN system publish the annual reports of the External Auditor on a publicly accessible website, ITU remains one of the few organizations that has not adopted this practice. The External Auditor is the ultimate independent source of information on whether the ITU performs economically, efficiently and effectively to achieve the

purposes for which it was established. All stakeholders in the organization, including the general public and partners in industry, should be able to access all relevant documents on the financial management practices of ITU. Transparency of financial management practices builds confidence among all stakeholders and ensures continued support of the organization and its mandates.

ADD USA/27A1/10

DRAFT NEW RESOLUTION [USA-3]

ITU participation in memoranda of understanding with financial and/or strategic implications

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

considering

- a) that one of the purposes of the Union as set out in Article 1 of the Constitution is to maintain and extend international cooperation between all its Member States for the improvement and rational use of international telecommunications;
- b) that another purpose of the Union is to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society, by cooperating with other world and regional intergovernmental and non-governmental organizations concerned with telecommunications,

noting

- a) that memoranda of understanding ("MoUs") as well as Memoranda of Cooperation and Agreement¹ or other instruments, in which the ITU, Member States, and Sector Members may participate, are often used to facilitate cooperative action;
- b) that Resolution 52 (Dubai, 2014) of the World Telecommunication Development Conference (WTDC), on strengthening the executing agency role of the ITU Telecommunication Development Sector (ITU-D), emphasizes the importance of establishing partnerships between the public and private sectors as an efficient means of implementing sustainable ITU projects,
- c) that Resolution 130 instructs the Secretary-General, in the context of building confidence and security in the use of ICTs, "to cooperate with relevant international organizations, including through the adoption of MOUs, subject to the approval of Council in this regard, in accordance with Resolution 100 (Minneapolis, 1998) of the Plenipotentiary Conference;"
- d) that Resolution 100 instructs the Council, in the context of the ITU serving as a depository of MOUs, to "formulate criteria and guidelines for the Secretary-General to respond to requests to serve as a depository for MOUs" and resolves that using those criteria and guidelines, "the Secretary-General may, with the approval of Council, serve as a depository for MOUs;"

¹ Wherever the term "MOU" is used in this resolution, it includes Memoranda of Cooperation and Memoranda of Agreement.

e) that Council 2013 amended Decision 563 on the Council Working Group on Financial and Human Resources, adding to its terms of reference “to consider criteria to determine the financial and strategic implications of the establishment of Memoranda of Understanding (as well as Memoranda of Cooperation and Agreement) to which the ITU is or will be a party,”

observing

that the Union has entered into MoUs in which the ITU is a participant, which have financial and/or strategic implications, and these were discussed during Council 2014 as described in the Report by the Chairman of the Standing Committee on Administration and Management,

believing

that MoUs in which the ITU is a participant, which have financial and/or strategic implications, should only be entered into pursuant to criteria adopted by Council and subject to Council approval,

resolves to instruct the Secretary-General

- 1 to follow the criteria and guidelines to be established by the Council when entering into MoUs in which the ITU is a participant, which have financial and/or strategic implications;
- 2 to submit a report to the annual meeting of Council on the implementation of this resolution, detailing the relevant MOUs and ITU activities,

instructs the Council

- 1 to formulate criteria and guidelines for ITU participation in MoUs, which have financial and/or strategic implications, based on the following principles:
 - a) that any involvement of the Secretary-General in this capacity should contribute to and be within the purposes of the Union as set forth in Article 1 of the Constitution and within the strategic and financial plans for the Union;
 - b) that interested Member States and Sector Members will be kept informed of the activities of the ITU when it participates in MoUs, which have financial and/or strategic implications, and will not be restricted from joining relevant MoUs;
 - c) that the sovereignty and rights of ITU Member States are fully respected and preserved;
- 2 to implement a mechanism to review ITU participation in MoUs, which have financial and/or strategic implications, and to provide guidance to the Secretary-General;
- 3 to report on the application of this resolution to the next plenipotentiary conference.

Reasons: In 2013, the Council amended Decision 563 to add an element to the terms of reference of the Council Working Group on Financial and Human Resources tasking the CWG-FHR to consider criteria to determine the financial and strategic implications of Memoranda of Understanding (MoUs) (as well as Memoranda of Cooperation and Agreement) to which the ITU is or will be a party. At the 2014 Council meeting, the Secretary-General presented document C14/INF/13, containing an initial list of MoUs signed by the ITU since the last Plenipotentiary Conference having financial and/or strategic implications for the Union. The ITU has established a number of MoUs with other entities to further the interests of the Union. The number of MoUs the ITU has entered into and the range of issues they cover has grown over the years.

The United States supports ITU efforts to partner with expert organizations and believes that such collaboration is necessary to ensure that the ITU is taking advantage of expertise and avoiding duplicated efforts. At the same time, Members have had little insight or input in terms of evaluating the benefits or the financial and/or strategic consequences of the MoUs into which the ITU has entered. Nor do Members have an understanding of the process the ITU uses before such agreements are signed. Council has an important oversight role in reviewing MoUs with financial and/or strategic implications before they are signed. This oversight is essential, particularly in these times of budget constraints, to allow Members to consider carefully the financial and/or strategic implications of MoUs and when applicable, weigh the need for particular MoUs against other priorities identified by Members.

The ITU has recognized the importance of ensuring that the ITU's activities surrounding MoUs are in the interest of the Union. For example, Resolution 100 (Minneapolis 1998) addresses the role of the Secretary-General of the ITU as depositary for memoranda of understanding (MoUs). The Resolution stipulates that "the Secretary-General may, with the approval of the Council, serve as depositary for MoUs that relate to telecommunications and that are in the overall interest of the Union." The Resolution instructs the Council "to formulate criteria and guidelines for the Secretary-General to respond to requests to serve as depositary for MoUs." Resolution 100 further notes that the guidelines developed by Council should ensure "that any involvement of the Secretary-General in this capacity should contribute to and be within the purposes of the Union as set forth in Article 1 of the Constitution." The United States proposes that Council have a similar role with respect to oversight of the ITU's role as a signatory to MoUs with financial and/or strategic consequences and therefore proposes the adoption of a new resolution addressing Council approval of ITU participation in such MOUs.
