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>> CHAIR: Good morning, everyone. We are about to start the meeting, so please be seated.

Good morning, everyone. Welcome to the fifth meeting of COM 5. We will start the meeting now. It has been delayed, I'm sorry about that. The previous meeting has finished a bit late.

So just that I draw your attention to the document ADM/34, that is the agenda of today. You can see on the screen as well. So, are there any comments on the agenda? I see no requests for the floor, so ADM/34, agenda for today is approved.

So next agenda item is the draft revised Resolution 189. This is the mobile, and I give the floor to Brazil to briefly explain about the DT. You don't have to go through line by line but briefly update it us. Thank you. Brazil, you have the floor.

>> BRAZIL: Thank you, chair, for giving the floor. Madam Chair, good morning to all the Members here at the COM 5 meeting. I'm glad to present results of the ad hoc Resolution 188 and 189 and draft Resolution 189 that deals with staff. We have managed to combine all the contributions that we have received from contributions. We have received contributions from three regions and managed to revise the whole text. What we have here now on the screen is a result of a very good discussions, and I'm glad that we don't have any brackets at the moment to be discussed at COM 5 and we have managed to agree on the full text of just revised Resolution. Thank you, Chair.

>> CHAIR: Thank you, Brazil, to provide the text without brackets. Now I open the floor for any comments on this revised Resolution 189. I see no requests for the floor, so DT/36 revised Resolution 189 is approved.

(Applause).

Let's move to the next agenda item, the Draft revised Resolution. Brazil, you have the floor.

>> BRAZIL: Thank you, Chair. I'm sorry to ask again for the floor. It's just to thank all the Members that were on the meeting, and I was not the one that provided the text without brackets. It was the members that were there helping us on all of the discussions and have managed to achieve the consensus. Thank you.

>> CHAIR: Thank you, Brazil. Of course, everyone involved in the discussion, I really appreciate. I want to see the compromise and spirit of compromise until the end of the conference. Thank you, again.

(Applause).

The next is Agenda item 4, Draft revised Resolution 21, DT/49. I will give the floor to UK to briefly explain about this document. UK, you have the floor.

>> UNITED KINGDOM: Thank you, Chair. Good day to all colleagues. Chair, the ad-hoc group, given the responsibility for Resolution 21, met three times. We considered the proposals that had come in from the regional groups, and I'm glad to report to you that having worked in a college manner and spirit of compromise we have reached consensus on Resolution 21. As with my colleague from Brazil, in addition to thanking those who participated, I would also like to thank in advance Laura from the Secretariat for her support, and as a result of this, Chair, I put my hat on as the Study Group 2 Chair, and I've got two members who have committed to contribute to the work of my Study Group in the T Sector, so I have got a double result. Thank you, Chair.

>> CHAIR: Thank you, again. I would also like to thank everyone who worked on this. So now I open the floor for any comments on this document. No one is asking for the floor, so DT/49 Revised Resolution 21 is approved.

(Applause).

Maybe we can go like this. Next agenda item -- Iran?

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Madam Chair. I think Resolution 21 was among a very difficult Resolution in brief conferences. Thanks to the hard work and efforts of our distinguished colleague from United Kingdom put on that and resolved all the issues without any difficulties. The issue goes back to him for further discussion, and we would like to also place our sincere appreciation and gratitude to the good work that he has done, and not only at the Plenipotentiary and previous conferences but all difficult issues that we give to him and he come to the meeting with successful result. We thank him very much, and perhaps request the colleagues to pay applause to him for all the good work that he has done.

(Applause).

>> CHAIR: Thank you, Iran. We all appreciate the work being done by UK and all the members. So, next agenda item 5, Draft Revised Resolution 119. Actually, this came back to us with two square brackets, briefly to the regional coordinators. Oh, yeah, I got a mix. I'm sorry. This is no square bracket. So we have 191, DT/39. So, we'll give the floor to the UK to explain this briefly.

>> UNITED KINGDOM: Thank you. Thank you, Madam Chair. So, at your first plenary last week, it was agreed that the document that was submitted would be considered in an informal group. We've met twice, and we've had some discussions, and I want to thank the compromises made by what was a useful discussion and the document presents in the latter part of the document, the revisions to Resolution 119, and as you have on the screen, we are requesting that Committee 5 report some text to the Plenary meeting which is there on the screen. I won't repeat it. So, we have completed our work, and as I would like to thank very much the participants and the compromises made as there were concerns, and I think it's a useful document -- I'm sorry, it's a useful revision to the Resolution that provides additional transparency in ITU activities. So, thank you, and I'll conclude there.

>> CHAIR: Thank you, UK. That was quite intense discussion you had, but this is the result of the informal discussions, so we first of all, I open the floor for any comments on this document. I see no requests for the floor, so really approved the revised Resolution and then note both of them, so there will be a note to the, a Committee 5 note to the Plenary and then we will submit this revised document as well. This is approved.

(Applause).

Again, thank you everyone involved in the discussion. I heard that it was quite difficult situation, but you all came to agreement. Thank you, again.

Our next agenda item is the draft Resolution, revised Resolution 167, it's a DT/41, so I will give the floor to one of my vice-chairs. William, you have the floor.

>> VICE-CHAIR: The ad hoc on meetings and business continuity met for three times, and we have a resolution to 167 on remote participation, and I would like to thank the delegates and regional coordinators as well as the Secretariat for your excellent work, for the spirit of compromise and consensus, which allowed us to come out with a revised Resolution 167, and I present this paper to the Committee for your consideration. Thank you.

>> CHAIR: Thank you, Mr. Chair. I open the floor for comments on this DT/41. Japan, you have the floor.

>> JAPAN: Thank you, Madam Chair. Thank you very much for your hard work to the ad hoc Chair. So, I have a comment. So, the main part of this Resolution, the Instruct Council to develop the high-level guidance. Our work is to establish the high-level guidelines, so I point out this at the other group but we couldn't find any conclusion, so I would like to suggest the Annex to use for the high-level guidance instead of high-level guideline, the Annex of this Resolution. Yes. Instead of that, high-level guidance is my suggestion. Thank you very much.

>> CHAIR: Thank you, Japan. Before I give the floor to the ad hoc Chair, Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chair. We are sorry that we have not been able to attend the meeting. We just would like to have some clarification of whether the issue raised before in all ITU sectors relating to recognizing (d) of the Resolution that indicate that there are remote intervention and remote participant does not have the right to make decisions, take into account that some of the ITU meetings during the pandemic, sometimes the chair is on remote, and if we say that remote participants, including the chair, does not have any right for decision, that means the chair cannot decide on anything.

Chair, there has been a high-level document from the Secretariat raising all difficulties, problems which relates to the remote participation, administrative, legal, financial, so on and so forth, but we don't want to get to that type of discussion at this late hour of the conference, but at least we would like to know what happened to the Recognizing (d). First of all, distinguished Chair, the content of Recognizing (d), in fact, is not recognized. It's not recognition, it's just something that it should if any come to the Resolve part. So, I would like to know whether it has been in the report or not?

And then we have to carry out to see what do you mean by that remote participant does not have the rightful decisions, in particular in some ITU discussions, in areas such as adoption of resolution where the remote participant has any right in the adoption of resolution because one Member State could oppose to the adoption of the recommendation at the level of the study group, and whether this issue has been covered or not, I'm very sorry that I have not attended a meeting and I would like to have further whether this point has been clarified because this issue is one of the main important issues of the study groups, ITU, all three sectors, and we need to be very clear that what is the right of the remote participants, in particular when we postpone the meeting, no doubt the remote participant cannot make any point of order, nor motion of order, and I would like also to have some clarification. This is not the point of order, motion of order, but the point is on adoption of recommendation, if a government or Member State is remote participation and the issue does not have any right, how it has been covered. I'm very sorry and maybe it has been covered but I would like to have some clarifications.

>> CHAIR: Thank you, Iran. I'm very sorry that you have not been involved in the ad-hoc groups. It would be much better if you had. I don't want our COM 5 turning into drafting group; but anyway, we will answer to your questions later on. Egypt, you have the floor.

>> EGYPT: Thank you, Madam Chair. Good afternoon, everyone. Just briefly, we have the same concerns on Iran on the same issue. It's difficult time for us, sometimes we're not able to attend the meeting sometimes and even the Chair of the meeting is not able to attend the meeting in person, so we have the same concern that we don't want to waste the time of the meeting but this is an issue to discuss further. Thank you so much.

>> CHAIR: Thank you. So, we have many ad hocs, so we will try to give an answer here. So, ad-hoc chair, if you can answer discussion and then we have also our Secretariat here. I will give the floor to Malaysia.

>> MALAYSIA: Thank you, Chair, and thank you to Japan and Iran, and as well as Egypt for the questions. I think I will address the second question. If you look at the Resolution, I think the ad hoc agreed that there is a need to clarify these roles, and which is why in the Annex, which is a recommendation to the Council, if you look at one of the bullet points, it says the rights of different categories of members participating remotely. So, what this resolution is really asking to do, the Council to do, is to study and develop guidance for this matter that you have so highlighted. We are well aware of it, so we have put that into the Annex, the rights of different categories of members participating remotely in terms of decision-making in different types of meetings.

With regards to the question from Japan, regarding the high-level guidance, we are just saying that guidance allows the flexibility to Council to come out with documents, it come out with perhaps proposals to amend the legal text of the Union, so which is why if you look at the Instructs the Council, we say instruct the council and in the guidelines so we left this open for council to decide so there has been extensive discussions on this, and so the decision from the ad hoc was still to keep the high-level guidelines in the Annex is but the Instructs to keep high-level guidance. Thank you.

>> CHAIR: Thank you Malaysia. Iran, you have the chair.

>> ISLAMIC REPUBLIC OF IRAN: We don't want to convert Committee 5 to editorial committee. That is a very important point. I understand the Council is invited to be on the matter, it is just a matter however between now and the next Council and decision, there may be several recommendations of ITU or ITU-T and ITU-D because ITU-D has only 21 recommendations. But in ITU-T in particular many, many recommendations going too fast. As I mentioned in other meetings that I would say it is not fair to just raise the question and it would be more fair to propose solutions.

My solution, would be Chairman, that in the minute of Plenary, we indicate that until the time that Council decides on the matter, remove participant from Member States if they are registered and had the right to participate in the decision-making; in particular, if the Chair of the meeting is absent, he has full right for the decision-making. We draft a text with the help of the Chairman of the group and put in the minute of the Plenary and that is effective until the time that Council is on the matter, Chairman. This is very, very important, and we need to address that ITU-R dealing with many recommendations, some of them maybe come up at the WRC, which is vitally important and we have to have some, I would say, provisional solutions and some text in the minute of Plenary. Thank you.

>> CHAIR: Thank you, Iran. Russia, you have the floor. Please give the floor to Russia.

>> RUSSIAN FEDERATION: Thank you very much, Chairman. I'm sorry the microphone had a technical gremlin, apparently. We understand the concern from the Islamic Republic of Iran and we're grateful to him for raising this question every time. This is a very important discussion. We're also grateful to the delegate from Egypt to his support to Iran's approach.

We would also like to participate in the preparation of such a comment, but we would like to draw attention to one thing, not all sessions can be open to remote participation, even if they don't participate in decision-making. We know that in standardization there is SG3 that deals with regulatory issues and there is a special system there for participation, and only physical participants are involved because regulatory issues are related to the Convention to the Constitution, and the work has special features which have to be taken into account.

I'm not objecting to what's being suggested. We're just suggesting a flexible approach to this comment or this proposal, taking into account the respective situations of those participating physically in meeting and those participating remotely. We don't want to set any new precedent or anything. We simply would like to stay within the current framework of action provided by our foundation documents. Thank you.

>> CHAIR: Thank you, Russia. I give the floor to the United Kingdom.

>> UNITED KINGDOM: Thank you, Chair. This document only relates to remote participation in relation to physical meetings, and it does not apply to hybrid meetings. We recognize that during the pandemic, there was some decisions made which had to be made because of the circumstances, so hybrid meetings were introduced. But a hybrid meeting is different from a physical meeting with remote participation.

The issue that our distinguished delegate from Iran has raised and Egypt has raised is an important issue, but we do have to be careful that we don't give instructions contrary to the constitution and Convention. In particular which would give remote participants rights such as the right to vote. I'm not sure if that is what was proposed, but that appears to be the implication. Yes, I can understand there may be some need for some cover in relation to the time that these proposals in the Draft Resolution are implemented. The Council has probably looked at the issue and come up with the conclusions. There were concerns expressed by developing countries that they could not participate physically every time and they want equal treatment. That is fine, and that is considered in the text of the document, and part of the consideration from Council, and if that requires changes to the basic instruments, then Council can identify that and put proposals forward. Thank you.

>> CHAIR: Thank you, UK. Mexico, you have the floor.

>> MEXICO: Thank you, Chairman. Good morning, everybody. We'd like to support what's been said by our colleague from the United Kingdom. When we're working on this Resolution in the ad hoc, we were aware of the need to look at the new procedures and new approaches which will have to govern remote participation when we're talking about physical meetings. It's important that remote participants do have equal participation, equal that is to those physically present in the meeting room. We've already seen a minor revolution in this respect over the last few years, thanks to the pandemic.

When we couldn't have any physical meeting, then yes, we had to take decisions electronically or virtually, if you prefer. About you now, we're getting back to more physical meetings with remote participants. Those remote participants may find themselves still very restricted in discussions and informal groups, for example, or in ad-hoc meetings. A great effort has been made to get them to participate in the decision-making process, but we still do have a long way to go ahead, I admit.

As the UK said, before we take any decisions about the possibility of remote votes and getting remote participants more involved in the taking of decisions, we'll have to look closely at the basic instruments of the Union to see what to stipulate and to see whether they need to be amended. Studies will have to be carried out to see what it is we need and what it is we need to do in order to really hit 100% of bullseye of that target.

>> CHAIR: Before the floor a question raised by Iran and Egypt and Russia and also the UK and Mexico said that it's important that we comply with the current existing regulatory frameworks, so I would like to ask the ad-hoc chairs that if this point has been discussed in your ad hoc already?

>> AD-HOC CHAIR: Thank you. Yes, it is. I think the position was taken that Council should look at this matter holistically and to provide the recommendations, so which could include as the Chair mentioned, perhaps we need to amend some of the basic text of the Union or under the instruments, so this is quite in a way, a very open-ended way of moving forward. Thank you, Chair.

>> CHAIR: Thank you, ad hoc Chair. I hope this covered your concerns. If you're still requesting the floor, I will give the floor to -- I have the list and Egypt and Saudi Arabia. Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chair. We fully understand the statement made by Distinguished Delegate of United Kingdom. First of all, we don't have any hybrid meeting, Chairman. That was an invention by some people. We have full physical meetings, we have full remote participation meeting, and we have physical meetings with remote participation. We don't have hybrid.

Number two, many developing countries, Chairman, cannot participate physically and they will not wish to be excluded from decision-making. I'm not talking of the voting or the election official or voting or something. I'm discussing something which is vital. We had a voting group, I'm sorry I apologize to distinguished delegate of Republic of China, the Chairman was from China, and that distinguished Chair could not participate due to pandemic, but she was the chair. By this she cannot decide on neglect, even postponement of the meeting, even closing of the meeting, even opening of the meeting, so on so forth.

So, Chairman, we have the problem. I am prepared to work with the distinguished delegate of United Kingdom to prepare something to put in the minute of plenary. That is that. You could not forget that. This is not right. If we have not discussed at the level of the subcommittee or ad-hoc group, doesn't mean that we could not discuss it here. We could raise it even at plenary. This is very important issue, Chairman. We are among developing countries, and sometimes we have difficulty for participation, financial difficulty, resource difficulty, so on so forth, but we should not be excluded.

We have been contributing to the ITU meetings very actively and it has been witnessed by everybody, so I think that many people so on and so forth are like us, and we have to put something. I'm prepared to do work with the distinguished colleague from the United Kingdom and anyone else to prepare something which is workable for the time being until the Council decides on the matter, but we need to put something in the minutes of the Plenary, whether it has nothing to do with the constitution and convention. It could be done in a minute of the plenary for the time being on provisional basis. It has been that way. I hope that the people would not put any obstacle to exclude participation in decisions of developing countries or other countries could not participate due to that.

Madam Chair, the pandemic is not totally finished, back and forth, always there are this problem and the meeting with visual presentation is not ended to this Plenipotentiary Conference, it may happen again, that is important, and many of the ITU meetings, particularly for WRC we have there, so I request you kindly to allow and authorize identifies to prepare something for inclusion in the minute of the plenary. Thank you very much. Those are the three.

>> CHAIR: Thank you, Iran. We're not here to exclude anyone. We are here to include everyone. We are talking about the constructive way to do it. So, Egypt, you have the floor.

>> EGYPT: Thank you, Madam Chair. My apology to take the floor once again. Just not to waste any more time of your precious meeting, I would suggest that with support of the ad-hoc Chair, any concerned parties would work on the text proposed by distinguished delegate of Iran, so that we can find a solution until the Council find a decision on that.

As Mr. Arasteh has mentioned, this is not ordinary time and this is difficult times for all of us and we need to make sure that decisions and recommendations are approved by the ITU-R or ITU-D or any sector, that they're approved in the right way, even if the chair or some delegate is not present. Thank you so much.

>> CHAIR: Thank you, Egypt. My list is growing, so Saudi Arabia, UK, U.S., Mexico, Romania, closed. Saudi Arabia, you have the floor.

>> SAUDI ARABIA: Thank you, Madam Chair. Apologies for speaking in English. I believe the issue that we have here is how we treat the remote participation and physical meeting, are those virtual meetings. Maybe having this to be developed by the Council in the next four years or something will give us more time to make sure that those guidelines are inclusive and making sure that the meeting will be successful if the chair is remotely and how the chair will open, close, and take decisions. But for Member States to take decisions, I believe according to the Constitution and Convention that those in the room are those eligible to take decisions. Maybe we can massage the wording in a small working group, but I have a question of fully virtual. I mean what is the word, fully meaning here? Virtual is virtual. Thank you, Madam Chair.

>> CHAIR: Thank you, Saudi Arabia. Now I give the floor to Cote d'Ivoire.

>> COTE d'IVOIRE: Thank you, Chairman. I'd like to thank all the participants who have been involved in this and say that we know that the pandemic has enabled us to understand that it is possible to participate in meetings in a different way and it would be foolish not to capitalize in the lessons that we've learned in the course of the COVID pandemic. However, we did notice that in ITU meetings, where there were problems, there was increased participation at many ITU meetings when we were enabling people to participate remotely. So, it's quite useful for countries that can't send a delegate to attend physically at a meeting to remotely participate, and there the vote would be an important issue. Thank you.

>> CHAIR: Thank you, Cote d'Ivoire. U.S., you have the floor.

>> UNITED STATES OF AMERICA: Thank you, Madam Chair. Madam Chair, you enjoy all the prerogatives to table this document, you enjoy the document to ad-hoc group for further work. No matter what solution or way forward, even if it's a statement in the Chairman's report, we would like to see the statement coming forward as the TD for us to approve it. Thank you very much.

>> CHAIR: Thank you, U.S. UK, you have the floor.

>> UNITED KINGDOM: Thank you. This is an important issue. One thing I would say is I engage in study groups in the T sector, and the issue has not been a problem to the extent that the ITU works by consensus. How many times has there been a vote? Almost none. Perhaps one or two occasions that I can think of.

The decisions in the T Sector where I have worked have all been on consensus. Everyone has had the opportunity whether they're remote or physical to make their points heard and a consensus is reached, not just of those in the room but of everyone participating.

So, I don't think we want to get this issue out of proportion in terms of what sorts of problems there are now. I agree that we have discussed this in the ad hoc, we have reached a decision in the ad hoc about how to deal with it. If there is to be further discussion, I agree that it should be in the ad hoc again. We can have a meeting tomorrow to discuss it. Please, let's not have a statement which is just read out as a basis for a discussion between a few individuals. It has to be the whole ad hoc, please, thank you.

>> CHAIR: Thank you, UK. Mexico, you have the floor.

>> MEXICO: Thank you, Chairman. In the last few months, the Secretariat in our opinion, has done an extraordinary amount of work in order to promote and improve remote participation in physical meetings. We understand the concern expressed by our distinguished colleague from Iran. Perhaps what we could do is ask the Secretariat to continue to promote and improve conditions for remote participation in physical meetings. We don't really want this document to go back to the ad hoc because we've worked on it an awful lot. We've had lengthy discussions on this issue and the need to improve remote participation for all participants. If, however, a decision of the meeting is to return the document to the ad-hoc group, okay, if you agree to have a statement instead, fine, we agree with that. But we think the best thing to do is ask the Secretariat to do what it can to improve and further remote participation within the parameters set forth in the basic text of the organization. Thank you.

>> CHAIR: Thank you, Mexico. Romania, you have the floor.

>> ROMANIA: Chair, and as previous colleagues have stated, in the past years, we have seen the Secretariat and the Union itself finding manners to have inclusive participation, even in Council we had virtual consultation of counselors so we were all on equal footing when discussing and taking correspondence, so we did make use of the basic texts that we have in the Union.

As my distinguished colleague from Saudi Arabia said, this is a matter that can be further studied by Council and have further recommendations from Council. I believe the ad hoc has done a wonderful job and a stable text in front of us, but if the meeting decides to take it back to the ad hoc, that is fine, too. Just to remember what the Chair of the Conference has asked us to finish all the work in ad hocs by tomorrow evening, just to take that into account. Thank you.

>> CHAIR: Thank you, Romania. Sudan? Or Sweden online?

>> SWEDEN: Okay. Now it works as well. Thank you, Romania. We would like to support both the UK and U.S. here, and we are looking forward to a constructive discussion, and have a cautious approach going forward in this matter. Thank you very much.

>> CHAIR: Thank you, Sweden, but we do have a Sweden online for asking for the floor. He has been waiting for a while. Can you give the floor to the online remote participant?

>> SWEDEN: That's fine. Thank you. That's the same.

>> CHAIR: That's the same. Thank you. So, I close my list. So, before Iran and Nigeria, are you still asking for the floor? I am closing my list and I was about to give my proposal to the way forward, so if you still insist, are you still insisting? Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chair. I never insist on anything but we have to address this very important point, the statement made second time by English delegate from the United Kingdom is not what is in this resolution. Recognizing it says differently. What I propose, first of all, I may not be in a position to propose to get it back to the ad-hoc group, but there is another way, putting into the minute of plenary is something which is involved, but alternative would be when you have Recognizing (d), you put an asterisk, and on that page, you put consideration of recognizing (d) is remain until Council decides on the matter as referred to and refer to the paragraph. That's also a possibility. Recognizing (d), asterisk, consideration of recognizing (d) of persons of recognizing (d) is remaining in obeyance until Council decide on the matter as clear and refer to paragraph as sill.

Chairman, this is a workable solution and we have to address that. I am not dealing with ITU-T which has only two study group during the policy issue, in ITU-R all the study groups dealing with policy issues, and we're dealing with the WRC which is treaty-making conference, whereas T-sector does not have any treaty-making conference, and for us a recommendation, sometimes a recommendation incorporated by reference which is a treaty matter, we should be very, very careful not to exclude anybody. That the second alternative I propose, ready to work out with legal unit of the ITU and if any other person would like to add representative from the three sectors, BR, BDT, TSB with the legal unit to draft a text if they want to put a minute of plenary or simple way I mention of asterisk and recognizing (d) and saying the consideration of this recognizing is remaining until Council decide on the matter as and put refer to the paragraph. This is the most simplest way, Chairman. Thank you.

>> CHAIR: Thank you, Iran. Nigeria, you have the floor.

>> NIGERIA: Madam Chair, I want to make sure the fact that we have spent a lot of time on these documents at the ad hoc. We have gone through the documents a number of times, and if you look at the Annex of these documents, I think it solves this problem. Madam Chair, scroll town to the Annex of the document. Everything, council is going to take the consideration, fairness and everything in it, they will take this for consideration. I would like to appeal for the distinguished colleague from Iran, if you can take a look at the Annex and see if this does meet your requirement, then we can come back and have this discussion. Thank you very much, Madam Chair.

>> CHAIR: Thank you, Nigeria. Before I go forward, I will give the floor to ad-hoc Chair.

>> MALAYSIA: I think it was discussed at the ad hoc, it was done to distinguish it from hybrid situation, so the word fully virtual was used everywhere in this resolution so I hope there are no difficulties with this. It's really to be really distinguishing fully virtual and physical meetings with remote participation. Thank you.

>> CHAIR: Thank you, Malaysia. So, we've heard the room. So, there is different views, and I also agree that this ad-hoc group has met several times and they have discussed it in depth, so I don't feel comfortable to accepted this back to the ad-hoc group. So, we do have an hour COM 5 meeting this afternoon. I ask the ad-hoc chairs to informally consult with those concerned parties, including Iran, Egypt, and Russia, and any other participant can participate, but you can work on the text if you want to put into my minutes in my report to the plenary, it can work, but we have to look at it this afternoon again. So, I will put this agenda item here again, and I will ask you to come back to it this afternoon. Is this workable to everyone? If no one is requesting the floor, so I will ask the ad-hoc chairs to have informal consultation. Thank you, everyone.

So, let's move to the next agenda item, agenda item 7 on revised Resolution 177. As DT/45 we have the document here, so I give the floor to briefly explain this document. Ghana?

>> GHANA: Thank you, Madam Chair. Good morning to you all, colleagues. Madam Chair, the Ad-Hoc Group on Resolution 177 received three contributions from Africa, CEPT and IEP. We have three sections through today. Pleased to report to the group the Revised Resolution 177 with no square bracket, I repeat no square brackets on the final document and it is now contained in Document 45 as it has been shown on the screen.

Madam Chair, while I have the floor, I would like to use the opportunity to thank all the distinguished delegates who participated in this work of the ad hoc, including the Secretariat, my friend Denise for the great contributions and supporting and concluding this. I therefore submit this for your consideration. Thank you, Madam Chair.

>> CHAIR: Thank you. Thank you. Thank you, Ghana. I applaud your hard work and everyone that participated as well. Now I open the floor to any comments on this Document DT/45.

No comments from the floor so Revised Resolution 177 is approved.

(Applause).

Next item is Item 8 Revised Resolution 196. This actually came to the DT/40, came with two square brackets, and I appreciate all the participants' effort. They had representatives gather and I heard that there has been improvement, so I will give the floor to Romania to report on this. Romania, you have the floor.

>> ROMANIA: Thank you very much, Madam Chair. Indeed, we had the ad hoc for the revision of 186 and met three times. We had proposals from four regions and agreed on most of the text, but we still had two square brackets that you can see in DT/40.

However, we have made a final try and we have an informal meeting with all the regions yesterday, and we are pleased to say that we have reached a final text. So, if we could edit the text now, you can delete the text in square brackets. And in the Resolves' part, point 3, after the ITU-D study groups, we can edit "in close collaboration with the ITU-T." It doesn't show as track changes but -- yes, that. In close collaboration is the compromise that we made.

>> CHAIR: Thank you, Romania. That is the compromise?

>> ROMANIA: Yes, we have added in close collaboration and deleted text in square brackets.

>> CHAIR: Thank you so much. With this addition, I now open the floor for any comments. Cote d'Ivoire, you have the floor.

>> COTE d'IVOIRE: Thank you, Madam Chair. Thank you very much to the Chair of the ad-hoc group for this consolidated or compromised version. Now, does this update reflect our idea to say that when the T-Sector works on issues regarding consumer rights that we take into account everything to do with the consumer rights that are reflected, because we were saying that the director of the TSB, when they engage in work on consumer rights, and here we say that ITU-D, that ITU-D continue to work on consumer rights in close collaboration with the ITU-T Sector. Is it the same idea? Thank you.

>> CHAIR: Thank you, Cote d'Ivoire. Egypt, you have the floor.

>> EGYPT: Thank you very much, Madam Chairwoman. Good morning, colleagues. First of all, extending my thanks to the Chair of the ad hoc for the proposed compromised text. We believe that yet indeed the idea of close collaboration between the ITU-D and the ITU-T plausible, I think it's a different thought and different idea from the key idea proposed in the square bracketed text. I would suggest as a way forward and in the spirit of compromise to perhaps propose an alternate slight modification to the bracketed text. If you can go down, please.

So, the proposal is to consider studying emerging issues pertaining to the international telecommunication/ICT services, in particular those that are transboundary in nature and develop appropriate recommendations. That's it. And develop appropriate recommendations, and stop there, as a compromised text. Thank you.

>> CHAIR: Thank you, Egypt. What I understood from the Chair in the regional group discussions, this has been already considered. Anyway, I will give the floor to the ad-hoc Chair to give us a clear explanation on this. Romania, you have the floor.

>> ROMANIA: Thank you very much, Madam Chair. Indeed, we had many discussions on it paragraph. It was actually the most discussed paragraph in all of our three meetings. We did not find consensus on what the TSB meetings when it comes to consumer protection, and that is why we -- the only solution we could find to accept this text without the square brackets with the addition that I proposed earlier. I don't think a discussion in the ad hoc would -- we had, I mean we accommodated, and we could not agree at all on this paragraph. I could see no consensus on this one.

>> CHAIR: Thank you, Romania, for the explanation. I have two more -- three requests. Mexico, Cote d'Ivoire and Russia. Mexico, you have the floor.

>> MEXICO: Thank you, Madam Chair. Just like the Chair of the ad-hoc group just explained, this text was discussed a lot in the group. There was no thought consensus on exactly what the role of ITU-T should be on issues to do with consumers and it was agreed that the D Sector should continue to lead the work of this group, and that this would be done in very close collaboration with the ITU-T. We recognize that in the study groups of the T Sector, they are getting in studies and work on consumer protection on different issues and one of them is OTTs. However, we do believe this should continue to be spearheaded by the D-Sector in order to avoid duplicating any work.

Regarding the text that was agreed where we agreed to eliminate what was in square brackets. We believe this is a text that should rather go to, (a), WTSA. Because the text should need to be more general, we're talking about high-level resolutions and they need to be general; and of course. We can't include anything from other sectors without being too specific. Thank you.

>> CHAIR: Thank you, Mexico. Before anyone takes the floor, I would like you to ask you to keep in mind that there has been a lot of discussions on this, and to remove the square brackets. This has been their agreed text, so I kindly ask you to consider that point.

Cote d'Ivoire, you have the floor.

>> COTE d'IVOIRE: Thank you, Madam Chair. We wish to seek a compromise at this meeting. We believe issues to deal with consumer protection are important for the D-Sector and if the D-Sector we already have links with the other sectors. Of course, on intersectional work, so that's the goal, of course that's what we want, consumer protection, and we want this work on consumer protection to be supported by appropriate technical sectors, in particular when comes to standards, just like we're currently doing today with cybersecurity by design, for example, and working with certain equipment to take account. So that's idea, and if it's acceptable for the participants and distinguished delegates in the room, we would be prepared to work toward that. Thank you, Chair.

>> CHAIR: Thank you. Russia, you have the floor.

>> RUSSIAN FEDERATION: Thank you very much, Chairman. We wanted to thank the Chairman of the ad hoc. We took active part in these specific discussions on this issue and on the reference to Resolution 22. Generally speaking, we supported the Plenipotentiary Conference Resolutions covering the work of all sectors if those sectors are indeed involved in carrying some task or the other.

As to the matter of the standardization sector in particular, of course we include -- we would support the inclusion of this in Resolution 196 because we have Resolution 84 in that sector, which specifically stipulates that the standardization sector should be involved in the issue of protecting consumers and consumer rights.

We haven't truly heard any reasons why this activity should not be included in this resolution, but of course we don't want to hold the work up. I just wanted to draw attention to the fact that in the Plenipotentiary Conference resolutions, we don't exclude the standardization sector, neither do we overemphasize it. So perhaps the WTSA needs to look at this question again. What we don't want to do is come up against a problem where an argument is going to be put forward to the effect that, oh, but this is what the Plenipotentiary Conference decided. At the moment, the Plenipotentiary Conference does not decide whether the standardization sector is going to deal with this or not. That's our position. We would also like to ask the Chairman again why we still haven't taken away the square brackets about Resolution 22 in the Recalling section. We consider that this resolution plays a very important role in protecting the rights of consumers and users. Thank you.

>> CHAIR: Thank you, Russia. UK, you have the floor.

>> UNITED KINGDOM: Thank you very much, Chair. I am not going to get into the details of the discussions that were had over several ad hocs and meetings over the past week. This is just to echo the point that you have made, the point made by the Chair of the ad hoc delegate from Romania and the points raised by my colleague from Mexico, the CITEL Lead, and speaking as the CEPT Lead for this resolution, The compromise that is set before this Committee here was extremely delicate to achieve through many, many discussions and extremely difficult. It would be difficult for us to undo the work, the delicate work that we did over the past week and return to matters of mandate which we believe would be better suited to bring to the WTSA and to discuss there. Thank you.

>> CHAIR: Thank you, UK. Romania, you have the floor.

>> ROMANIA: Thank you, Madam Chair, for giving the floor again. I would like to state that indeed the discussions are very -- I mean there was no consensus as to what the TSB can do, and we established that there is a lot of work in TSB that has implications for consumer protection service, but the two sides could not agree on this, and the only, obviously not everybody got what they wanted, but the compromise we reached was something that everybody agreed that can work. And to respond from the distinguished delegate from the Russian Federation, it was stated in the study group that the reference to Resolution 22 is linked to the second square brackets that instructs the TSB Director, but actually Resolution 22 is WTDC resolution, while the second part was instructing the TSB Director, and so we considered that these are linked, and that's why they were both in square brackets, and that is why we removed both of them when we reached the compromise. Thank you.

>> CHAIR: Thank you, Romania. Yes. I see more requests, but before you take the floor, I want you to remind that you heard the ad hoc chairs. There has been several discussions on this. I want to ask your understanding to approve this document without the square brackets as the ad-hoc chairs, so that is my proposal. So, before you take the floor, please consider that point. Cote d'Ivoire, you have the floor.

>> COORDINATOR OF AFRICAN GROUP: Thank you, Chair. I'm speaking as the Coordinator of the Africa Group for this discussion. I'm not participating as Cote d'Ivoire. Now, in terms of the African proposal that was included in this revised resolution, we believe that it remains relevant and when the Chair of the ad-hoc group tells us that there were discussions, there was outreach. Well, that's proven otherwise while I didn't see any invitation extended to the African Group to attend the discussions.

Having said that in terms of logistics and the way we are drafting a resolution here, when you saw it in the recalling, to achieve a resolution, it goes without saying that in the provisions, you include the BDT, an that's what we've done. Nevertheless, if you say that you're looking for a resolution and then say we don't need to include the BDT; well in that case, we need to look at it because what's been put in the Resolves is something that exists, so total across the BDT works in close relationship with the T-Sector and they have helped the BDT with the resolution to help it evolve. So, when work is being carried out in the T-Sector, especially on consumer rights, it's necessary for them to take account of this. An entire region has put a demand on the table that we wish to add, so I think we really have some questions to ask ourselves here. Thank you.

>> CHAIR: Thank you, Cote d'Ivoire. I just checked with our Vice-chair from African Region, there has been African Region involved in the discussion that we sent invitation to the African group, so there has been informal discussion that Africa was involved, so please check with your region again. Thank you.

And then Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chair. First of all, on the collaboration between the two sectors, I don't see any harm for that. The consumers for user protection, it's not specifically for ITU-D, it's entire Union. So, you have two solutions. Either, we agree with what you said, take it as it is, or delete that. Chairman, delete that, doesn't help. If it doesn't help, you take it, don't take it. So, there is difficulty, you say the ITU-D lead the work, but since you have proposed as a matter of consensus to keep it as it is, we take it your suggestions and we support your suggestion. But if there is disagreement, you delete the entire text, that text, that particular text, and do not because that we don't go anywhere from that. Thank you.

>> CHAIR: Thank you, Iran. Before I give the floor to Egypt, may I ask the interpreters to give us 10 more minutes to finish agenda item.

>> INTERPRETER: Yes, Chairman.

>> CHAIR: Thank you. Egypt, you have the floor.

>> EGYPT: Thank you very much, Chair. Not to be persistent; however, I believe a compromise should be a compromise. A compromise is something in the middle between different opposing views. We don't see any compromised text here. Again, we're not against the ITU-D to lead in cooperation with this or with that. This is one fundamental idea. We're not against that. This is important, and the ITU-D should continue working on these aspects. Absolutely. If it's this particular mandate in collaboration with all relevant sectors, this is again, it strengthens the work of the Union, so this is a fundamental idea, team work, this is something very good. This is one key idea. This has nothing to do with studies being conducted in the T Sector to check to advance aspects related to combating aspect that would compromise consumer protection. These are totally different ideas. We don't see the compromise. Where is the compromise? It's as if even mentioning the standardization sector is success in itself. This is not the point, ladies and gentlemen. Thank you.

>> CHAIR: Thank you, Egypt. You have the floor.

>> QATAR: Thanks, Chairwoman, Chairlady. What I propose here is to have one more discussion regarding this resolution, can be informal discussion with the coordinators, and then the ad-hoc meeting Chairman can come with the final one, so we can agree on final text. Thank you.

>> CHAIR: Thank you, Qatar. Our way forward is that we try one more time, but the deadline is before our Committee 5 this afternoon, so I will give Romania ad hoc Chair to the floor. Romania.

>> ROMANIA: Thank you very much, Madam Chair. I am available for another consultation on this, we will try immediately after this meeting, I ask all the delegates interested in this to meet, and I will be here and I am available for any other discussion we might have. Thank you.

>> CHAIR: Thank you, Romania for your hard work on this, and dedication to all your work on this.

So, now I will close the meeting for now, and then we will resume the meeting at 4:00 this afternoon. Iran, I was closing the meeting. Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Yes, madam. No difficulty with closing the meeting. I would like to request legal advisor of the Secretary-General with the representative of the three sectors and with the Chairman of the ad-hoc group dealing with the matter come together to see whether we should have something in the minute of plenary or we put on suspension recognizing (d), and we have another meeting at 1:00 for others so between now and 1:00 we need to have that one and there is a firm request for yourself. I thank you very much for your cooperation and good advice.

>> CHAIR: Poland, you have the floor.

>> POLAND: Thank you, Madam Chair. Just to specify, the discussion on specific topics comes back at 4:00 p.m. here? All right. Thank you.

>> CHAIR: So, have advisors and others meet right after this meeting for 167, and then for 196, the ad hoc Chair said he will be there so you can approach to him and find your right timing for everyone. Thank you, everyone. Meeting adjourned.

(session completed at 4:05 a.m. CST).

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