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>> CHAIR: Good morning, everyone. We'll start our meeting. Good morning everyone, we come to the 7th meeting of Com 5. I hope everybody had a nice break on Sunday.

I welcome everyone in. I'll give it a minute to settle in for everyone.

I think everyone is ready to start. Welcome to our Com 5 meeting.

Our agenda is approved, ADM/38. You can see that on the screen as well. Do I have any comments on this agenda? Brazil, you have the floor.

>> BRAZIL: Thank you, Madam Chair.

Just to point out, that the convener of the Ad Hoc on counterfeit from Brazil is on the way. I would ask kindly to postpone the discussion until a later stage of your session.

Thank you.

>> CHAIR: Thank you, Brazil.

I will see when he comes in. I'll wait until he comes in so we can move on to another. Thank you.

With that comment, do I have any other comments? So the agenda is adopted.

Now I turn to Resolution 182. We have DT/50 on this resolution. I will give the floor to Mexico to briefly update on this document.

Mexico, please.

>> MEXICO: Deana from Mexico, is she here with us? Mexico, you have the floor.

>> MEXICO: Good morning, Chair.

Good morning, everybody.

Unfortunately, Deana isn't here this morning. She had to go back to Mexico for an urgent matter and no one at the moment can update you on this matter. I will pass on the message to Deana and Victor Martinis so we can have this done as soon as possible, Chair.

>> CHAIR: Thank you, Mexico, for informing us. Please convey our sincere thanks to her for conducting this informal discussion. I will give the floor ‑‑ oh, she's coming on‑line! We will give her the floor. While she's connecting, I think we can move to the next agenda first and we'll go back to this resolution.

So we have agenda item 4, this is a New Resolution on encouraging the participation of the industry. I ask one of my Vice‑Chairs, DT/51 on this, please briefly update us on this.

>> Thank you very much, Chair.

Good morning, colleagues, this is in respect to the New Draft Resolution on encouraging participation of the industry and the work of the Union. The Ad Hoc Committee met 7 times, as well as informal meeting. Of course all reports have been presented to this distinguished Committee before now.

The engagements and consultations, and compromise and mutual understanding, the Ad Hoc has successfully worked on this New Draft Resolution and come up with a document that shows the essence and that's acceptable to every interest represented.

Madam Chair, on this platform, I will put on record the teamwork, the courtesy and the energy we shared at the Ad Hoc. The Secretariat support was particularly wonderful and professional. We also drew from the region' experience from our individual participants. It is my pleasure to present a New Draft Resolution, DT/51‑E. It was previously with two square brackets which we have continued to hold informal engagements. Parties have expressed willingness to reconsideration positions in respect to those square brackets. This is our report, Madam Chair.

Thank you very much.

>> CHAIR: Thank you. I know how hard you worked to bring it without square brackets. Thank you. I appreciate it.

I recognize China, you have the floor.

>> CHINA: Thank you, Madam Chair.

Colleagues, good morning. I thank the Chairman of the Ad Hoc for his presentation.

The Chinese delegation has actively participated in the Ad Hoc Group. We also believe that encouraging the participation of industry in ITU activity is important. While it is a good idea, we also think that several parts of this draft requires further studies, and at the current stage we believe that it is premature to draw up this resolution.

First, the unclear definition of industry in the text, which needs to be clarified. Article 19 of the CV lists non‑administration entities for their participation in ITU activities. The first time, state approved operating agencies, scientific or industrial organizations and financial institutions, the second, the communication required the text. Therefore, the industry in the text referring to type 1 or 2 or both? Or any other type.

This is a major issue that we need to figure out.

In chi Chinese, industry has a broad definition covering both sectors and the manufacturing. It has a duel meaning. In fact, in the basic text of the ITU, this word industry has appeared many times. However, it has different meanings based on the context.

For example, Page 418 of the Res17. Strategic Plan, in the 2018 basic text mentioned Digital Transformation of the industry and the public services. Industry here means traditional industry such as manufacturing. Industry involved in ICTs in Res136, and the telecommunication industry in Res137, it refers to ICT‑related communities. Therefore, what's industry mean here? It is obvious had that it is not necessary to include manufacturing in the resolution as it has now.

However, in the New Resolution, academia is not mentioned. It is an important role in the participation of the industry.

In addition, the contribution to standards setting is huge.

While the definition of industry remains unclear, it is quite premature to formulate this resolution.

Second, overlaps between the draft resolution and the existing ones which needs to be verified. As I mentioned before, sector members, associates, academia, small and medium‑sized enterprises are either covered in dedicated resolutions or specified in CS and CV. If industry here means the above types, then they are already resolutions. Why do we need a new one.

What's the relationship between this one and the others? As they are some overlaps or maybe the other resolution needs an update only. All this needs further studying.

Third, some initiatives proposed in the draft resolution has financial implications. In Part 2.2 what does it mean by referring to regular workshops? ITU has already launched workshops promoted in industrial participation. The regular holding of such workshops might have a financial implication which is uncertain. When we discuss the WTPF some delegates are concerned about the possible implication on the ITU budget and we believe that such regular holding of workshop will also have a financial implication. Fourth, in the Constitution, Article 33, in the Convention, Article 33, and the Resolution 169 we also associate members, academia, a small and medium‑sized enterprises for their contributions with clear procedures. We can tell from this drafted resolution there is no provisions regarding the payments, where it sent a message that yes, if the industry takes part in the Conference, they're exempt from paying the contributions or they don't need to pay a fee.

Should we address the participation by the standards of the payment of contributions by sector members, associates, academia, et cetera? This New Draft Resolution has not covered the above issues. Fourth, there is some wrong expressions, in recalling C, Article 19 comes from the Convention and Constitution and in the second insight, the ITU Member States, sector members, associates, including SM Es, academia and other participants in the work of ITU are all mentioned, however, the official types of ITU members, Member States, secretary be member, associates and academia. It is inappropriate to include SME, let alone other participants.

Therefore, based on the ITU provisions, the participation of sector members, associates, academia, the Member States, they're covered. It is inappropriate to mention other participants, because there is no basis and ITU documents has never mentioned such expression, therefore, we think it should be deleted. In light of this, we had different opinions at the Ad Hoc level and we believe that it is premature to draw up this resolution and it is necessary to have more deliberations at the Council level to further clarify the definition and scope of industry and their relationships to SME, academia, sector members, associates. We should also define outcomes of industry participation and initiatives to encourage such participation overlapping with the existing resolutions, and also the financial implication which is also important.

We hope that our comments can be recorded at the Committee 5 meeting. Thank you.

>> CHAIR: Thank you, China.

Ad Hoc has 7 meetings and to my knowledge, China was in the process all the way. This has never been brought up at Ad Hoc Group discussions. At this moment, we should respect all the work has been done by the Ad Hoc Groups. I encourage everyone to only focus on what we have.

China, your comments have been taken note. If you wish, I can put in my summary record, my report, of the Plenary, at this moment, I do not wish to discuss whether we have a resolution or not. I want to focus on the two square brackets.

And to remind everyone, so your intervention should be kept precise and short.

China, you have the floor.

>> CHINA: Thank you, Madam Chair yes, Chinese delegation has participated in the meetings of Ad Hoc Group. As you know, we are a huge delegation. We have to send a lot of our decisions to our capital. This resolution pertains to industry participation. It is a very important issue. What I have said before came from our capital.

Thank you.

At present, we do not agree to submit this prop to the Plenary.

Thank you.

>> CHAIR: I'll reconfirm with the Vice‑Chair, was there any discussion on this and was this brought to your attention? You can briefly explain to us.

>> Thank you, Chair.

As reported, the report of the draft that's been presented to this Committee, it was as agreed by all members of the Ad Hoc and as observed by China, China participated actively in the Ad Hoc Committee. These issues were not outstanding and the issues were the only two square brackets that we have. Thank you, Chair.

>> CHAIR: Thank you, Vice‑Chair.

I recommend at this moment to delete the two square brackets and we submit this to the Plenary.

If China wishes to make any statements to Committee 5, I'll add that to the report to the Plenary.

China. You have the floor.

>> CHINA: Thank you for the explanation from the Chair of the Ad Hoc Group.

Indeed, we have actively participated in the Ad Hoc Group meetings.

As I said, just now, which I said before, it came from our capital. Before our comments were addressed, we do not agree to submit it to the Plenary.

Thank you.

>> CHAIR: Do I have any other views on this New Resolution? I know many of you participated in these Ad Hoc Groups. I want to hear the other views from the room. U.S., Canada, U.K. Of.

U.S., you have the floor.

>> UNITED STATES of AMERICA: Thank you, Madam Chair.

Top of the morning to you.

Madam Chair, we listened to the interventions very carefully and we fully agree with your way forward.

The reason we say so, it is that we do not see a square bracket over the entire resolution. That option and that prerogative was available throughout all of the deliberations. Without such bracket that covers the entire text of the resolution, we are here only to address the two square brackets that you nicely suggested has to be deleted. Having said so, obviously, any Member State can make any intervention, they're sovereign to do so at any time all the way up to the Plenary, and perhaps there is one fix that could help with our colleagues, if we added the word telecommunications/ICT industry globally, rather than the word industry generally, so perhaps we could put that under consideration going forward, to make a global change telecommunication/ICT industry just to focus on the word that the previous speakers have a concern with.

Thank you very much, Madam Chair.

>> CHAIR: Thank you, U.S. Thank you for agreeing with my way forward. Now we have on the table, as U.S. rightly pointed out, we didn't have any square brackets on the entire resolution. My suggestion is still two square brackets and then maybe we could consider like U.S. suggested to put the title ICT, it is agreeable to everyone.

We have those options to consider.

Canada, you have the floor.

>> CANADA: Thank you, Madam Chair.

Good day to all colleagues.

Thank you very much for the comments provided in advance by China, United States.

Madam Chair, I have to express some concern. Certainly by all means every Member State has a right to express opinions. The concern I have here, it is that we worked very hard as described by the Chair of the Ad Hoc, all parties that expressed interest and comments went on the table. There was a lot of discussion a lot of changes, we negotiated a lot, and at the end of the exercise we were a happy group. Everybody was agreeing, we have to use a solid proposal to help the Union engage with the industry.

The proposal from the United States is helpful in the way forward, but I think, Madam Chair, I fully support your proposal to remove the square brackets and send it to the Plenary.

Thank you.

>> CHAIR: Thank you, Canada.

U.K., you have the floor.

>> UNITED KINGDOM: Thank you, Madam Chair. Good morning to all delegates this morning.

Madam Chair, I would agree with your proposal that this text should proceed and the point made by the U.S., Canadian colleagues, there were no square brackets around this text as a whole and the U.K. will fully support your proposal to this text, for it to proceed.

Thank you.

>> CHAIR: Thank you, U.K.

I have China, Spain, Saudi Arabia, if you wish to take the floor on this matter, please do so now, otherwise I will close the list.

Now I have China, Spain, Saudi Arabia, Zimbabwe, Russia and Togo. The list is closed.

China, you have the floor.

>> CHINA: Thank you, Madam Chair.

I do not agree with your suggestions.

We have raised our concerns. Without addressing our concern, we do not agree to submit it to the Plenary.

Thank you.

>> CHAIR: Thank you, China. Your note has been taken.

Spain, you have the floor.

>> SPAIN: Thank you, Madam Chair.

To be brief, in English, we also support the way that you have propose that had we move forward with the resolution.

Thank you.

>> CHAIR: Saudi Arabia.

>> SAUDI ARABIA: Good morning, and thank you, Madam Chair.

The Kingdom of Saudi Arabia had participated in all meetings and carried out all the discussions.

It was clear to us through the discussions that this New Resolution requires more work. It is not mature enough. Therefore, we do not agree with your recommendation, Madam Chair.

We propose that there be a last meeting for discussions in an attempt to achieve consensus between all concerned parties.

Thank you, Madam Chair.

>> CHAIR: Thank you, Saudi Arabia.

There has been a clear deadline, it was on Saturday, 9:00 p.m. This has been submitted to us with all meetings that have took place, 7 meetings and also informal discussions. I think there has been enough time for you to express your opinion and then there has been two weeks for you to consult with your capital. It was very clear from the beginning the Chair of this PP‑22, he especially instructed us to not open DTs at the meetings again, we have to respect all the Ad Hoc Group discussions.

I hear you, but still we have to also follow our working method and code of conduct of our meeting by the PP‑22 Chair. I'll keep that in mind.

Zimbabwe, you have the floor.

>> ZIMBABWE: Thank you.

Our view is given the divergent of views we're getting during this discussion and based on the principle that we work on consensus within ITU, we believe the Ad Hoc Group with your indulgence to reconvene even for 30 minutes to try to iron out these issues.

Thank you, Madam Chair.

>> CHAIR: Russian Federation.

>> RUSSIAN FEDERATION: From a formal point of view, we can't support just removing the square brackets so that they can be then looked at at the Plenary.

I would like to recall to colleagues, that at the last informal meeting, where unfortunately Arab colleagues were not able to be present, we noted that as a minimum the Secretary‑General's instructions is not able to be fulfilled. There was an alternative proposal put forward and our understanding was that here we would discuss this, taking Saudi Arabia's view into account. Given that there is a difference in opinion perhaps it would be a good idea to support our colleagues in Saudi Arabia and Zimbabwe and to spend a bit of extra time on this to resolve these issues on the use of terminology, for example, on industry, in line with what the U.S. has suggested.

We would like to suggest also that we didn't look at the financial implications at the Ad Hoc. Let's be very correct in how we evaluate our work.

Yes, we have made a lot of efforts and we do hope that all voices can be heard.

Thank you.

>> CHAIR: Thank you, Russia.

This request has been remote.

>> CHAIR: Vice‑Chair.

>> We have the coordinator on this topic, let me mention very few points, one, it is that we had several Ad Hoc meetings and informals and everyone in the room had the possibility to attend these Ad Hoc meetings. Concerns raised up this morning by several delegates, we discussed already in our Ad Hocs, and, for example, in the last meeting we had to prepare the text that's now in front of us, also the concerns by China were taken into account, there was always somebody from China representing China and we took them into account and in the last Ad Hoc meeting we agreed on the paper that is now in front of us. By having said that, I think that we have something that we can approve today and just to stress what's been taken into account, everybody had the opportunity to attend and now let's discuss what is on the table now.

Thank you.

>> CHAIR: Thank you, CEPT.

Togo was on the list before and it was removed, now it is back.

Togo is last. Togo, you have the floor.

>> TOGOLESE REPUBLIC: Thank you very much, everyone.

We just would like to make a point at the outset, it is clear that all of the delegations present here are not able to take part in all of the Ad Hoc meetings or all of the informal group meetings for several reasons because of the number of staff they have and also because of linguistic issues.

In the Ad Hoc and informal groups, English is the only working language.

So the second delegations, it is only the Committees at which we can make a contribution and participate. Therefore, the question of knowing whether a delegation was represented or not at an Ad Hoc or an informal meeting, well, with regard to that, I can't see where it is written in the resolution of the ITU that you can't make a comment at a Committee meeting if you haven't taken part in an Ad Hoc.

So Togo believes that as China has stated, that we have to go deeper into this issue.

With regard to the fact that sector members are members of the ITU, we think that perhaps we can add something into this text in addition to what we already have I think that China's views need to be taken account of.

Thank you.

>> CHAIR: Thank you, Togo.

Let me be clear on this: I'm not saying you cannot take the floor or cannot make a comment on this resolution if you're not in the Ad Hoc Group meetings. I'm saying that we all have to respect Ad Hoc Group discussions.

It has been ‑‑ it has not been on the table, the square brackets on the resolution. Now I can give you a compromise option, that you can have one more chance to have informal discussions. Everyone that took the part, take part in the informal discussion. It is the last chance.

In the afternoon, we have our Com 5 meeting, and in that meeting we will consider this one again. The option here is not the whole resolution, that's not on the table, only the two square brackets, then we can consider from the U.S., including the telecommunication/ICT industries, if you can come up with other options, other compromised text, it will be fine. Ad Hoc Chair, you can have another meeting. Please be involved in that discussion, it is your last chance, I made it clear in the meeting, so you have no excuses that you didn't know to take part.

You can find the Ad Hoc Group Chair right after this meeting and then you can continue this conversation and please get back to me this afternoon.

Thank you.

The list has been closed on this. Togo and China, please express your opinions in the informal discussions.

We'll go to the next agenda.

>> EGYPT: I'm sorry, I'm requesting the floor virtually. No one is paying attention to the remote participation.

>> CHAIR: Was that there before?

>> EGYPT: Thank you. I was requesting the floor before your decision. Apologies if I intervened, I was requesting the floor previous to your discussion.

Allow me to express my opinion as well if I may, please.

>> CHAIR: Briefly, please.

>> EGYPT: On the proposed engagement, many Ad Hocs took place and there were many countries expressing opinions and there were some discussions and we reached a very good resolution during our Ad Hocs. In fact, in our very ‑‑ are very important in the ITU activities, it is the technology creator, and we do support their engagement in the ITU activities, but we have to take into account that concerned raised by China, Saudi Arabia, Russia, other country, that we need to focus what do we mean by industry exactly, and we need to focus also on the financial implications. Yes, indeed, there are some resolutions we work on and we discover after that that there are some financial implications we did not pay attention to regarding these resolutions. I believe it is better to have further study on this particular topic. It is very important, we reach a very good text in the previous Ad Hocs and I do agree of the importance and the role of the ITU and we need further study for that involvement in the ITU activities.

I propose that Council that conducts further studies on their involvement, engagement in the ITU activities and in the coming Plenipotentiary Conference we could have a very good text and a very good consensus on this proposed New Resolution.

Thank you, Madam Chair.

>> CHAIR: Thank you, Egypt.

I have still have two requests. I ask you to please take part in the informal discussions since I already closed the list.

Are you still insisting for the floor? Okay. China and U.S. China, you have the floor.

>> CHINA: Thank you, Madam Chair.

At the outset, in accordance with the rules of the PP, without a decision made on the text, all Member States, including countries that had already participated in the Ad Hoc at the Committee level, at the Plenary, still have their rights to provide their opinions on Amendments or revisions of resolutions. This is the right of Member States. It is not something that can be deprived of by Madam Chair.

Therefore, this delegation opposes your decision made on this matter. That is, you said we can only discuss in the informal on the square bracket. As already rightly pointed out by the Egyptian delegation and others, the participation of industry, the definition of industry, the financial implications, as well as the fact that the relation between this resolution and other existing resolutions are all in need of the careful study of the Council. Chairman, this meeting, it is quite obvious we do not have enough time to carry out careful studies, therefore we propose that the Council should be the right avenue, the right platform, to deal with this subject matter. We cannot develop such a resolution without careful studies because this is irresponsible.

In all in, the Chinese delegation will participate in the work of the Ad Hoc, however we cannot agree with your decision that is to not make any comment of revision on the rest of the resolution apart from the two square brackets or that we cannot ask to withdraw this resolution.

I thank you, Madam Chair.

>> CHAIR: Thank you, China.

We're not denying the Rights of Member States here.

This is a question of us finishing our work in the time. You can express your opinion, others that took place in the Ad Hoc like you have expressed their opinions. I have given you a chance to discuss one last chance to discuss about this until our next meeting.

U.S., you have the floor.

>> UNITED STATES of AMERICA: Madam Chair, I never question the decision of the Chair. I never do.

It may not be procedurally possible, the reason is that the Revision of DT/51 has to be available in all six languages for us to be able to discuss it at the Com 5 level. I don't think it will be available for your meeting this afternoon. As you suggested.

Procedurally, Madam Chair, the Revision of DT/51, it has to be available in all six languages in order to satisfy all the colleagues in the room, and I don't think that document would be available until tomorrow.

Thank you very much.

>> CHAIR: Thank you, U.S.

If you simply delete the square brackets, it is possible.

Okay.

Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Chair, good morning, good afternoon, good evening, everybody.

We support the viewpoint of the distinguished people of the Republic of China. Every Member State at the level of the Committee and at the level of Plenary has full right to come back at any point and there is no matter of informal, informal group is good perhaps but that does not release or relieve the right of Member State to raise any point to the level of the Committee. If you have no time, we don't approve the resolution. We could not rush to approve something and not to allow full discussions on the matter.

Thank you.

>> CHAIR: Iran, I'm giving a chance to give a discussion one more time. I'm not questioning your right to express your opinion here.

Romania, you have the floor.

>> ROMANIA: Thank you very much, Madam Chair.

Just wanted to point out the fact that we have been discussing about a draft resolution on this issue also for WTSA. When we discussed this in WTSA we said it is better for the Plenipotentiary Conference to take such a decision. We haven't been discussing about this for three week, we have been discussing about this issue for more than six months.

With regards to the informal that you mentioned, that was one of the questions, will it be an Ad Hoc before the next meeting, or is it just an informal discussion, one final chance to try to have an agreed text between all parties? I believe we all have the chance to do that. We have had a chance in the Ad Hoc, and, of course, everybody expressed their opinions. We have, of course, also the chance in the Committee to come back to issues. It is not really fair to the discussions that have happened in the Ad Hoc, but we have the chance.

Thank you.

>> CHAIR: Thank you, Romania.

It will be an Ad Hoc, it will be on the screen. You will be given the room.

This is the last chance to discuss one more time before we have our afternoon session. I'll deal with this in the same manner as all other resolutions, the same manner. You cannot say one thing here and you can ‑‑ you can't say for the other resolutions other things. Please keep that in your minds.

Let's move to Resolution 182. We'll give you the floor to explain DT/50, Ms. Deana Gomez from Mexico. You have the floor.

>> MEXICO: Thank you, Madam Chair.

Good morning, everyone.

I'm glad to present DT/50 on Resolution 182 on the role of telecommunications/information and communication technologies in regard to Climate Change and the protection of the environment.

After several meetings of the Ad Hoc Group I'm glad to inform you that we finished the resolution and I present the document without any square brackets for your consideration. I just want to thank you, the ITU Secretariat for all of the support and all of the participants in all of the meetings that we have had to finish the revision and agreed in the final text for the Revision of Resolution 182.

Thank you very much, Madam Chair.

>> CHAIR: Thank you, Mexico, for your hard work on this informal discussion to lead these 182 discussions.

Now we have a text. There is no square brackets. Now I open the floor for any comments on this one.

I see no requests for the floor. DT/50, revised Resolution 182 is adopted.

Thank you, U.S., I hope you're not reopening this one.

U.S., you have the floor.

>> UNITED STATES of AMERICA: No, Madam Chair. I wanted you to adopt this resolution.

I would like you to consider, simply to consider, the following comments maybe for inclusion in your report. It is your report, nobody has the right to object to it. I would like to make an observation, Madam Chair, that since 2010 Guadalajara, this resolution, 182, it is the most expensive resolution for the Plenipot to produce based on the sheer number of pages, multiply 2500,000 pages and you can figure that out. In fact, the fact that it has so many number of pages is contrary to the efforts of Climate Change I believe.

Madam Chair, I kindly ask you to consider in your report to make an observation inviting Member States to continue to streamline this resolution toward PP‑26. I have noticed, in fact, Madam Chair, that they have made a sincere effort in this Plenipot and they have reduced it by a page and a half. It has a number of errors that I will forward directly to my good friend, to the Editorial Committee, but I would like you to consider, Mr. Rissone, to invite Member States to continue to streamline this resolution in order to assist on the Climate Change.

Thank you.

>> CHAIR: Thank you, U.S., your point has been taken. You can provide a U.S. statement and I can put in. You want me to put in the simple text? Okay. I will consider that point. Thank you.

Let's come to draft resolution 188, since we have the Document DT/52. I will go to Brazil to quickly explain to us.

>> BRAZIL: Thank you, Madam Chair, for giving me the floor.

As a result of the Ad Hoc Resolution 188 and 189, it took a total of four session, we have managed to revise Resolution 189, approved by Com 5 and we have three other sessions that we have used to revise 188. The results of our decision is contained on DT‑52 and we see results in annex 1 of this DT that's shown on the screen right now.

Certainly, Madam Chair, we were not able to take out the brackets and I will have to have to give you two brackets on this revised resolution. We have the first bracket that is referring to adding the Resolution  96 of WTSA dealing with counterfeit and also a bracket on the revising recognized E on the same resolution, 188. They both deal with the same topic, since Resolution  9 6 has the same language contained on recognizing E, so as my suggestion to the Chair and based on discussions we have had on the Ad Hoc I would suggest two options for dealing with this problem right now: We can accept both the changes and this is on recognizing, it would include the revised text, recognizing E, or we could draft both the brackets and the text on recognizing E that would result on not adding the Resolution  96 of WTSA and also reverting back, so to have a recognizing E. Of course, we should keep other tracked changes that we have on this document because they were ‑‑ that we had a consensus of the meeting.

Saying that, I would like to take the opportunity to thank you at this Conference, all of the members for the spirit of collaboration, reaching a lot of consensus on the square brackets and of course the Secretariat for.

Thank you, Madam Chair, for giving me the floor. That's enough. Thank you.

>> CHAIR: Thank you. I know you worked hard to remove those square brackets. We still have two square brackets but we'll proceed with that, I will try.

To remove the square brackets, that means that we don't have a new one so we revert back to the old E. With that suggestion, the text in the square brackets is removed. For E, we revert back to the old text.

Do we have an agreement on this.

Take the floor only if you have objections.

I see two requests. Okay. Please remind you, let me remind you, that you don't have to repeat yourself, that you have been expressing yourself in the Ad Hoc Groups.

If you still wish to take the floor, Canada, U.K., UAE, Russia.

So first, Canada, you have the floor.

>> CANADA: Thank you, Madam Chair good day to all colleagues on behalf of CITEL, it is our position to support the text in brackets. We believe it is fully in line with WTCE resolution, the text is well aligned, we believe this is very good compromised text which we fully support.

Thank you.

>> CHAIR: Thank you, Canada.

U.K., you have the floor.

>> UNITED KINGDOM: Thank you, Chair.

I'm speaking for CEPT. Forgive me for taking the floor. This is a sensitive issue, I just wish to have a complete clarity in case I misunderstand some element.

Madam Chair, you are proposing that recalling F, the new recalling F will be deleted and will not be present, and that recognizing E will be in the form as was agreed previously so that there would be no change to recognizing E.

Thank you, Chair. It is very important that we understand this carefully because misunderstandings will be very difficult. This has been a very difficult discussion so far. We're very grateful to our Ad Hoc Chair. We regret it has not been possible to find compromise on this sensitive text. There are strenuous efforts by many people of this and it is unfortunate that we cannot make any progress, particularly on the recognizing E, which is troublesome text for some years.

Thank you, Madam Chair.

>> CHAIR: Thank you.

Can I take your comment as a support of deleting F and then going back to old E? U.K., you have the floor.

>> UNITED KINGDOM: Thank you, Madam Chair.

We do respect your decision on this. It is not the outcome we were hoping for from this entire process, but in the circumstances then we acknowledge that the Chair has made a very wise proposal and as ever, we're keen to support the Chair's proposals at this Conference.

Thank you, Madam Chair.

>> CHAIR: Thank you, U.K.

Russia, you have the floor.

>> RUSSIAN FEDERATION: Thank you very much, Madam Chair.

After the clarifications we have had from our colleague from CEPT, we're also ready to support the proposal, to not include the resolution, the reference to the resolution and also to leave in the previous E. This is a difficult compromise we have reached and we're ready to go into the Plenary meeting with this compromise.

Thank you.

>> CHAIR: Thank you, Russia.

So let me try once again.

My suggestion, it is to remove the new recalling of all of the text inside of square brackets and then recognizing E, we removed the new text inside of brackets and reverted back to the old text. With that, I ask your agreement on this to approve this revised Resolution 188.

I see no requests.

Thank you, everyone.

This DT/52 has been approved.

Let's turn to our Ad Hoc Groups on MoUs. We did not have any DTs on this one.

I'll give the floor to Australia to update us on ‑‑ oh.

We have one more resolution before that.

Excuse me.

Agenda item 6, Draft New Resolution, we have DT/74, the business continuity management for the business continuity management for period of 2023‑2026. So the Vice‑Chair, Malaysia, you have the floor.

>> I'm happy to report that we have a New Resolution on business continuity with the Ad Hoc Group, had meetings and we met on Friday to discuss and consider this New Resolution. This New Resolution has come through informal consultations and we have before you today the text with no square brackets. I'm happy to send this document DT/74 for the approval.

I would like to thank very much the members of the Ad Hoc, particularly the proponents of this New Resolution and the U.S. for carrying out the informal consultations as well as Regional Coordinators for enabling us to come up with a consensus New Resolution on business continuity. I would also like to acknowledge and thank the Secretariat for the excellent work in assisting the Ad Hoc.

Thank you very much. We have a New Resolution on business continuity for the consideration of this Committee.

Thank you.

>> CHAIR: Thank you, Malaysia.

I hear you are losing your voice like me. You worked hard on your two Ad Hoc Groups, I appreciate all of your hard work.

Thank you to everyone. We have a New Draft Resolution without square brackets in front of us.

I now open the floor to make any comments on this one.

This is a good sign.

No one is requesting for the floor.

Com 5 is going to approve the draft new regulars illusion on the ITU business continuity management for the period of 2023‑2026 as it is in DT/74. Approved.

Thank you, everyone, again.

I now turn to the Ad Hoc Group on the MoU. We have DT/64, including the results of the Ad Hoc Groups. I would give the floor to Australia to explain this.

>> AUSTRALIA: Thank you, Chair.

Following six Ad Hoc discussions and an informal discussion as well, the proposed way forward on MoUs is outlined in the document, it is that the Committee agreed to no change to Resolution 100 on the role of the Secretary‑General as a depository for memorandum of understanding, no New Resolution on MoUs and we have included in ‑‑ I have included in our report some proposed text to include in your Chair's report.

There are two paragraphs of proposed text, one was agreed at the Ad Hoc, the second remains in square brackets. It was the view of the Ad Hoc that there was a scope to support the second paragraph but that consultations within Regional Groups were still occurring and so the proposition is that we would ‑‑ we would put the second paragraph to Com 5 and see if it can also get agreed. Thank you, Madam Chair.

>> CHAIR: Thank you, Australia.

I really appreciate you took this role in the last meeting, I thank all Ad Hoc Chairs, you kindly agreed on this. I also appreciate everyone involved in this discussion, in the discussions to the resolutions.

Now I understand, we have no changes to Resolution 100, and then we do not have a New Resolution in the MoU. We have a text to include a Chair's report on Committee 5. You can see that text at DT/64. Now I open the floor for any comments on this.

China, you have the floor.

>> CHINA: Thank you, Madam Chair.

As for the MoU, we had long discussions at the Ad Hoc, many, many states took part in such discussion. We note that in the DT/64 it has not fully reflected the discussion outcomes, in particular the square brackets. We remember that there were two comments, two options, however, the text only shows option 2. Option 1 in particular, the part 5 has not been reflected in the square bracket.

Account Chairman of the Ad Hoc clarify on this? Thank you.

>> CHAIR: Thank you, China.

I give the floor to the Ad Hoc Chair, Australia, to clarify this discussion. Australia, you may have the floor now.

>> AUSTRALIA: Thank you, Madam Chair.

At the Ad Hoc, there were two options under development. Option 1, there were a number of states and representatives in the Ad Hoc who did not support option 1 going forward on the basis that we were too far from consensus on option 1. I put to the Ad Hoc that in my report, option 2, with the square brackets around the second paragraph, my understanding, it was that we were in agreement to proceed on that basis.

As I say, option 1, we ‑‑ it was clear concerns with the additional text in the Ad Hoc in my view and ‑‑ and in light of the fact that we have had 6 Ad Hocs and an informal, I don't think that there were prospects that we could resolve in Com 5.

I have only included option 2 in my report.

Thank you, Madam Chair.

>> CHAIR: Thank you, Australia.

China, you have the floor.

>> CHINA: Thank you, Madam Chair.

I also thank the Chairman of Ad Hoc for his clarification, however we believe that all comments from the Member States at the Ad Hoc level should be transmitted to the Committee through the Chair.

We wish to express that as for the signing of the MoU we have some concerns. China continues to support ITU in making and promoting decisions based on 2018, therefore we agree to most parts of this DT document. However, the proponent of the new proposal mentioned that for older MoUs that are effective or will be effective, all of them should be reviewed by the Council. We believe that at the PP this issue needs to be clarified in order to increase the transparency of PP‑18 and its feasibility.

First, the implementation of PP‑18 should only target on the future MoUs to be signed by the ITU rather than the existing or the already reviewed MoUs at Council. We believe it needs to be stressed in the document.

Second, at the ITU Council meetings, before the MoU is assigned, the Council should have a review. This is because administrations may have already had HR and financing arrangements before the MoU is signed.

If the MoU is not signed, the MoU, the implications is on the host countries, we hope many states can bare that in mind, therefore, we think that we add option 1, that's in the square bracket for our further discussion.

Thank you.

>> CHAIR: Thank you, China.

We'll discuss the report to the Plenary minutes, and before that lets clarify do we agree on not changing Resolution 100? When you take the floor, do you object to this? So I see no request. We agree to the no change of Resolution 100.

There has been New Resolution discussed on the MoU, but it has been withdrawn. Do we agree to not have any New Resolution on MoU? If you have any objections, you can request the floor now. I see no requests.

This Com 5 agrees not to have a New Resolution.

Now, it is the text that we were discussing to provide a summary report as a Com 5 to the Plenary.

There is a text that all of the MoUs in the Plenipotentiary Conference adopts and maintains the decision of the Plenipotentiary Conference contained in the minutes of the 6th Plenary meeting on MoU with substantial financial or strategic implications. This text has been agreed. There is a square bracket on the second text. This was ‑‑ I remember that Africa regions, they needed more time to consider these options and I now hear that China, there's another second option that's been discussed.

The second option, it is DT, so if, China, if you can provide us what was the second option then we can discuss it at this level.

China, you have the floor.

>> CHINA: Thank you, Madam Chair.

I can speak in English regarding option 1, the part we want to include in the square bracket.

>> CHAIR: China, please ‑‑

>> CHINA: This is option 1, which is for the avoidance of doubt, references to the prior approval in the PP‑18 decision means approval prior to signature and only applies to MoUs since the last ordinary session of the Council.

Yes, this is section 5 from option 1 since the last Ad Hoc Group.

Thank you very much.

>> CHAIR: Thank you, China.

We have that in square brackets, please, for that text as well, Secretariat.

Any comments on those square brackets?

U.S., you have the floor.

>> UNITED STATES of AMERICA: Thank you, Chair.

These edits were discussed during the Ad Hoc extensively, an entire New Resolution was first considered along with a potential merger into Resolution 100, after we were unable to reach consensus on those items we looked towards a Chair statement, we considered extensively the text on the Chair's statement, considered several options and at the end of the Ad Hoc concluded we should only send option 2 to Committee 5 with the option on the second paragraph as other members consulted with their regions. There was not support for this third paragraph here and the United States opposes the inclusion of the third paragraph in the statement you end up to Plenary for decision.

Thank you.

>> CHAIR: Thank you, U.S., for the explanation.

I will take the same manner for the statements to the Plenary as well.

If we agree to delete all the square brackets, then we have the one sentence going to the Plenary as you see on the screen. Do we agree to send this only one text to the Plenary included in my report? If you object my decision, please take the floor.

I see no objections. We'll have only ‑‑ China, you have the floor.

>> CHINA: Thank you, Madam Chair.

We don't quite understand why the comments with the Ad Hoc, that they have already been included in the square brackets and other comments are already in the brackets. This issue has not been addressed yet. We believe that after the Ad Hoc meetings, these are the comments from Member States. Actually, as far as I remember, it is countries from the African region, they have concerns regarding the comment and this morning we have clarified our position. We don't quite understand why the Member States' comments cannot be included in the bracket.

Thank you.

>> CHAIR: Thank you, China.

My suggestion was to delete all brackets that we do not agree on the text in the brackets.

We need consensus on this text in the brackets to include in my report.

My suggestion is to delete all of the brackets. If you wish, we can choose one of the brackets to be included. So far, there was no agreements on which text is to be forwarded to the Plenary.

Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Madam Chair.

I think we could not put contradictory statement in the report to the Plenary. Perhaps you will give some opportunity and a chance whether some element of Chinese colleagues could be included in the text that you want to submit to the Plenary in a softer manner in order not to have contradiction of statement, later on, the implication of this MoU would face serious difficulty. We should think of that implementation, not only the approval of the Plenipotentiary. Maybe you provide some opportunity, some element of the Chinese concerns to be included in the text that you want to submit to the Plenary for inclusion in this.

I think the first series, it is very good, no change to MoU, no New Resolution, but this text I think may be good to see if there is a possibility to cover some of the concern of China which does not currently have problems with this text, we go to China to see what extent we can come up with a compromise of changes or addition in a softer manner in the case that you want to submit to Plenary.

Thank you.

>> CHAIR: Thank you, Iran.

>> CHAIR: We have two square brackets. We heard from the U.S., there has been a discussion at the Ad Hoc level but there was no agreement on this text.

Since we cannot agree on the brackets, the two paragraphs, I will submit only the first paragraphs so without those other two paragraphs. Only the highlighted part will be submitted on my report to the Plenary.

Let me reiterate that.

Do we have an agreement to submit this highlighted part of my report to the Plenary? If there is any objections, you may take the floor now.

I see no requests for the floor. I will send only the first paragraph to the Plenary in my report.

Thank you, everyone.

Now we turn to the outcome of our Ad Hoc Group on Article 48.

We have a DT/70. I give the floor to the U.S. in the back.

Please give him the floor.

>> UNITED STATES of AMERICA: Thank you, Madam Chair.

Good morning to the meeting.

So the Ad Hoc Group on Article 48 has in fact produced a consensus new Plenipotentiary resolution with no square brackets. That's the good news!.

In the end, we have a resolution that addresses the basic principles associated with the indication of Article 48, it contain as common understanding associated with the implications of a later revocation of a previous invocation, so if you go from Article 48 to non‑article 48, and an agreement on how to apply cases where this is improperly invoked or no longer properly applied. The Ad Hoc Group views that as comprehensive way to address the invitation from WRC‑19, and in fact we believe that the resolution is so comprehensive, it is self‑contained, there is no further action required simply for the Secretary‑General to bring it to the attention of the WRC.

You have to bring the implementation of the resolution of the next Plenipotentiary Conference.

In presenting this, I think we should indicate that the Ad Hoc Group met 12 times, 12 times, including a five‑hour Marathon session on Saturday. As you may already surmise by that number of meetings, discussions were extensive and there was complexity and sensitivity to the issues involved.

While we have a consensus document, the content is extremely sensitive. There are many compromises that were made along the way by the various participants and there are many subtle interconnections between the various aspects of this resolution. If we start to pull on any thread of this resolution, it could quickly unravel and undo the delegate balance therein. I strongly advise you and the meeting to take that point into account as we consider the content of the document.

Finally, I wanted to say that throughout all of these discussions there were some regions that were primarily represented by a single representative, it was mainly CITEL, CEPT, RCC and the African Telecommunications Union, and there were other cases where we had multiple active representatives from a single region, APT, Australia, China, Iran were quite vocal and in the Arab region, we had Saudi Arabia, Egypt, the U.A.E.

They were all extremely helpful, they and others were all extremely helpful in contributing significantly to this final result which again I think is a very strong and comprehensive result.

I thank all those who engaged. I thank in particular the BR who sat next to me the entire time and basically unfalteringly supported all of the work throughout this process.

With that, I offer this document to your consideration.

>> CHAIR: Thank you, U.S.

I know where you have been last Saturday. I know where you have been during the last week most of the time. I really congratulate you for all the tremendous efforts to make this resolution without square brackets. Indeed, it is really, really good news.

Like we heard from the Ad Hoc Chair, and then I have emphasized this throughout the whole meeting today, so we should respect our colleague's work.

With that in mind, I now open the floor for any comments.

Before that, we only have 2 minutes left. I see the Working Group Chair standing there. I may need the ten minutes back from you that you had given to us. Smore minutes from you. Thank you.

Russia, you have the floor.

>> RUSSIAN FEDERATION: Thank you very much, Madam Chair.

I want to remove the tension in the room straightaway by saying I'm not proposing any changes to the documents this is a compromise that's delicate.

On behalf of the countries of the RCC, I would like to note we have examined a sensitive, difficult issue for all Member States and it was considered and it was successfully resolved, all of the regional organizations presented proposals in order to resolve this issue. As the Chair mentioned, our last meeting, it lasted more than five hours and it reminded us of the elections for the Pope where people wait for the results and we were happy, very, very happy with the results. A resolution was developed, it's a text that everyone agrees to and is satisfied with, normally in the ITU reaching consensus is something that we always try to achieve, and it is a very good example when no one has spoken and has had their position ignored.

Of course, this is work that we have had to work very hard on, requiring professionalism as well as all of the high qualities we can attribute to.

The Chairman of this group, the wise advice of Mr. Arasteh from Iran has helped us, he proposed very elegant proposals when we came to difficult points.

The main thing I think we need to extract from this, Chair, it is experience of mutual respect and the ability to listen to each other and the opinions of all parties.

Thank you very much to all of the Regional Groups, all of the administrations and all of the colleagues from the BR as well who took part in this work.

Thank you very much to them for the fact we have achieved this. This shows that the Regional Groups can indeed cooperate very successfully in our Conference and this experience will allow us to resolve very difficult issues which stand before our Union. This was an extremely complex issue and it has been successfully resolved and this is a great success for your Committee as well as for the Ad Hoc.

Thank you very much to everyone.

>> CHAIR: Thank you, Russia.

Egypt, you may have the floor now.

>> EGYPT: Thank you, Madam Chair.

Thank you for giving us the floor in your meeting. We would like to concur with our colleague from Russia to thank the Chair and the Councilor of this Working Group and the Member States that participated in this, and the Regional Group, we have reached a delegate compromise to have this output. I see in our meeting on Saturday, we saw your appearance and we would like to thank you and thank all participants and also as mentioned by my colleague from Russia, Mr. Arasteh from Iran has solved a lot of problems for this resolution.

However, Madam Chair, I have one small comment on, this we have noted in Arabic version for this Draft New Resolution there is some mistranslation in III of number II, this may need to be considered in the translation of this document. We would like to draw the attention of this meeting to this.

Again, thank you, Madam Chair.

Thank you for Chair again, councilors, thank you, BR for being with us and the BR.

>> CHAIR: Thank you. That will be considered at the Editorial Committee, you don't have to worry about that.

Thank you. Uruguay, you have the floor.

>> URUGUAY: Thank you very much, Madam Chair.

Very briefly, we would just like to say that we align ourselves with those who have spoken for us and we would like to say that we will present some comments to the Secretariat with regard to the Spanish version of this document so that we can fully represent the agreement that was reached of the group.

Thank you.

>> CHAIR: Thank you, Uruguay.

Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you.

I ask that you proceed with the approval. I have a small comment after the approval.

Thank you.

>> CHAIR: Thank you, Iran. I have members that ask for the floor, I have to give them the floor before we adopt.

Everyone, I know you agree on this, we only have 7 minutes left. If you still request the floor, I still see two requests before we act on this resolution.

U.S., you have the floor.

>> UNITED STATES of AMERICA: Thank you, Madam Chair.

Madam Chair, we would be remiss if we did not recognize the outstanding efforts, as always, of Mr. Arasteh, on this topic and we thank him sincerely for all his efforts as well as the icon Mr. Jack. Madam Chair, I simply would like to hear the beautiful sound of your gavel and clapping.

Thank you very much!

>> CHAIR: Thank you, U.S. I will do that in a moment. Just one more.

Rwanda, you have the floor.

>> RWANDA: Thank you, Madam Chair.

Apologizes to be between you in Annex 2 that moment of adoption of this very important and also delicate New Resolution. We want the meeting to express our appreciation to Jack and also thank you for choosing him to lead such a sensitive issue. The moment we saw that he was in charge, we knew that we will finally get consensus and I would like to thank colleagues, again, on behalf of the African Group who actively participated in these discussions progress, such wonderful progress on this sensitive resolution. Also, in particular, Mr. Arasteh, who we used a lot of his experience and knowledge of the Radio Regulations and he contributed a lot, and also several colleagues, the Bureau, the ITU‑R Bureau and also members that were present in the room to ensure that we make good progress. We witnessed the spirit of compromise and that should actually continue to other subjects that are still outstanding, and really want to appreciate the entire team, Mr. Jack and everyone, and congratulations to all of us.

Thank you.

>> CHAIR: Thank you, Rwanda.

I also agree with you.

If we hadn't had Mr. Jack as my Ad Hoc Chair, it would be even more difficult. I really appreciate you.

Iran, are you still asking for the floor or after the adoption? Iran, you have the floor.

>> ISLAMIC REPUBLIC OF IRAN: Thank you, Chairman.

I said many things about our distinguished colleagues, Mr. Jack, he's a superstar of ITU‑R in relation to all regulatory procedures. Whenever we have a problem, we go to a smiling Jack, he smiles and does everything. On Saturday, we discussed the topics, after two hours, all of them were part of the resolution, having said that, they would like to mention two other names, Madam, that is Alexander from Radiocommunication Bureau and Nelson, another superstar of Radiocommunication Bureau, enormous work they have done. I don't know if Nelson is here or not, if you are, please stand up so everybody sees you, whether Alexander is here, you did enormous work for us, we're grateful to you.

Thank you very much.

>> CHAIR: Thank you.

So now we can adopt this New Resolution.

So Com 5 will adopt DT/70 as a New Resolution. Congratulations, everyone, who worked on this.

Now I give the floor to the BR Director to make a comment.

>> MARIO MANIEWICZ: Thank you, Madam Chair.

I want to thank everybody for the great job done regarding this New Resolution, this is a topic that before the Conference seemed to me one that wouldn't be solved. If you asked me before the Plenipotentiary, I would say this would not be sorted and this would be passed down next year.

Thanks to the Member States that have sent experts to this Conference, which is not usual, I start by thanking them for doing that, and I thank those, to those that are present here, and the superstars that were mentioned so far, glad two are in the Bureau and many glad that those that are among our Distinguished Delegates, Jack, Mr. Arasteh, other representatives from the Member States, I didn't want to name, I will forget somebody and this is always awkward.

The result resulted is good, the resolution is implementable, I was asked to look at what the Bureau had to say about this resolution on feeling uncomfortable about it, being unable to implement it, I don't have anything to say. The resolution works as drafted, it is a good resolution and clearly shows the will of the membership that Article 48 be used properly., trying to avoid misuse or abuse of this Article. Anybody that raised this resolution has this clear as a message. I think that this is a great achievement, these are super sensitive topics, having mill industry stations involved, I never thought it was going to be agreed and I really think that this shows the great spirit that we have in the ITU in general, in the ITU‑R in particular for doing great things together and it has been the case since the Radio Regulations started.

Thank you very much to all.

>> CHAIR: Thank you, Mario. Thank you, everyone.

We have to give the meeting room back to the Working Group Plenary Chair.

Before finishing the meet, I will give the floor to the Secretariat to make any announcements.

>> SECRETARIAT: Thank you very much.

As mentioned by the Chairman of Com 5, we have already the room for the Draft New Resolution on industry participation. Please all interested delegations that wish to continue debating this matter, please meet right after Com 5 closes its meeting from 11:00 to 1:00 this afternoon in Room Mihai.

Thank you.

>> CHAIR: Thank you.

Please keep this positive energy to the Ad Hoc and then we may have a different resolution.

Thank you, everyone. Com 5 is concluded.

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