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Documents of the Plenipotentiary Conference (Kyoto, 1994)

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PLENIPOTENTIARY CONFERENCE (PP-94)

Document 301-E
13 October 1994
Original: English

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 5

SUMMARY RECORD

OF THE

NINTH MEETING OF COMMITTEE 5

(CONSTITUTION AND CONVENTION)

Friday, 7 October 1994, at 1430 hours

Chairman: Mr. L. CHEHAB (Brazil)

Subjects discussed

Documents

- | | | |
|---|---|--|
| 1 | Approval of the summary records of the third and fourth meetings | 178, 193 |
| 2 | Consideration of proposed amendments (continued) | 9, 11, 18, 31+Corr.1,
45+Corr.1, 48,
68, 179, 217, 218(Rev.1),
DT/1 |
| 3 | Consideration of resolutions and recommendations adopted by the Nice and Geneva Plenipotentiary Conferences | 53, 127 |

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their copies to the meeting since no others can be made available.

1 Approval of the summary records of the third and fourth meetings (Documents 178, 193)

1.1 The delegate of Spain requested an editorial correction to paragraph 1.15 of Document 178, and the delegate of Portugal said that he would submit a correction to paragraph 1.21 to the Secretariat in writing.

1.2 Subject to those corrections, the summary records of the third and fourth meetings (Documents 178 and 193) were approved.

2 Consideration of proposed amendments (continued) (Documents 9, 11, 18, 31 and Corrigendum 1, 45 and Corrigendum 1, 48, 68, 179, 217, 218(Rev.1); DT/1)

Article 20 (CV) - Conduct of Business of Study Groups

Proposal USA/9/1

2.1 Withdrawn.

Article 42 (CV) - Provisions for Amending this Convention

Proposal MRC/31/19

2.2 Withdrawn.

Article 4 (CV) - The Council (continued)

Document 217

2.3 The delegate of the United Kingdom, introducing the proposal by the informal group entrusted with the task of producing an amended version of No. 50 of the Convention, said that Document 217 covered the three issues that had been raised: namely, the determination of the number of Council Members, a reference to the four-yearly Plenipotentiary Conference, and the percentage limit.

2.4 The proposal in Document 217 was approved.

Article 7 (CV) - World Radiocommunication Conference (continued)

Document 218(Rev.1)

2.5 The delegate of Mexico, introducing the proposal by the informal group entrusted with the task of producing an amended version of No. 118 of the Convention, said that Document 218(Rev.1) accurately reflected his Administration's original intention in submitting proposal MEX/7/1. In response to the delegate of Benin who queried the reference to "both the agendas" when in fact there was only one, he pointed out that the first sentence of the proposal referred to the "general scope of this agenda" and then to the "final agenda", so it was perfectly correct to mention "both the agendas" in the second sentence.

2.6 The delegate of Viet Nam, pointing out that world radio conferences were now held every two years, wondered which conference would be responsible for establishing the agenda of a conference to be held four years later. In reply, the Legal Adviser drew attention to No. 126 of the Convention, which made it clear that any world radio conference was entitled to make recommendations to the Council on the agenda for a future conference to be held within the following four-year cycle. The Council would then establish the general scope of the agenda four years in advance and the final agenda two years before the conference was held. From that explanation the delegate of Viet Nam said he understood that the Council had to take account of the recommendations made by any conference held during a given four-year period. He therefore suggested that the second sentence of

the proposal should refer to world radiocommunication conferences in the plural, rather than to "the World Radiocommunication Conference".

2.7 In the ensuing debate the Legal Adviser suggested that the words "Both the agendas" could be replaced by "The general scope as well as the final agenda", while the delegate of the United Kingdom, supported by the delegate of Viet Nam, proposed the phrase "Both versions of the agenda", to which the delegate of France objected on the grounds that it gave the impression that two agendas existed simultaneously. She would prefer "The general scope of the agenda and the final agenda ...".

2.8 At the suggestion of the delegate of Norway, the Committee decided to refer Document 218(Rev.1) to the Editorial Committee with a note requesting that it look at the French version on the basis of the United Kingdom's proposal, which met with the Committee's approval in principle.

Proposal RUS/11/8

2.9 The delegate of Russia introduced his proposal which clarified and improved the existing text by allowing world radio conferences to make recommendations to the Council concerning the agenda of regional radio conferences.

2.10 The delegate of the United Kingdom said that, while he had no problem with the proposal in principle, he was reluctant to accept it since sufficient provision for regional radio conferences was already made in No. 38 of the Convention, whereas No. 126 was specifically concerned with the regular cyclical nature of world conferences.

2.11 The delegate of the United States, endorsing the views of the previous speaker, pointed out that WRC-93 Recommendation 1 did precisely what the Russian proposal sought to achieve. Furthermore, she believed that Region 2, for example, would prefer to set its own agenda.

2.12 The Legal Adviser drew attention to No. 126 of the Convention, which stipulated that a world radiocommunication conference was entitled to recommend "items for inclusion in the agenda of a future conference", which could be either a world or a regional conference. Consequently, the Russian point was already covered in that provision already in force.

2.13 The delegate of Russia withdrew his proposal.

Articles 10 (CV) - Radio Regulations Board and 12 (CV) - Radiocommunication Bureau (continued)

Proposal CAN/179/1 (continued)

2.14 The delegate of Canada said that after consulting other delegations she had decided to withdraw her proposal relating to Article 12 on the understanding that there was general agreement that the Director of the Radiocommunication Bureau did not make proposals to conferences.

Proposals ALG/45/1 (continued) and 3

2.15 The Chairman, recalling the debate at the previous meeting, invited the delegate of Algeria to introduce his interlinked proposals ALG/45/1 and 3 together.

2.16 The delegate of Algeria said that, in essence, his Administration had submitted the two proposals in the belief that an administration requesting a review of a finding by the Bureau should not have to go through the same person who had prepared the original finding. Realizing that the present Convention and Board were of relatively recent creation, he would not insist on his proposals if they were considered premature, but his concern still remained and he would welcome further views on the subject.

2.17 The delegate of the United Kingdom said that on closer inspection the Algerian proposals as a whole did not extend the scope of the Board's duties as much as he had feared. However, in their complexity, they tended to introduce a mismatch between the provisions of the Convention and those of the Constitution. Moreover, the Board being part-time, it seemed more appropriate to direct requests for action through the permanent Secretariat in the shape of the Director of the Bureau, in accordance with No. 161 of the Convention. Until more experience of the working of the new Board had been gained, he would prefer to retain the present text.

2.18 The delegate of the United States, reaffirming her previous statement and strongly supporting the views of the United Kingdom, pointed out that existing provisions of the Convention required the Director of the Bureau to submit a report on the activities of the Radiocommunication Sector to the WRC or the Council.

2.19 The delegates of Norway, Sweden, Italy and the Netherlands associated themselves with the views of the two previous speakers.

2.20 The Chairman of the RRB said that Algeria's concern, as he understood it, was to make quite certain that any challenge to a finding by the Bureau would come before the Board. At the time when the Algerian proposal had been drafted, no instance of such a challenge had actually arisen. However, since then, an administration had requested a review of a finding under No. 171 of the Convention and the Director of the Bureau had transmitted it to him within twenty-four hours. It might help to solve the problem if it was agreed that when such a request was made, the original file should be transmitted to the Director of the Bureau, who had the resources to deal with it, and a copy of the request to the Chairman of the Board.

2.21 The delegate of Algeria, noting that the provisions of No. 171 had been unequivocally applied in a specific instance, agreed that it would be desirable for a copy of any request received to be transmitted to the Chairman of the Board. On that understanding, he was prepared to withdraw proposals ALG/45/1 and 3.

2.22 The Chairman noted that proposals ALG/45/1 and 3 were withdrawn.

Proposal ALG/45/2 (continued)

2.23 The Chairman, recalling the debate at the previous meeting, invited comments on proposal ALG/45/2.

2.24 The delegate of the United States, drawing particular attention to Nos. 174 and 180 of the Convention, said that the views which her delegation had expressed on proposals ALG/45/1 and 3 were valid also for proposal ALG/45/2.

2.25 The delegate of the United Kingdom said that he understood the concern that the Director's report on the Radiocommunication Sector's activities might not fully reflect the Board's views. However, recalling his previous comments to the effect that No. 141 of the Convention, which defined the Board's duties, was closely linked to No. 142, which dealt with the Board's expenses, he said that the additional duty of preparing a report would inevitably involve additional costs of some kind. Accordingly, he would prefer proposal ALG/45/2 not to be pursued.

2.26 The delegate of New Zealand opposed the proposal on the grounds that it entailed a new duty for the Board, which would be required to submit a report even if it had nothing of significance to say. When the provisions governing the Board and the Director had been drawn up, the bulk of the responsibilities had been assigned to the Director, together with the necessary secretariat support to carry them out. The Union operated in a spirit of cooperation and openness and at the present juncture he saw no need to introduce additional duties for the Board along the lines suggested.

2.27 The delegate of Norway supported the views expressed by the two previous speakers.

2.28 The delegate of France said that she recognized the merits of proposal ALG/45/2, and asked the Committee's secretariat for an opinion on whether the report on ITU-R activities referred to under No. 180 of the Convention would cover the activities of the Board.

2.29 The Legal Adviser, replying in the affirmative, said that the Director was obliged to report on the activities of the entire Radiocommunication Sector, and should therefore include in his report what the Board wished to see reflected. Furthermore, under No. 174 of the Convention the Director was the Board's Executive Secretary and could be instructed by it, under the Rules of Procedure referred to in No. 147, to include a section on the Board's activities in his report. In addition, the Chairman and Vice-Chairman of the Board were obliged to attend Plenipotentiary Conferences in a consultative capacity; if they disagreed with the Director's report on the Board's activities they would be free to say so and indeed, if the conference concerned so requested, to express their disagreement in writing. Those eventualities had been borne in mind when the relevant provisions of the Convention had been drafted, but it had not been considered necessary to spell them out. It was therefore his opinion that the provision could be left as it stood for the time being, and the concerns expressed reflected in the summary record for future reference.

2.30 The delegate of France, declaring herself satisfied with the explanations given, said that the text should not be amended at the present juncture.

2.31 The delegate of Sweden also preferred no change to be made, for the reasons given by the delegate of New Zealand and others.

2.32 The delegates of Qatar and Kuwait reiterated their support for proposal ALG/45/2.

2.33 The delegate of Benin, while not wishing to take a stand either for or against the proposal, as the concerns expressed were justified, suggested that the best course might be to leave the text unchanged at present, with the summary record of the discussion serving as a useful basis for possible reconsideration of the provision at some future date.

2.34 The delegate of Algeria, reluctantly agreeing to that suggestion in order to enable the Committee to make headway, said that his delegation attached great importance to the Legal Adviser's comments and to the fact that the Director as the Board's Executive Secretary was duty bound in his report to reflect fully the Board's activities with regard to requests for the review of findings including, in particular, all cases in which the Bureau's findings had been queried.

2.35 The Chairman thanked the Algerian delegate for his spirit of cooperation in withdrawing proposal ALG/45/2.

Article 19 (CV) - Participation of Entities and Organizations Other than Administrations in the Union's Activities

Proposal BEN/48/2

2.36 The delegate of Benin, introducing proposal BEN/48/2, stressed that it was important, especially with regard to attracting new members to the Development Sector, to find a more attractive term than "small-m" or the like to designate the entities and organizations referred to under Article 19.

2.37 The Chairman noted that there was no support for proposal BEN/48/2.

Proposal S/18/1

2.38 The delegate of Sweden introduced proposal S/18/1, which was intended to encourage the participation of "small-m" members in Union activities and was fully in line with the entire ITU restructuring process.

2.39 The delegates of Finland, Germany, the Netherlands, Uruguay, Spain, Norway, the Philippines and France supported the proposal.

2.40 Proposal S/18/1 was approved, subject to the alignment of the three language versions.

Article 32 (CV) - Rules of Procedure of Conferences and Other Meetings

Proposal MRC/31/17

2.41 The delegate of Morocco, observing that the discussions currently taking place in the Plenary Meeting demonstrated how important languages were for mutual understanding, introduced proposal MRC/31/17, the purpose of which was to make the provisions of No. 379 of the Convention mandatory, for the reasons given in Document 31.

2.42 The delegates of France, Spain, Kuwait, Jordan and Cameroon supported the proposal, as did the delegate of Algeria, who observed that the introduction of strict rules would save time at conferences, and the delegate of Viet Nam, who welcomed all efforts to improve the Union's working methods at conferences.

2.43 The delegate of Norway, while supporting the principle underlying proposal MRC/31/17, doubted that it was advisable to lay down strict rules when it was almost inevitable that they would be broken, and also that it was wise to make provisions mandatory when they contained terms as imprecise as "in good time". The text should therefore be left as it stood.

2.44 Having called for an indicative show of cards, the Chairman noted that 22 delegations supported the proposal and 11 opposed it.

2.45 The delegate of the United States suggested that in the light of the delegate of Morocco's introductory comments, the Committee should defer consideration of the proposal until the outcome of the Plenary Meeting's discussions on languages was known. The delegate of Morocco replied that his comments had been intended merely to stress the importance of languages, not to establish a link between the discussions taking place in the Plenary and proposal MRC/31/17.

2.46 The delegate of New Zealand was opposed to converting a general and sensible provision, which was always respected to the extent possible, into a mandatory provision which did not allow for the circumstances in which conferences sometimes found themselves and which would greatly hinder conference chairmen from exercising discretion in order to make headway.

2.47 The delegate of the Philippines said that the Moroccan proposal should not be linked to the broader issues being discussed by the Plenary Meeting. While she acknowledged the logic of the Norwegian delegate's remarks, she considered that greater efforts would be made to respect the provision if it was mandatory than if it was not. She therefore supported the proposal.

2.48 The delegate of Spain also expressed support for the Moroccan proposal, which merely sought to reflect what was in fact already standard practice at ITU conferences.

2.49 The delegate of Morocco, pointing out that the indicative show of cards had produced a large majority in favour of proposal MRC/31/17, suggested that it should be approved.

2.50 The Chairman having asked if there were any objections to that suggestion, the delegates of New Zealand, the United States, Norway and the United Kingdom expressed reservations.

2.51 Subject to those reservations, proposal MRC/31/17 was approved.

Article 35bis (CV) - Administrative Regions of the Union

Proposal ARG/68/1

2.52 The delegate of Argentina introduced proposal ARG/68/1 for the addition of new provisions Nos. 495A and 495B to the Convention with a view to defining the Union's five administrative regions, thus drawing a useful distinction between them and the three Regions defined in the Radio Regulations. He would welcome the Legal Adviser's opinion on whether the proposed new provisions would provide a sounder legal basis for the Radio Regulations Board and its members.

2.53 The delegate of Uruguay supported proposal ARG/68/1.

2.54 The Legal Adviser, replying to the delegate of Argentina, said that a slight misunderstanding might have arisen concerning the relationship of the Radio Regulations Board to the administrative regions, which had significance mainly in the context of elections. The Radio Regulations made a distinction between Regions and regions. The Argentine proposal listed the administrative regions, which differed from the three Regions referred to in the Radio Regulations. Once they had been elected, the members of the Radio Regulations Board should no longer have any specific connection with their respective administrative regions, but were required to apply the Radio Regulations in relation to the three Regions established therein. Pursuant to No. 98 of the Constitution, they "shall serve, not as representing their respective Member States nor a region, but as custodians of an international public trust", which duties they were required to perform "independently" (see No. 93 of the Constitution). Traditionally, all mention of administrative regions had deliberately been omitted from the basic instruments because there was a need for flexibility and because political developments might make it expedient to have a number of regions that differed from five. Changes in the membership of the five administrative regions should also be catered for; indeed, the present Plenipotentiary Conference had made such changes by agreeing to transfer several countries from Region C to Region B and one country from Region D to Region E. Moreover the proposed new No. 495A, which was aimed at ensuring equitable distribution among the regions when electing officers to serve at conferences, assemblies and other meetings of the Union and when establishing groups of experts, might prove somewhat restrictive and, for example, prevent the establishment of a group of experts by the Council when a region had no expert to offer in a particular field. He therefore considered it advisable not to adopt the proposal.

2.55 The delegate of New Zealand endorsed the views of the Legal Adviser. The Argentine proposal would take the Convention beyond the treaty level agreements that his Government would be prepared to consider. It would be inappropriate to constitute groups of experts on the basis of geographical distribution since by definition experts were experts wherever they came from. The ITU operated perfectly well under the existing arrangements, with the Plenipotentiary Conference encountering no difficulties in applying the principle of equitable distribution. Consequently, he could not support the Argentine proposal.

2.56 The delegate of Germany considered that it would be preferable not to mention the administrative regions in the Convention in view of political and geographical problems that might possibly arise. He was therefore not in favour of the Argentine amendment.

2.57 The delegate of Norway, after endorsing those comments, drew attention to No. 62 of the Constitution which covered the point made by Argentina. It was thus unnecessary to define the administrative regions in the Convention and, in her view, the proposal should either be withdrawn or, if found necessary, presented as a resolution.

2.58 Responding to a request from the Chairman, the delegates of Argentina and Uruguay said that they could agree to the Norwegian suggestion and would prepare a draft resolution for consideration at the Committee's next meeting.

Article 35ter (CV) - Taking up of Duties by Members of the Council, Elected Officials and Members of the Radio Regulations Board

Proposal ARG/68/8

2.59 The delegate of Argentina introduced his delegation's proposal to add a new article to Chapter IV of the Convention. The figure in ADD 495B had been placed in square brackets to allow it to be discussed.

2.60 The delegate of Spain supported the proposal.

2.61 The delegate of New Zealand pointed out that the proposed No. 495B might conflict with Nos. 7 and 20 of the Convention.

2.62 The Legal Adviser explained that No. 495A was already covered by No. 7 of the Convention. As for No. 495B, elected officials other than the members of the Radio Regulations Board were covered by No. 13 of the Convention, while the members of the Radio Regulations Board were covered by No. 20 of the Convention. In order to avoid any conflict, it would be preferable not to introduce additional provisions; moreover, there were circumstances in which a 90-day rule for the taking up of duties would not be practical and might in fact constitute an unnecessary obstacle.

2.63 The delegate of the United Kingdom pointed out that at previous Plenipotentiary Conferences the desired effect had been achieved by means of resolutions setting out the precise dates on which the changeover should take place. That seemed to be the most efficient way of handling the matter. The delegates of the Netherlands and Germany endorsed that view.

2.64 The delegate of Argentina said that, in the light of the Legal Adviser's explanations, he withdrew proposal ARG/68/8.

3 Consideration of resolutions and recommendations adopted by the Nice and Geneva Plenipotentiary Conferences (Documents 53, 127)

3.1 The Chairman drew attention to Document 127 which listed the decisions, resolutions and recommendations allocated to the various committees by the Plenary. Committee 5 had to deal with Resolutions 53, 54 and 56 of the Nice Plenipotentiary Conference and Resolution 12 and Recommendation 1 of APP-92. He invited the Legal Adviser, representing the Secretary-General, to introduce the document.

3.2 The Legal Adviser said that since the Buenos Aires Plenipotentiary Conference of 1952 a resolution along the lines of Nice Resolution 53 had been adopted by successive Plenipotentiary Conferences because there was a conflict between the United Nations Convention on the Privileges and Immunities of the Specialized Agencies and the definition of government telecommunications as contained in the Annex to the Constitution. Draft Resolution [SG/A31] submitted in Document 53 was identical to the one adopted by the Nice Plenipotentiary Conference except for the words "Kyoto, 1994" in the heading.

3.3 Draft Resolution [SG/A31] was approved.

3.4 Draft Resolutions [SG/A32] (Request to the International Court of Justice for Advisory Opinions), revising Resolution 54 of the Plenipotentiary Conference (Nice, 1989), and [SG/A33] (Juridical Status), revising Resolution 56 of the Plenipotentiary Conference (Nice, 1989), were approved.

3.5 The Chairman invited the Legal Adviser to introduce draft resolution [SG/A43] (Deposit of Instruments relating to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992)), revising Recommendation 1 of APP-92.

3.6 The Legal Adviser said that he wished as a general remark to point out that, contrary to practice in other organizations, particularly the United Nations, the resolutions, recommendations, etc., adopted by one Plenipotentiary Conference were reviewed by the next such Conference and any resolution, etc., that was not actually renewed became obsolete. That practice traditionally followed in the ITU was useful and reassuring in that it obliged the supreme organ to review at each of its conferences all the existing resolutions, recommendations, etc., in order to determine which ones should be allowed to lapse (for various reasons) and which should remain in force, as well as which new ones to adopt. He recommended that the Committee should request a delegation, perhaps that of Norway, to take over as its own his suggestion that the Committee should convert Recommendation 1 of APP, (Geneva, 1992) into a resolution. That was because the Geneva Instruments had now entered into force and it would suffice to have a **resolves** clause inviting all the Members of the Union who had not already done so to expedite their national procedures for ratification, acceptance or approval of the Constitution and Convention and to deposit their respective "single instrument" with the Secretary-General as soon as possible.

3.7 The delegate of Spain said that he did not oppose the adoption of such a text; in fact his authorities were in the process of adopting the necessary procedures. However, he considered that the text should remain a recommendation rather than a resolution.

3.8 The delegate of Norway said that her delegation was happy to propose the adoption of the text; furthermore, she had been asked by the delegation of New Zealand to state that the proposal had its support. The question of whether the text should be presented as a resolution or a recommendation could perhaps be left to the Editorial Committee.

3.9 On that understanding, draft text [SG/A43] was approved.

3.10 The Legal Adviser, referring to APP-92 Resolution 1 (Document 53), requested delegations to give some thought to whether Members should be invited by means of a recommendation to continue to apply provisionally the Constitution and Convention, which had entered into force on 1 July 1994 between Members having deposited before that date their instrument of ratification, approval or accession. That would provide a sound legal basis for future application. He had prepared a text which he would circulate to interested delegations and which he would request one of them to take over as its own.

The meeting rose at 1740 hours.

The Secretary:
A. GUILLLOT

The Chairman:
L. CHEHAB



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 302-E
14 October 1994
Original: English**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 6

**SUMMARY RECORD
OF THE
SIXTH AND LAST MEETING OF COMMITTEE 6
(STAFF MATTERS)**

Saturday, 8 October 1994, at 0935 hours

Chairman: Mr. S. AL-BASHEER (Saudi Arabia)

Subjects discussed

Documents

1	Management and personnel strategies and priorities (continued)	192, DT/25(Rev.1)
2	Draft resolution relating to ITU staff participation in conferences of the Union	153(Rev.1)
3	Review of Resolution 5 (Geneva, 1992)	53, 127
4	Approval of the summary records of the first, second, third and fourth meetings	114, 158, 175, 189
5	Interim report of the Committee to the Plenary Meeting	171 + Corr. 1
6	Promotion from the General Service to the Professional category	-
7	United States proposal - ITU staff standing for elected office	-
8	Statement by the Chairman of the ITU Staff Council	-
9	Conclusion of the work of the Committee	-

1 Management and personnel strategies and priorities (continued) (Documents 192; DT/25(Rev.1))

Draft resolution on organizational structure and grading in the ITU (continued)

1.1 The Chairman invited the Committee to resume consideration of the draft resolution on organizational structure and grading in the ITU, the revised version of which was contained in Document DT/25(Rev.1). The texts of the **recalling** and **considering** sections having been agreed upon at the previous meeting, he drew attention to the **instructs the Council** paragraphs, the proposed amendments to which were marked up in the text.

1.2 There were no comments on **instructs the Council** 1.

1.3 Referring to **instructs the Council** 2, the delegate of Russia, after drawing attention to his and the Spanish delegation's earlier proposals to insert somewhere a reference to the need to introduce D.2 posts gradually, supported the proposed amendment to paragraph 2 which appeared between square brackets in the text and further suggested the insertion of the word "gradually" at the beginning of the paragraph.

1.4 The delegate of China endorsed the Russian delegate's remarks. The draft resolution would establish guidelines for the application of the principle agreed upon regarding D level posts, in line with the grading standards used throughout the common system. None the less, the ITU had special requirements which should be taken into account. He therefore supported the text in square brackets, which in his view would not in any way restrict the Council's scope of action.

1.5 The delegate of Germany said that while he agreed in principle with the basic thrust of the proposed amendment, he did not consider it appropriate for a Plenipotentiary Conference to place restrictions on the Council by providing such detailed instructions. The Council should be free to decide on the matter as it saw fit and he therefore preferred to retain the original text.

1.6 The delegate of Burkina Faso shared the previous speaker's view: there was no need for the Plenipotentiary Conference to issue specific instructions on posts in the D category, since the Council was equally competent in that regard. Moreover, while he agreed with the Russian delegate that such posts should be introduced gradually, he was not in favour of including a specific statement to that effect in the text.

1.7 The delegate of the United States expressed support for the proposed amendment in the square brackets; it was important for the Plenipotentiary Conference not to give the impression that it was recommending an increase in the number of posts in the D category.

1.8 The delegate of Canada said that her delegation supported the draft resolution on the understanding that posts in the ITU would be classified in accordance with the relevant common system standards. She was in favour of deleting the text in square brackets, which seemed to go a little too far. The Council should be allowed to exercise its judgement as to how the decision of principle should be implemented. The delegate of France endorsed those views.

1.9 The delegate of Japan considered that it was the prerogative of the Plenipotentiary Conference to decide how the decision of principle should be implemented. It was important to provide guidance to the Council in that regard and she therefore supported the text in square brackets.

1.10 The delegate of Cameroon was not in favour of retaining the text in square brackets, which in his view was not in keeping with the basic thrust of the draft resolution.

1.11 The Chairman, summing up, noted that the majority of delegates, while stressing the importance of the decision of principle, considered that the details of its implementation should be left to the discretion of the Council, which was competent in such matters. Furthermore, some delegations sought assurance that the upgrading of posts would take place gradually. He suggested that the Committee should approve the original text, without the proposed amendment contained in square brackets.

1.12 It was so agreed.

1.13 The delegate of Burkina Faso, referring to **instructs the Council 3**, asked for information on the relevant ITU rules and regulations and practices concerning appointments and promotions.

1.14 The Secretary of the Committee referred the delegate of Burkina Faso to the relevant provisions relating to recruitment, appointment, transfers and promotions set forth in Chapter IV of the ITU Staff Regulations and Staff Rules. He explained that following the advertisement of vacant posts in the G and P grades, the most suitably qualified candidates were selected by the Appointment and Promotion Board, in which representatives from all the ITU organs were represented. Appointments to D category posts were decided by the Coordination Committee, which made recommendations to the Head of the relevant Department or Bureau, who in turn would propose a candidate to the Secretary-General for appointment. As for promotion to the D category, in cases where existing posts were upgraded, before making any recommendations to the Secretary-General, the Coordination Committee would ensure that the staff member currently occupying the post was sufficiently qualified to discharge his new duties. Thus such promotions never depended on the recommendation of one person only.

1.15 The Chairman, replying to a further query by the delegate of Burkina Faso, said that the Secretary of the Committee would provide further clarification on ITU practices regarding appointments and promotions outside the meeting.

1.16 The delegate of Burkina Faso suggested the deletion of the phrase "when filling these posts" so as to ensure that the paragraph would be applicable to all ITU posts rather than the D category posts only, as the current wording implied.

1.17 The Chairman suggested that the concern expressed by the delegate of Burkina Faso might be met by deleting the word "these".

1.18 It was so agreed.

1.19 The draft resolution as a whole, as amended, was approved.

2 Draft resolution relating to ITU staff participation in conferences of the Union (Document 153(Rev.1))

2.1 The delegate of France, introducing Document 153(Rev.1) on behalf of the sponsors, said that the aim of the draft resolution was to render official the current practice of inviting ITU staff representatives to attend Plenipotentiary Conferences and Council sessions. Such an arrangement would make for better understanding between staff and management and avoid the type of conflict and tension that had arisen in recent years. Staff representatives were usually invited to attend Council meetings each year, and it was suggested that they should have a standing invitation which would not only build their confidence but also facilitate their preparations for such meetings. Clearly such participation should be on a consultative basis only and would have no budgetary implications.

2.2 The delegate of Germany said that although his country was not listed among the sponsors, it supported the intent of the draft resolution in view of the importance of better cooperation between staff and management.

2.3 The delegate of Portugal, while not wishing to oppose the draft resolution in view of the broad support it had received, observed that the proposals it contained were not in keeping with the practice of management bodies in his country. He nevertheless recognized that the presence of staff representatives could be useful when discussing matters of common interest and would therefore welcome their participation in the relevant meetings on an *ad hoc* basis.

2.4 The delegate of Canada said that as one of the sponsors of the draft resolution, she believed that its implementation would greatly improve relations between ITU staff and management. If the current uncertainties surrounding the participation of staff representatives was dispelled, meetings would certainly be more productive.

2.5 The delegate of the United States sought further details on current practice in the ITU regarding the participation of staff representatives and enquired how it would change as a result of the implementation of the draft resolution.

2.6 The Chairman replied that to date staff representatives had usually been invited to participate in each Plenipotentiary Conference and Council session at the invitation of the respective committee Chairman. The draft resolution was intended to make that practice an official procedure.

2.7 The Secretary of the Committee said that usually the respective Chairmen acceded to the Staff Council's requests to make a statement at the start of each Council session as well as to participate in the relevant committee meetings dealing with staff matters both during Council sessions and at Plenipotentiary Conferences. In the past the Chairman of the Council had also allowed staff representatives to make a statement at the closure of the session. Any changes to that practice would depend on the interpretation of the first indent of the **noting also** section and of the phrase "participate on a consultative basis" in the **resolves** paragraph. The Committee would no doubt provide guidance in that connection.

2.8 The Chairman invited the Committee to examine the draft resolution paragraph by paragraph.

2.9 The preambular paragraphs were approved.

2.10 The delegate of Mexico, referring to the **resolves** paragraph, joined the majority of delegates in supporting the draft resolution but expressed some doubt regarding the phrase "on a consultative basis" which might lead to confusion since the phrase "in a consultative capacity" was used in connection with the participation of the Secretary-General and Deputy Secretary-General in No. 105 of the Convention.

2.11 The delegate of Japan too was concerned that staff participation "on a consultative basis" might be inconsistent with other stipulations in the Constitution and the Convention. She therefore proposed that the phrase should be deleted and that "Plenipotentiary Conferences" should be followed by the phrase "to state its opinion concerning staff matters at the request of the Chairman, normally at the first and the last session of their Committee". In response to a query by the delegate of Portugal, she confirmed that she had in mind the committee dealing with staff matters and the Council, not all the committees.

2.12 The delegate of the United Kingdom, supported by the delegates of France and Mexico, said that the proposed amendment did not materially change the resolution, but clarified it. He proposed, however, that the phrase "normally... session" should be deleted: it was for the Chairman to decide what action to take.

2.13 Following a further discussion on refining the wording of the proposed amendment, to which the delegates of Canada and the Philippines contributed, the Secretary of the Committee read out the revised text. "On a consultative basis" should be deleted and the following phrase added: "to state its opinion concerning staff matters at the request of the Chairman of the Committee dealing with staff matters".

2.14 It was so agreed.

2.15 The draft resolution, as amended, was approved.

3 Review of Resolution 5 (Geneva, 1992) (Documents 53, 127)

3.1 The Chairman said that APP-92 Resolution 5 dealt largely with financial issues and was therefore a matter for Committee 7.

4 Approval of the summary records of the first, second, third and fourth meetings (Documents 114, 158, 175, 189)

4.1 The summary records of the first, second, third and fourth meetings were approved.

5 Interim report of the Committee to the Plenary Meeting (Document 171 and Corrigendum 1)

5.1 The delegate of Russia expressed concern that according to the Annex to Document 171, the sum of 225 000 Swiss francs had been set aside for a post relating to promotion policy. Yet at its third meeting the Committee had decided (Document 175, paragraph 1.11) that existing resources should be used as far as possible in creating the post of career counsellor. That being so, the provision of additional credits would appear to be unnecessary.

5.2 The Secretary of the Committee noted that the Committee had agreed on creating the post "in principle". Naturally any appropriate person already within the Secretariat would be appointed, but otherwise the Council would have to create a new post. The Annex merely established the possible limit, indicating the maximum possible financial implications.

5.3 The Chairman having pointed out that Document 171, paragraph 7, dealt in some detail with the concern that had been expressed, the delegate of Russia said that his objection would be met if the sum of 225 000 Swiss francs in the Annex could be marked with an asterisk referring the reader to paragraph 7 of the document.

5.4 The Chairman said that the draft interim report was improved by the Russian delegate's proposal and that the Committee's consideration of the document was concluded.

6 Promotion from the General Service to the Professional category

6.1 The delegate of Switzerland asked for clarification concerning the financial prejudice suffered by staff members on promotion from the General Service category to the Professional category.

6.2 The Secretary of the Committee said that the Staff Regulations and Staff Rules, which were always fully respected, provided that on promotion from the General Service to the Professional category, in the year following promotion an increase equivalent to at least two steps of the former grade was given. Subsequently, however, because Professional salaries had risen much less rapidly than those of General Service staff, some General Service staff who had been promoted to the Professional category might find after a period of time that their salaries were lower than if they had remained in the General Service grade. Attempts had been made to find a remedy, and the ICSC was apprised of the problem, but thus far no solution had been found within the common system.

7 United States proposal - ITU staff standing for elected office

7.1 The delegate of the United States, supported by the delegate of Canada, proposed that the Committee should take a decision to instruct the Council to amend the Staff Regulations so as to require staff members of the Union to take leave of absence without pay while standing for elected office in the Union, and to resign their post as staff member if elected. The intention was not to discourage staff members from standing for elected office, as very often their experience and

qualifications were much needed. However, it was important to avoid any possible appearance of impropriety.

7.2 Replying to a query by the delegate of Mexico, the Chairman made it clear that the proposal applied only to staff on established non-elected posts, and not to those occupying elected posts, such as the Secretary-General, the Deputy Secretary-General or the Directors of the Sectors. On that understanding, and in the absence of any objections, he would take it that the Committee wished to adopt the United States' proposal.

7.3 The proposal was approved.

8 Statement by the Chairman of the ITU Staff Council

8.1 The Chairman of the ITU Staff Council wished to thank the Committee for the support and recognition which it had accorded to the staff of the ITU. The staff had many problems, such as the one raised by the delegate of Switzerland. All that was needed from the Conference was that it should recognize them. Solutions would be sought with the Council and the management of the Union. The deliberations of the Committee had also shown recognition of the imperfections of the ICSC, which affected not only the staff but also the operation and efficiency of the organization. Those imperfections should be kept under review. He urged Members to bear the problems in mind and bring them to the attention of the United Nations General Assembly, which was the forum where real solutions could be found.

8.2 The Chairman said that the staff formed the backbone of the Union. The approval of the resolution on staff participation bore witness to the Members' desire to cooperate with staff representatives in solving problems.

9 Conclusion of the work of the Committee

9.1 The Chairman expressed his gratitude to the delegates for their cooperation in bringing the Committee's work to a successful conclusion and also expressed his appreciation to the secretariat.

9.2 The delegate of Burkina Faso, to applause, expressed his appreciation of the Chairman's sensitive and successful handling of delicate issues.

The meeting rose at 1110 hours.

The Secretary:
J.-P. BARE

The Chairman:
S. AL-BASHEER



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 303-E
2 November 1994
Original: English**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 4

**SUMMARY RECORD
OF THE
FIFTEENTH MEETING OF COMMITTEE 4
(STRATEGIC POLICY AND PLANS)
Friday, 7 October 1994, at 1430 hours
Chairman: Mr. A. BERRADA (Morocco)**

Subjects discussed

Documents

- | | | |
|----------|---|----------------------------|
| 1 | Strategic plan (continued) | 166, 230 |
| 2 | Status of "small-m" members (continued) | 162, 183, 225, |
| 3 | Financial contributions (continued) | 42, 45 + Corr.1, 67,
85 |
| 4 | Policy matters (continued) | 163(Rev.1), 184 |

1 Strategic plan (continued) (Documents 166, 230)

1.1 The Chairman invited comments on Document 230, containing an amendment proposed by the delegation of Germany to paragraph 41 of the strategic plan (Document 166).

1.2 The German amendment was approved.

2 Status of "small-m" members (continued) (Documents 162, 183, 225)

Draft resolution - Recognition of the rights and obligations of all Members of the Sectors of the Union (continued) (Document 162)

2.1 The Chairman, after recalling that the draft resolution in Document 162 had been introduced by the Vice-Chairman at the Committee's previous meeting, invited delegations to consider the text paragraph by paragraph.

2.2 There were no comments on **considering a)**.

2.3 On a proposal by the delegate of the United States, it was agreed to replace the word "list" by "types" in **considering b)**.

2.4 There were no comments on **considering c)**.

2.5 The delegate of Saudi Arabia suggested that **considering d)** should refer to Member administrations rather than just to administrations.

2.6 It was so agreed.

2.7 There were no comments on **considering e)**.

2.8 Referring to the **recognizing** paragraph, the delegate of the United Kingdom asked whether it might not be clearer to refer to "small-m" members as "non-administration organizations and entities" rather than as "members". The Chairman replied that the term "members" was used in the Convention and should therefore be retained; the matter would, if necessary, be taken up by the Editorial Committee.

2.9 The delegate of the United States suggested that the word "some" should be added before "treaty-making conferences" in the third line of the paragraph.

2.10 It was so agreed.

2.11 There were no comments on the **recognizing further** paragraph.

2.12 With regard to the **resolves** paragraph, the delegate of the United States, supported by the delegate of Uruguay, said that the use of the words "any procedure for decision-finding" prejudged the issue of the type of procedures in which members might participate. He proposed that the text should be amended to read: "to invite "members" to take part in procedures aimed at facilitating ...".

2.13 The delegate of the United Kingdom, supported by the delegates of Germany, the Netherlands and France, considered that the United States proposal removed the substance of the idea underlying the paragraph and said that she would prefer the text to be left as it stood.

2.14 After calling for a show of cards, the Chairman noted that there was a majority in favour of retaining the text as it stood.

2.15 There were no comments on the **instructs the Directors of the Sectors** paragraph.

2.16 Referring to the **invites Member administrations** paragraph, the delegate of Mexico proposed the deletion of the words "and to consult them before any formal vote". He was supported by the delegates of Uruguay, Colombia, Chad, Bangladesh and Qatar.

2.17 The delegate of Sweden, after observing that the paragraph was not mandatory, considered that the text should be left as it stood.

2.18 Following further comments by the Chairman and the delegates of Mexico and the United States, the Chairman, after calling for a show of cards, noted that an equal number of delegations supported and opposed the Mexican amendment. Accordingly, the sentence would be placed in square brackets and the Plenary requested to take a decision.

2.19 On that understanding, the draft resolution as a whole, as amended, was approved.

Draft resolutions - Review of the rights and obligations of all Members of the Sectors of the Union (Documents 183, 225)

2.20 The Vice-Chairman introduced the draft resolution in Document 183, which was based on the one in proposal BEL.../41/2, drawing attention to the differences between the two texts as well as to the amended version of the text in Document 183 submitted by Australia and the United States in Document 225.

2.21 The Chairman invited general comments on Document 183, which should be considered in conjunction with Document 225.

2.22 The delegates of the Netherlands, the United Kingdom, Switzerland and Sweden, who had sponsored proposal BEL.../41/2, supported the new text in Document 183.

2.23 The delegate of the United States, after welcoming the draft resolution in Document 183, explained that the text in Document 225 had been compiled by himself and the delegate of Australia because no substantive discussion of the issue had taken place in Committee 4.

2.24 The delegate of Australia said that he too could support Document 183 subject to the changes suggested in Document 225. One small but important point which needed to be considered was how "small-m" members should be named. Furthermore, it was proposed that the advisory groups, in which both Members and members participated, should be used for the purpose of the review in question.

2.25 The delegate of the Republic of Korea supported the amendments proposed by Australia and the United States in Document 225.

2.26 The Chairman invited the Committee to consider the draft resolution in Document 183, as amended by Document 225, paragraph by paragraph, leaving aside **considering e)**, **recognizing g)** and the **resolves** section until the question of establishing a review committee dealt with in the **instructs the Secretary-General** section had been discussed.

2.27 There were no comments on either **noting a)**, **b)** and **c)** or **considering a)**, **b)** and **c)** as amended by Document 225.

2.28 On a proposal by the delegate of Syria, it was agreed to delete **considering d)**.

2.29 On a proposal by the delegate of Poland, it was agreed to delete the words "standardization and radiocommunications" from **recognizing a)**.

2.30 There were no comments on **recognizing b)**, **c)**, **d)**, **e)** or **f)**.

2.31 The Chairman drew attention to the **instructs the Secretary-General** section, observing that the proposal in Document 183 was to establish a committee to review the rights and obligations of "small-m" members, whereas Document 225 proposed to entrust that task to the Sector advisory groups.

2.32 The delegates of Sweden, Germany and Finland expressed support for the proposal in Document 183.

2.33 The delegate of Canada said that he saw advantages on both sides and proposed, as a compromise, that the section should start with the words: "to initiate a review, with inputs from the Sector advisory groups ...".

2.34 The delegate of the United States observed that the proposal in Document 225 favoured the use of existing mechanisms rather than the allocation of resources to set up a special committee, and pointed out that the Sector advisory groups comprised a number of high-level experts in the fields of telecommunications, engineering and law.

2.35 The delegate of the United Kingdom, while appreciating the arguments of the United States delegate, cautioned against the adoption of a sectoral approach to any review of the ITU membership as a whole. Furthermore, it was unlikely that savings would be made by having the work done by the advisory groups, which would certainly have to set up subsidiary groups for the purpose. Consequently, she supported the text in Document 183.

2.36 The delegate of the Netherlands endorsed those views.

2.37 The delegates of New Zealand, Portugal, Italy, South Africa and Tunisia said that they too favoured the proposal to establish a review committee.

2.38 The delegate of Russia supported the United States proposal in Document 225.

2.39 The Chairman, having called for a show of cards, noted that there was a majority in favour of establishing a review committee as proposed in Document 183. Any delegation wishing to raise the matter in Plenary would be able to do so.

2.40 On that understanding, the **instructs the Secretary-General** section as set out in Document 183 was approved, subject to the insertion of an indent reflecting the Canadian proposal relating to inputs from the advisory groups of the three Sectors.

2.41 The Chairman asked whether there was any objection to **considering e)** proposed in Document 225.

2.42 The delegate of Tunisia raised the question of whether that paragraph also encompassed the Development Sector. If so he considered that both **considering e)** and **recognizing g)** should be reworded, as the work programme of the Development Sector differed from that of the other two Sectors. The delegate of Pakistan endorsed that view.

2.43 The Chairman suggested that the decision on **considering e)** and **recognizing g)** should be deferred pending the submission in writing by the delegate of Tunisia of an amended draft of those paragraphs.

2.44 Regarding the **resolves** section, the delegate of Colombia considered that the text was too mandatory, tending to prejudice the outcome of the review. He therefore proposed that the words "in such a way that ... the fast changing telecommunication environment" should be deleted.

2.45 The delegate of the Netherlands considered that such an amendment would substantially alter the nature of the resolution by removing all mention of the enhancement of the rights of "small-m" members.

2.46 The delegate of Mexico observed that the paragraph was drafted in an unusual way, containing material which would be more appropriate in a preambular paragraph. He proposed the following amendment: "... with the aim of promoting their active and effective participation in the work of the ITU". The delegate of Ecuador supported that proposal.

2.47 The delegates of Sweden and Australia, on the other hand, were in favour of retaining the text as it stood. The delegate of the United Kingdom pointed out that the Mexican proposal simply described the *status quo* and placed no emphasis on enhancement of the rights of "small-m" members.

2.48 After calling for a show of cards, the Chairman noted that a clear majority was in favour of retaining the wording of the **resolves** section as it stood in Document 183. He invited the delegate of Mexico to consult with the delegate of the United Kingdom as a member of the Editorial Committee with a view to aligning the Spanish and English texts as required.

2.49 On that understanding, the **resolves** section as set out in Document 183 was approved.

2.50 Regarding **resolves** 2 in Document 225, the Chairman suggested that the delegates of Australia and the United States should transmit the proposal it contained to the Review Committee for consideration.

2.51 It was so agreed.

2.52 The delegates of Australia and the United States withdrew their amendment in Document 225 to the **instructs the Director of each Sector** section, which was approved as set out in Document 183.

2.53 The draft resolution in Document 183 as a whole, as amended, was approved.

3 Financial contributions (continued) (Documents 42, 45 and Corrigendum 1, 67, 85)

3.1 The Chairman recalled that the question of financial contributions had been considered at the Committee's third meeting but that no conclusions had been reached on the various proposals put forward by delegations, which he invited the meeting to take up again in the light of the intervening discussions.

3.2 The delegate of India withdrew draft Resolutions [IND/2] and [IND/4] (proposals IND/67/8 and IND/67/10) concerning, respectively, investment for telecommunication development and the financial foundations of the Union.

3.3 In response to an enquiry by the Chairman, the delegate of China said that his delegation wished to maintain draft Resolution [CHN/1] in proposal CHN/85/1, which called for studies to be conducted on the contributory system of the ITU with a view to aligning it with the contributory system of the United Nations. In the view of his Administration, the situation would become unstable if the entire financial system of the Union was not reviewed.

3.4 The delegate of the United States expressed his preference for the current system, which was satisfactory and flexible. The delegates of Japan, Russia and the Philippines endorsed that view. The delegate of Spain was not in favour of reforming the contributory system, but would not oppose the proposed studies. The delegate of the United Kingdom questioned the effectiveness of embarking upon yet another study.

3.5 After calling for a show of cards, the Chairman noted that there was a clear majority in favour of retaining the present contributory system. He would take it, therefore, that draft Resolution [CHN/1] was not accepted. The Chinese delegation could, if it so wished, raise the matter in Plenary.

3.6 It was so agreed.

3.7 The Chairman drew attention to draft Resolution [AUS/1] (proposal AUS/42/1) which had already been introduced and which aimed to strengthen the financial base of the ITU by studying ways and means of identifying areas of saving, encouraging wider financial participation by non-Member entities and facilitating cost recovery.

3.8 The delegate of Spain, referring to the **requests** section of the draft resolution, asked for clarification of what might be considered appropriate as regards financial contribution.

3.9 The delegate of Australia replied that the study had been proposed precisely so as to make a systematic analysis of what would be required. In response to a question by the delegate of Saint Vincent and the Grenadines, he said that the proposed measures would not, in his view, dissuade "small-m" members from contributing to the ITU's activities. On the contrary, it was important that they should have a clear idea of their financial situation vis-à-vis the Union.

3.10 The delegates of Singapore, the Netherlands, New Zealand, the Republic of Korea, Canada, China, Switzerland and Lebanon supported the draft resolution.

3.11 The Chairman suggested that as there were no objections to the substance of the draft resolution, any delegation wishing to make editorial changes should consult with the Australian delegation; the resulting text would be transmitted to Committee 7 and then to the Plenary Meeting.

3.12 It was so agreed.

3.13 The Chairman said that the only other proposal put forward concerning financial contributions was proposal ALG/45/6 which was also sponsored by Jordan. The Algerian delegation had agreed that its substance could be considered as part of the study on "small-m" members which had just been approved by the Committee.

4 Policy matters (continued) (Documents 163(Rev.1), 184)

Note by the Chairman of Working Group 4/3 (Document 163(Rev.1))

4.1 The Chairman of Working Group 4/3, introducing Document 163(Rev.1) containing his report on the Working Group's meeting, said that consensus had been reached on all the items discussed regarding the Policy Forum, which had been decided should be called the "World Telecommunication Policy Forum". It was recommended that the Forum should meet once or twice before the next Plenipotentiary Conference. After lengthy discussion it had been decided that the Forum should be semi-open in structure, a majority of participants having argued in favour of encouraging wider participation. The Working Group recommended that the Forum's rules of procedure, duration and topics should be established by the Secretary-General and the Council, and that the Council should submit a report on the matter to the next Plenipotentiary Conference, which would then decide whether the Forum should be formalized in the Constitution and Convention.

Draft resolution - Establishment of a forum to discuss strategies and policies in the changing telecommunications environment (Document 184)

4.2 The Vice-Chairman introduced the draft resolution in Document 184, observing that its long preambular section was based on Resolution 15 of the Additional Plenipotentiary Conference (Geneva, 1992) and the documents of the last Council session, whereas the **resolves** section was based on the results of Working Group 4/3's discussions. The text was completed by a series of instructions to the Council and the Secretary-General and a request to the next Plenipotentiary Conference which were also based on the recommendations of the Working Group.

4.3 The Chairman invited the Committee to consider the draft resolution paragraph by paragraph.

4.4 There were no comments on **aware** a), b), c) and d).

4.5 The delegate of the United States proposed replacing "coordinate" in **aware** e) by the phrase "exchange information on". With regard to **aware** f), he proposed that the first part of the text should be amended to read "that national telecommunication policies and regulations have to be recognized and understood to allow the development of global markets ...".

4.6 It was so agreed.

4.7 There were no comments on **conscious** a) and b).

4.8 Referring to **recalling** a), b) and c), the delegate of the United Kingdom considered that it would suffice to refer to the report in question rather than citing it in extenso.

4.9 At the suggestion of the Chairman, **recalling** a), b) and c) were approved without change.

4.10 Referring to **emphasizing** a), the delegate of New Zealand proposed the deletion of "with those of other Members" and "their own" from the second and fourth lines respectively. The delegate of the United States, supported by the delegate of the Netherlands, proposed the deletion of "constantly and extensively" from the third line.

4.11 It was so agreed.

4.12 The delegate of New Zealand suggested the deletion of "among Members" from the second line of **emphasizing** b). The delegate of the United States, supported by the delegate of Netherlands, proposed replacing "policy coordination" by "exchange of information on telecommunication policies" in the same line. The delegate of Canada proposed that "expedited" in the third line should be replaced by "facilitated".

4.13 It was so agreed.

4.14 There were no comments on either **emphasizing** c) and d) or **resolves** 1 and 2.

4.15 The delegate of Pakistan having proposed that "forum" should be replaced by "administration" in the third line of **resolves** 3, the delegate of the United States drew attention to paragraph 3 of Document 163(Rev.1), observing that, as he recalled the discussions, the intent was for the Forum itself to decide on the restriction of sessions to administrations only, and that the change proposed by Pakistan would alter the meaning of the text. The delegate of New Zealand said that although he would have preferred the Forum to be completely open he could agree to the text as it appeared in the draft Resolution provided that any decision to restrict participation lay with the Forum itself.

4.16 It was agreed to retain **resolves** 3 as it stood.

4.17 The delegate of Uruguay having observed that the wording of **resolves** 4 was unclear, the delegate of the United Kingdom explained that the intention was for the dates of the Forum to be set in conjunction with other ITU conferences and meetings, but that the present wording did not reflect that idea accurately. The delegate of Lebanon having stressed that the text resulted from discussions and should not be changed, the Chairman suggested that the Editorial Committee should be requested to make the wording clearer without altering the intended meaning.

4.18 It was so agreed.

4.19 There were no comments on **resolves** 5.

4.20 Following a discussion on the wording of **resolves** 6 in which the delegates of the Republic of Korea, Russia, Jordan, the United States, Kenya, Morocco, Saudi Arabia and Japan took part, it was agreed to replace the words "and agenda" in the first line by "agenda and themes".

4.21 Referring to **resolves** 7, the Chairman said that in the light of the discussion which had taken place on **resolves** 6, the word "topics" or "themes" should be included in the text.

4.22 The delegate of Greece, observing that the use of the word "meeting" in the last line was inappropriate since it implied that any ITU study group could propose themes for the Forum's agenda, proposed the deletion of the phrase "and of any conference and meeting of the Union". That proposal was supported by the delegate of Jordan and opposed by the delegates of Morocco and Canada. The delegate of Germany considered that a formulation should be found to include input from the Radiocommunication Assembly, a suggestion which the delegate of Greece accepted. The delegate of Australia, supported by the delegate of the United States, said that the word "meeting" should be retained since the advisory groups had a fairly broad mandate and could provide useful input to the Secretary-General. The delegate of Saudi Arabia considered that clarification was needed regarding the basis for the report to be prepared by the Secretary-General.

- 4.23 The Chairman, having regard to the views expressed during the discussion, proposed a compromise text to read along the following lines: "that the agenda or the themes shall be based on a report of the Secretary-General, including input from conferences, assemblies and meetings of the Union, and on contributions from Members as well as "members" of the Union".
- 4.24 The delegates of Qatar, the United Kingdom, Germany and Greece expressed their support for the Chairman's text, which was approved subject to editorial amendment as required.
- 4.25 There were no comments on **resolves** 8.
- 4.26 The delegate of New Zealand having suggested that **resolves** 9 be deleted as its substance was covered in **resolves** 4, the delegates of the Republic of Korea, the United Kingdom and the United States stressed the importance of retaining the reference to minimizing the impact on the budget of the Union.
- 4.27 It was agreed to leave the text of **resolves** 9 as it stood.
- 4.28 Referring to **resolves** 10, the delegate of Colombia, supported by the delegates of Saint Vincent and the Grenadines, Indonesia and Uruguay, suggested that the Forum's rules of procedure should be produced by the Council, thus avoiding the need to convene the Forum for that purpose.
- 4.29 The delegate of France, after observing that it was customary for a body to adopt its own rules of procedure, proposed that **resolves** 10 should read "... Rules of Procedure on the basis of a draft prepared by the Secretary-General and examined by the Council".
- 4.30 The delegates of the United Kingdom, Lebanon, the United States, Morocco, Tanzania, the Netherlands and Mexico supported the amendment by France, which was approved subject to editorial changes as required.
- 4.31 The delegate of Japan proposed that the word "first" in the **instructs the Council** section should be deleted, since the Forum might be convened twice. The same change should be made in the **instructs the Secretary-General** and **requests the next Plenipotentiary Conference** sections.
- 4.32 After a brief discussion in which the delegates of the United Kingdom, Lebanon and Saint Vincent and the Grenadines took part, the Japanese proposal was approved.
- 4.33 The delegate of Syria considered that the word "forum" might usefully be replaced by "event" in the **requests the next Plenipotentiary Conference** section.
- 4.34 The delegate of the United States suggested that, for the sake of clarity, the text of that section should be reworded to read: "to consider whether to formalize this forum in the Constitution and Convention of the Union, bearing in mind the experience gained during this period".
- 4.35 It was so agreed.
- 4.36 The draft resolution in Document 184 as a whole, as amended, was approved.

The meeting rose at 1755 hours.

The Secretary:
D. MACLEAN

The Chairman:
A. BERRADA



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 304-E
3 November 1994
Original: French/English**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 4

**SUMMARY RECORD
OF THE
SIXTEENTH AND LAST MEETING OF COMMITTEE 4
(STRATEGIC POLICY AND PLANNING)**

Saturday, 8 October 1994, at 0935 hours

Chairman: Mr. A. BERRADA (Morocco)

Subjects discussed	Documents
1 Regional presence (continued)	223, 226
2 Resale of international telecommunications (continued)	224
3 Telecommunication Development Sector (continued)	164, 172, 194 + Add.1
4 Coordination among the Sectors (continued)	227
5 Advisory groups (continued)	-
6 TELECOM (continued)	129(Rev.2)
7 Review of the ITU's frequency coordination and planning framework (continued)	228
8 Support to United Nations peacekeeping forces (continued)	214
9 Use of the HF broadcasting bands (continued)	210, DT/27
10 Non-discriminatory access to modern telecommunication facilities and services (continued)	204
11 Contribution of telecommunications to the protection of the environment (continued)	205
12 Telecommunications for disaster relief (continued)	211

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their copies to the meeting since no others can be made available

13	Electronic access to documents and publications (continued)	221
14	Review of the decisions, resolutions and recommendations of previous Plenipotentiary Conferences	43 + Corr.1-2, 67, 155 + Corr.1, 170, 199 + Corr.1
15	Approval of the summary records of the first to ninth meetings	116, 132, 137, 149, 161, 173, 188, 197, 215
16	Conclusion of the work of Committee 4	-

1 Regional presence (continued) (Documents 223, 226)

Note by the Chairman of ad hoc Working Group 4/4 (Document 223)

1.1 The Chairman of ad hoc Working Group 4/4 invited members of the Committee to let the Secretariat have all their editorial amendments concerning the draft text for inclusion in the resolution concerning strategic planning and the draft Resolution [AAA] appearing respectively in Annexes 1 and 2 of his note to the Chairman of Committee 4 (Document 223). In reply to a question by the Chairman, he said that the draft resolution could be entitled "Regional presence".

1.2 The delegate of Guyana, at the end of the first subparagraph of **instructs the Council** in the draft resolution, after "taking into consideration previous evaluations", proposed adding "without prejudice to the continuance of existing programmes, projects and activities underway".

1.3 The proposal by Guyana was approved.

1.4 The draft resolution on Regional presence in Document 223 was approved, as amended.

Report from the Chairman of the informal group of Committee 4 on strengthening the ITU's relationship with regional organizations (Document 226)

1.5 The delegate of Saint Vincent and the Grenadines introduced the draft resolution concerning the strengthening of relationship with regional telecommunication organizations, which appeared in Document 226.

1.6 The delegate of Syria asked for a reference to the standing committee on telecommunications of the League of Arab States to be added to paragraph b) of the **considering**.

1.7 That proposal was approved.

1.8 The draft resolution on Strengthening of relationship with regional telecommunication organizations was approved, as amended.

2 Resale of international telecommunications (continued) (Document 224)

2.1 The delegate of Kuwait, introducing the draft resolution in Document 224, said that it was a balanced compromise, prepared with a view to taking account of earlier remarks regarding the proposal KWT.../49/22; it stressed compliance with bilateral agreements among international operators, suggested possible measures and instructed the TSB to accelerate its studies concerning such practices.

2.2 The delegate of the United Kingdom, after thanking the delegation of Kuwait for its efforts and expressing sympathy for the difficult situation which existed on Kuwait's frontier, proposed replacing the expression "without being in conformity with bilateral agreements" in paragraph a) of the **noting** by "outside the scope of bilateral agreements".

2.3 That proposal was approved.

2.4 The delegate of the United Kingdom, at the end of paragraph b) of **considering further**, then proposed adding the following text: "and that Article 6.1.1 of the International Telecommunication Regulations requires administrations to try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation", pointing out that the amendment actually quoted the International Telecommunication Regulations.

2.5 The delegate of Syria supported the proposal by the delegate of the United Kingdom and drew attention to the fact that paragraph b) of **considering further** expressly indicated that the suggested lowering of tariffs should be introduced "as far as possible".

2.6 The delegate of Japan, on the grounds that the room for manoeuvre available to operating agencies might not be the same in different Members, proposed deleting paragraph b) of **considering further**.

2.7 The Chairman, noting that Committee members were divided regarding paragraph b) of **considering further**, asked them to indicate by a show of hands whether they were in favour or against deleting that paragraph.

2.8 On the basis of the show of hands, it was decided to maintain paragraph b) of **considering further** with the addition proposed by the delegate of the United Kingdom.

2.9 Regarding § 2 of **resolves**, the delegate of the United Kingdom, while understanding the spirit of the provision, pointed out that it was not always possible for a party to a bilateral agreement to apply the national law of another country and suggested that the wording used in § 2 of **resolves**, i.e. "within the constraints of its national law", should be also added to paragraph 1 of **resolves** after "all measures".

2.10 After a vote by show of hands, the Chairman noted that the majority of Committee members were in favour of the United Kingdom's proposal. He assured the delegate of Syria that the Editorial Committee would take care of the alignment of the English and French versions of the text.

2.11 Regarding § 2 of **resolves**, the delegate of Spain said that the text was not very clearly worded and that the expression "the latter" should explicitly refer to the Member. That view was shared by the delegate of Japan. The delegate of the United Kingdom said that the text could be made more specific by adding the word "Member" after "the latter".

2.12 The delegate of Japan thought there was no need to say that the latter should "enquire into the matter", considering that some countries could not do so under their domestic legislation. He suggested that the last part of the sentence should be reworded to read: "the latter Member shall take the necessary actions within the constraints of its national law".

2.13 After a consultation by a show of hands, the Chairman noted that the majority of delegations were opposed to the deletion proposed by the delegate of Japan, but took note that some countries, such as Japan, might have difficulties carrying out the enquiries referred to in the text.

2.14 The draft resolution on Special measures concerning alternative calling procedures on international telecommunication networks, which appeared in Document 224, was approved, as amended.

3 Telecommunication Development Sector (continued) (Documents 164, 172, 194 and Addendum 1)

3.1 The Chairman said that any queries relating to Document 164 concerning the WorldTel project could be forwarded directly to the Secretary-General, and reminded Committee members that Document 172 concerning priorities in BDT future activities would not be considered, in accordance with the Committee's decision.

3.2 The delegate of Senegal, introducing the principles contained in Document 194 and Addendum, began by pointing out that the last paragraph of page 3 of the French version should read "à hauteur de 66% des ressources budgétaires du Plan d'action de Buenos Aires". Referring to the draft resolution on Implementation of the Buenos Aires Action Plan (BAAP) given in Addendum 1 to Document 194, he drew attention to the emphasis laid in the latter document on the annual review of the implementation of the Action Plan by the Council.

3.3 The Chairman said that Article 19 of the Convention was already designed to encourage the participation of members and that it was perhaps not necessary to refer specifically to that notion in connection with the implementation of the BAAP.

3.4 The delegate of Senegal said that the round tables organized in Buenos Aires had facilitated the participation of members and that the draft resolution was aimed at encouraging the Director of the BDT to continue along those lines. By adopting the draft resolution, the Plenary could contribute to the implementation of the Action Plan.

3.5 When the draft resolution was considered, the delegate of Syria proposed replacing the expression "should be invited" in the **resolves** by "should be encouraged", since the invitation was always open.

3.6 That proposal was approved.

3.7 The delegate of Algeria said that, in order to comply with the conclusions of Document 194, an "instructs the Council" section should be added to the draft resolution asking the Council each year to review the implementation of the BAAP.

3.8 That proposal was approved.

3.9 The delegate of Syria said that the Council should not be given the power to change the Plan of Action.

3.10 The Chairman invited the delegations concerned to prepare a text in consultation with the delegate of Syria for the new section "instructs the Council", which would then be given to the Secretariat.

3.11 It was so decided.

3.12 Document 194 and the draft resolution on Implementation of the Buenos Aires Action Plan in Addendum 1 were approved as amended.

4 Coordination among the Sectors (continued) (Document 227)

4.1 The Chairman, introducing the draft resolution on Refinement of the ITU-R and ITU-T Sectors, proposed replacing paragraphs c) and d) between square brackets of the **considering** by the following text: "that by its Resolution 2, the Additional Plenipotentiary Conference (Geneva, 1992) recognized provisions 78 and 108 of the Constitution (Geneva, 1992) as an initial allocation of work between the Radiocommunication and Telecommunication Standardization Sectors".

4.2 That proposal was endorsed by the delegate of Sweden.

4.3 The delegate of the United States said that he saw no need to prepare a draft resolution on the allocation of work between the Sectors, since that point was already covered in the basic instruments and in the APP-92 resolutions; if the Committee took the view, however, that a resolution was required on the allocation of work, he would go along with the majority, but would ask for changes in the draft.

4.4 The delegate of Russia agreed with the view that the draft resolution did not add a great deal to the existing provisions of the Constitution and the Convention.

4.5 The Chairman recalled that the text under consideration merely summed up the facts by referring to the terms of Resolution 2 of the APP-92.

4.6 The delegate of Sweden said he was in favour of maintaining the draft resolution, which emphasized the need for an ongoing review of the allocation of work between the Sectors. He was supported by the delegate of Spain.

4.7 After a vote by show of hands, the Chairman found that the great majority of Committee members were in favour of adopting the draft resolution.

4.8 After a clarification made by delegate of Sweden, it was decided to opt for the term "considering".

4.9 With regard to § 2 of **resolves**, the delegate of Sweden pointed out that it would in fact be the 1998 Council which would be submitting a report to the Plenipotentiary Conference.

4.10 The Chairman, agreeing with that remark, proposed adding a new paragraph under **instructs the Council**, which would read: "to prepare a report for submission to the Plenipotentiary Conference".

4.11 That proposal was approved.

4.12 In **instructs the Secretary-General**, the delegate of Sweden proposed inserting "as a first stage" before "to encourage", and at the beginning of **instructs the Council**, to add "as a second stage", on the grounds that the ongoing review of the Sectors' work should in the first place be carried out by the RAG and TSAG.

4.13 The delegate of the United States recalled that several delegations were not in favour of inserting a reference to stages and preferred to keep the existing wording of the text.

4.14 The delegate of Germany supported the proposal by Sweden.

4.15 The delegate of Canada said that the text of that part of the draft resolution was sufficiently explicit.

4.16 The Chairman, noting that the members of the Committee were divided regarding the additions proposed by the delegation of Sweden, said that the additions should be left between square brackets.

4.17 In **instructs the Council**, the delegate of Sweden proposed deleting the first pair of square brackets.

4.18 The delegate of the United States proposed adding a full stop after "satisfactory", on the grounds that it was up to the Council to decide that matter. He was supported by the delegates of Cameroon, Mexico, Qatar, Morocco and Canada.

4.19 The delegate of Germany preferred maintaining the text between square brackets in order to indicate that various options were open to the Council. He added that he would have preferred the task to be entrusted to a committee. He was supported by the delegates of Norway and Spain.

4.20 The delegate of the United Kingdom did not see any point in maintaining the text between square brackets.

4.21 After calling for a vote by show of hands, the Chairman noted that the majority of participants supported the proposal by the delegate of the United States. The section **instructs the Council** would therefore include a first paragraph up to "satisfactory" and a second paragraph concerning the Council's report to the Plenipotentiary Conference.

4.22 The draft resolution on Refinement of the ITU-R and ITU-T Sectors given in Document 227 was approved as amended.

5 Advisory groups (continued)

5.1 The Chairman said that, if the Committee agreed, he would meet with the delegations which had made proposals under that item and with the Director of the BDT and, on the basis of the outcome of the meeting, would draw up a report for direct submission to the Plenary.

5.2 It was so decided.

6 TELECOM (continued) (Document 129(Rev.2))

6.1 The Chairman of Working Group 4/2 introduced his final report on relations between TELECOM and the ITU, as well as the draft resolution which the Working Group had prepared and which was intended to replace Recommendation 1 (Nice, 1989), in accordance with the proposals by Canada and India. He drew attention to the fact that paragraphs a), b), c) and d) of **noting**, 3 and 4 of **resolves**, 1, 2, 3 and 4 of **instructs the Secretary-General** and 1, 2 and 3 of **instructs the Council** were new compared with Recommendation 1 of the Nice Conference.

6.2 The delegate of Lebanon informed the Committee that the members of the Working Group, which included himself, had adopted the draft resolution unanimously.

6.3 The Chairman invited Committee members to comment on the draft resolution.

6.4 At the end of paragraph c) of **noting**, the delegate of Spain proposed adding the words "and publication rules".

6.5 That proposal was approved.

6.6 The delegate of Syria, referring to paragraph c) of the **noting**, suggested that the Editorial Committee should replace the word "activities" with one more in tune with the terms used in the rest of the draft resolution.

6.7 The request by the delegate of Syria was noted.

6.8 The delegate of Uruguay said there appeared to be a contradiction between paragraph 5 of **resolves** and the fourth paragraph of the Working Group's final report. The Chairman of the Working Group, in reply, said that the TELECOM Secretariat kept a small part of its surplus income to finance its future activities and that the remainder was devoted to telecommunication development projects, mainly in the least advanced countries.

6.9 The Chairman wondered whether there was not a slight contradiction between § 3 of **instructs the Secretary-General** and the ninth paragraph of the Working Group's final report. The Chairman of the Working Group said he did not think the two paragraphs were contradictory; while having to observe a number of Union rules, the TELECOM Secretariat did not wish to be further integrated within the ITU, because it was keen to preserve sufficient flexibility to carry out its semi-commercial activities. For greater clarity, he proposed, however, replacing the words "while being part of the Secretariat of the Union" by "while remaining connected to the Secretariat of the Union". The delegate of Syria, who was in favour of restricting that flexibility, proposed adding a reference such as "relating to the promotion of TELECOM activities" after "decision-making process".

6.10 The proposals of the Chairman of the Working Group and of the delegate of Syria were approved in substance. The Editorial Committee would be asked to align the wording.

6.11 The delegate of Senegal would have preferred the Working Group's report to include a reference to the need to ensure a fairer distribution of speakers at TELECOM forums, in line with the wish expressed by the Council. At Africa TELECOM, for instance, more than 85% of speakers were English-speaking.

6.12 The draft resolution on World and regional telecommunication exhibitions and forums was approved, as amended.

7 Review of the ITU's frequency coordination and planning framework (continued) (Document 228)

7.1 The delegate of Australia, introducing the draft resolution on Review of the ITU's frequency coordination and planning framework for satellite networks, given in Document 228, said that the draft had been prepared by an informal group made up of some fifteen delegations on the basis of

proposal AUS/42/2, from which it differed in several respects. In the new draft, for instance, it was the Director of the Radiocommunication Bureau, in consultation with the Radiocommunication Advisory Group, and not with a group of experts set up by the Secretary-General, as in the initial draft, who was responsible for initiating a review of the overall framework for the international coordination of satellite networks.

7.2 The delegate of Saudi Arabia said that the review referred to by the previous speaker was extremely important and should be conducted by a very high-level group, whose members should be chosen according to a procedure established by the Council.

7.3 The delegate of Venezuela said that the informal group, of which she was a member, had not reached a consensus regarding the draft resolution, which in her opinion needed changing. She was concerned in particular at the potential scope of the study referred to in paragraph 1 of **resolves**, at its financial implications and the time that would be needed to complete it.

7.4 The delegate of Papua New Guinea expressed full support for the draft resolution.

7.5 The delegate of Japan welcomed the fact that the review had been entrusted to the Director of the Radiocommunication Bureau, but thought that the latter's mandate should be more specific. While he supported the draft resolution, he shared the concerns expressed by the delegate of Venezuela.

7.6 The delegate of the Philippines supported the draft resolution, which took into consideration the concerns of the countries of the Asia-Pacific region. In that connection, she hoped the ITU would do its best to tackle the serious problems faced by the countries of that region.

7.7 The delegate of Singapore supported the draft resolution, which had taken account of most of the concerns expressed by the members of the informal group. The draft could, however, be further improved.

7.8 The delegate of the United Kingdom, expressing support for the draft resolution, agreed that it was the Radiocommunication Sector which was best qualified to undertake the review. He did, however, share the concerns expressed by the delegates of Venezuela and Japan.

7.9 The delegate of the Republic of Korea share the views expressed by the delegates of Japan and the United Kingdom.

7.10 The Chairman expressed surprise that an organ as highly placed as the Radio Regulations Board should not be mentioned in the draft resolution, considering that the terms of reference of the Board, whose members had just been elected by the Conference, actually included responsibility for coordinating satellite systems.

7.11 The delegate of the United States said that in his view the Director of the Radiocommunication Bureau, in consultation with the Radiocommunication Advisory Group, should be responsible for conducting the review.

7.12 The delegate of India said that the equitable application of the Radio Regulations was becoming increasingly difficult owing to the recent development of geostationary-satellite systems. He would have liked the review to be conducted at high level, and for the Radio Regulations Board to be associated with it, in order to ensure that the ITU continued to play a leading role in the coordination of satellite networks.

7.13 The delegate of Japan supported by the delegates of the Netherlands, the Republic of Korea and the United Kingdom, said that he supported the draft resolution and did not think it necessary to discuss once again all the matters raised in the informal group. Having said that, he was not opposed to the draft being somewhat amended.

7.14 The Chairman said that it was his duty to give delegations which had not taken part in the work of the informal group a chance to express their point of view.

7.15 The delegate of Germany supported the draft resolution, while recognizing that it could certainly be improved further. He thought that the review should be conducted at a high level, subject to clearly defined terms of reference, and he supported the Chairman's proposal for the Radio Regulations Board to be associated with the review.

7.16 The delegate of the United Kingdom pointed out that, according to the draft resolution, the review would be conducted "in consultation with the Radiocommunication Advisory Group" and not necessarily by the Group. In addition, it would need to take account of "ongoing work of the Radiocommunication Sector", to which the Radio Regulations Board in fact belonged.

7.17 The delegate of Syria wondered whether the Director of the Radiocommunication Bureau would manage to submit a report to WRC-95 considering the little time it had to prepare it.

7.18 The delegate of Thailand fully supported the draft resolution and thought that the Radio Regulations Board should take part in the review. He drew attention to the urgency of the review, in the light of the rapid advances in satellite technology.

7.19 The delegate of Brazil, while praising the quality of the draft resolution, expressed doubts about the potential scope of the review. He was in favour of specifying the terms of reference of the group in charge and of mentioning the Radio Regulations Board in the draft resolution. In the **instructs the Secretary-General**, moreover, it was worth specifying which United Nations organizations would be invited to take part in the review.

7.20 The delegate of Venezuela thought that the draft resolution under consideration was on the whole very satisfactory. Her only doubt concerned the meaning of the phrase "to initiate a review of the overall framework" in paragraph 1 of **resolves**.

7.21 The delegate of Russia also thought that the draft resolution provided a satisfactory basis for discussion, even though a few points could be improved. For instance, it would be worth mentioning the role of the Radiocommunication Bureau.

7.22 The delegate of China was prepared to approve the draft resolution, subject to some amendments.

7.23 The delegate of Cuba said that a few important points in draft Resolution [AUS/2] (proposal AUS/42/2) either had not been referred to in the draft resolution in Document 228 or had been watered down. For instance, there was no further reference to dealing with the prospect of scarcity of spectrum/orbit resources and facilitating the development of satellite services to the benefit of all ITU Members. There should also be some mention of coordinating frequencies for satellite services in view of the rapidly advancing technological possibilities, in the spirit of Resolution 70 of WARC-92. He furthermore endorsed the views of the delegates of Saudi Arabia and India.

7.24 The delegate of Saudi Arabia said that it was worth considering the draft resolution in detail, even though it had been discussed in an informal group. As far as he was concerned, any review of the international coordination of satellite networks should be undertaken at the highest level, with the greatest care. The work involved was similar to that of the VGE on the Radio Regulations. The terms of reference of the group in charge of conducting the review should be established by the ITU Council. In conclusion, he expressed support for the statements made by the delegates of India and Cuba.

7.25 The delegate of Australia pointed out to the delegate of Cuba that the two questions of equitable access to the frequency spectrum and the effects of technological advances were reflected in paragraph 1 of the **resolves**.

7.26 On the question of deciding whether the Director of the Radiocommunication Bureau or a group appointed by the ITU Council should be in charge of the review, the Chairman asked delegates to indicate their preference by a show of hands. He noted that a majority of the Committee indicated a preference for the Director of the Radiocommunication Bureau.

7.27 The delegate of the United States presented several amendments to the draft resolution under consideration, which in his view would take account of the concerns expressed by the various speakers. In the first place, he proposed deleting the introductory phrase to paragraph h) of the **considering** and inserting the subparagraphs i) and ii) of that paragraph after the introductory sentence of paragraph 1 of **resolves**, so that the latter paragraph would then have five subparagraphs. The introductory part of paragraph 1 of **resolves** would be as follows: "in consultation with the Radiocommunication Advisory Group and taking into account inputs from the Radio Regulations Board, to initiate a review of some important issues concerning international satellite coordination, including:". The section **instructs the Secretary-General** would then read as follows: "to encourage participation from all interested parties, including satellite operators, at an appropriately high level and to afford the Director all necessary assistance for the successful completion of the review".

7.28 The amendments proposed by the delegate of the United States were supported by the delegates of Japan and Morocco.

7.29 The delegate of Cuba, referring to subparagraph 1 ii) of the **resolves**, said that it should be specified that international coordination procedures should meet the needs of all administrations.

7.30 The delegates of Australia, Singapore, the Philippines and the United States were in favour of maintaining the text of subparagraph ii) as it was.

7.31 The delegate of Germany, who shared the view expressed by the delegate of Cuba, proposed adding the following phrase to the original text of subparagraph ii): "while at the same time safeguarding the interests of other radio services".

7.32 That proposal was approved.

7.33 The draft resolution on Review of the ITU's frequency coordination and planning framework for satellite networks, contained in Document 228, was approved as amended.

8 Support to United Nations peacekeeping forces (continued) (Document 214)

8.1 The delegate of Canada spoke as coordinator of a group of delegations which had studied the question of ITU volunteer support for United Nations peacekeeping operations on the basis of the proposals in that respect contained in Documents 66 and 93. Some peacekeeping operations currently ran into difficulties owing to a lack of telecommunication experts. Volunteer experts would intervene only at the request of Members and would have the same status as all other United Nations volunteers. They would act within the framework of the mandate of the peacekeeping forces as established by the United Nations Security Council. He invited the Committee to approve the draft resolution contained in Document 214.

8.2 That proposal was supported by the delegate of Greece.

8.3 The delegate of Syria recalled that there was a United Nations volunteer programme which was run under the UNDP. Why was the programme not mentioned in the draft resolution?

8.4 The delegate of Russia, while understanding and altogether approving the spirit of the draft resolution under consideration, commented that the question of sending volunteer telecommunication experts to Member States which had accepted the deployment of a United Nations peacekeeping force raised many problems, especially legal and financial. In his view, volunteers should be sent for the sole purpose of assisting a Member country, in exceptional circumstances, to operate and manage its telecommunication services. Any matter related to the action of United Nations peacekeeping forces should fall within the mandate of those forces and not within the scope of the volunteer experts.

8.5 The delegate of the United States, also noting that the draft resolution raised a great number of problems, especially regarding competence, suggested considering the matter in more detail. He thought that the **resolves** section of the draft resolution appeared to be placing the cart before the horse, since it would be preferable to examine the principle of sending volunteers very carefully before taking any decision on the matter.

8.6 The delegates of Guyana, India, Mexico and Norway were also in favour of postponing any decision concerning the dispatch of volunteers in the framework of a United Nations peacekeeping force.

8.7 The delegate of the United States proposed instructing the Secretary-General to undertake a study of the matter.

8.8 The Chairman, noting that the great majority of delegates supported the United States' proposal, invited the delegates of the United States and Canada, and any other delegations interested, to draft a new section **instructs the Secretary-General** to replace the existing one in the draft resolution, on the understanding that the **resolves** section would be deleted.

8.9 It was so decided.

9 Use of the HF broadcasting bands (continued) (Documents 210, DT/27)

9.1 The Chairman of ad hoc Group 4/5, which had been instructed to consolidate positions in respect of proposal IND/67/11, introduced Document 210 which set out the results of the Group's work; unfortunately, for the reasons given in the document, it had not been possible to reach a consensus.

9.2 The delegate of Algeria drew attention to an error in the French-language version of the document.

9.3 The Chairman, noting that there were no further comments on Document 210 but that the problems relating to proposal IND/67/11 remained unresolved, said that he had taken the initiative of preparing a compromise text which was found in Document DT/27 and represented an amended version of Resolution 10 (Nice, 1989).

9.4 The delegate of Algeria supported Document DT/27.

9.5 The delegate of the United Kingdom, while appreciating the Chairman's efforts and acknowledging the importance and sensitivity of the matter covered by Resolution 10, observed that any resolution the Conference adopted on HF broadcasting might well be overtaken by events, as that subject had been placed on the agenda of WRC-95 and would subsequently be discussed by WRC-97 as well. In Committee 5, moreover, the treaty status of the Radio Regulations as defined in Article 4 of the Constitution had been broadly recognized, and it would be both unnecessary and inappropriate for the Plenipotentiary Conference to single out specific regulations in a resolution, as all the Radio Regulations should be applied without exception. He therefore considered that Resolution 10 should be deleted. The delegate of the United States fully endorsed those views, noting that the WRC-95 and WRC-97 agendas catered very adequately for HF broadcasting matters.

9.6 The delegate of India said that the amendments which his country had proposed to Resolution 10 had been intended primarily to focus the attention of all Members on the need to ensure compliance with the various regulations pertaining to HF broadcasting, especially as the planning exercise had still not been completed; the matter had caused concern to many administrations since WARC-79. Even though the expertise required for thorough scrutiny of the Radio Regulations might not be available at the Plenipotentiary Conference, previous such conferences had considered and adopted resolutions concerning the Radio Regulations and other specialized matters relating to the work of the Sectors. He would be unhappy to see the thrust of his country's proposal lost, and he appreciated the initiative taken by the Chairman in producing a compromise text.

9.7 The delegate of Saudi Arabia endorsed the comments by the previous speaker and supported Document DT/27. The delegate of Syria said that his Administration would not wish to see Resolution 10 deleted. The delegate of Algeria shared that view; as he understood section 3.1.1 of the report of the Council to the Plenipotentiary Conference (Document 20), dealing with the implementation of Resolution 10 (Nice, 1989), some abuse had crept into the use of the bands currently allocated to the fixed service. He would have been interested to hear the Director of the BR's views on the matter.

9.8 The Chairman, urging the Committee to make headway, said that India appeared to be willing to accept the compromise text in Document DT/27; consequently, there were now two proposals before the Committee, namely, the United Kingdom proposal to delete Resolution 10 and the text in Document DT/27. Under No. 436 of the Convention the United Kingdom proposal should be dealt with first, since it was the furthest removed from the original text. Having called for an indicative show of cards, he noted that a majority of delegates opposed the United Kingdom proposal. Having called for a further show of cards, he noted that a majority of delegates supported Document DT/27, in respect of which he invited comments.

9.9 The delegate of the United States read out a number of amendments to the text in Document DT/27.

9.10 The delegate of Syria objected to the fact that new wording, which appeared to differ considerably from both the original text of Resolution 10 and the Indian proposal, was being proposed orally in one language, which was not his mother tongue.

9.11 The Chairman invited the meeting to consider amended Resolution 10 in Document DT/27 paragraph by paragraph together with the amendments proposed by the United States, which he would request the proponent to read out again as and when the relevant paragraphs were taken up.

9.12 There were no comments on the title and introductory clause.

9.13 Referring to **considering a)**, the delegate of the United States proposed that the text should be amended to read: "that the World Administrative Radio Conferences of 1979 and 1992 allocated additional HF bands to the broadcasting service".

9.14 It was so agreed.

9.15 There were no comments on **considering b) and c)**.

9.16 The delegate of the United States proposed that **considering d)** be amended to read: "that work is proceeding in the Radiocommunication Sector to study alternative planning procedures that might be used to alleviate HF congestion and optimize the use of the HF bands allocated to the HF broadcasting services".

9.17 It was so agreed.

9.18 The delegate of the United States proposed that a new **considering e)** be added, to read: "that the results of this work are to be available for the work of the 1995 and 1997 World Radiocommunication Conferences".

9.19 It was so agreed.

9.20 Following proposals by the delegates of the United Kingdom and Syria, it was agreed to delete the words "No. 531 of" from **resolves 1**.

9.21 The delegate of the United Kingdom considered that, as a consequence of the amendment made to **resolves 1**, **resolves 2** should be deleted.

9.22 Following a brief discussion in which the delegates of India, Cuba, Saudi Arabia and the United Kingdom took part, it was agreed to retain **resolves 2** subject to the deletion of the words "No. 531 of".

9.23 The delegate of the United States proposed that the text of the **urges administrations** paragraph should be amended to read: "to participate in and follow the progress of the work currently taking place in the Radiocommunication Sector on matters related to the use of the HF bands allocated to the broadcasting service".

9.24 It was so agreed.

9.25 Amended Resolution 10 (Nice, 1989) as a whole, as further amended by the Committee, was approved.

9.26 The delegate of Syria reserved his delegation's right to revert in Plenary to the amendments introduced during the discussion, for the reasons which he had given earlier.

10 Non-discriminatory access to modern telecommunication facilities and services (continued) (Document 204)

10.1 The delegate of Russia, who had coordinated consultations to eliminate inconsistencies between draft Resolution [RUS/3] (proposal RUS/47/3) and Resolution 5 of the World Telecommunication Development Conference (Buenos Aires, 1994), introduced the draft resolution in Document 204.

10.2 The draft resolution was approved.

11 Contribution of telecommunications to the protection of the environment (continued) (Document 205)

11.1 The delegate of Lebanon, who had coordinated the preparation of the draft resolution in Document 205, introduced the text, which contained very few changes in relation to Resolution 8 of the World Telecommunication Development Conference (Buenos Aires, 1994). He drew particular attention to new **considering e)**, put forward by Argentina, and to the fact that Senegal should be added to the list of countries sponsoring the draft resolution.

11.2 The delegate of New Zealand proposed that the word "ensures" in the **resolves** paragraph should be replaced by "encourages" and the remainder of the paragraph reworded in consequence.

11.3 Subject to that amendment, the draft resolution in Document 205 was approved.

11.4 The Director of the BR, supported by the delegate of Lebanon, suggested that Committee 7 should be informed of the Committee's approval of the draft resolution, as the financial consequences of its implementation had not yet been considered.

11.5 It was so agreed.

12 Telecommunications for disaster relief (continued) (Document 211)

12.1 The Chairman of ad hoc Working Group COM4/6, set up to produce a coordinated version of draft Resolution [BAH/1] in Document 96, said that all the agreed modifications were now reflected in the text submitted for approval in Document 211.

12.2 The draft resolution in Document 211 was approved.

13 Electronic access to documents and publications (continued) (Document 221)

13.1 The Chairman of ad hoc Working Group COM4/7, set up to coordinate the proposals in Documents 119 and 151 and prepare a consolidated text, introduced Document 221. Draft Resolution 14(Rev.1) contained in that document combined the ideas of efficient dissemination of

ITU publications using new technology and marketing techniques and also mentioned the need to implement development strategies and mechanisms so that all countries were able to access publications. The title of the resolution had been changed to "Access to Publications of the Union", and three new paragraphs had been added to the **instructs the Secretary-General** section. A separate text on remote access to ITU information services, based on Resolution 62 of the Nice Plenipotentiary Conference, was put forward as draft Resolution [SG/A34] in the same document.

Draft Resolution 14(Rev.1) - Access to Publications of the Union

13.2 In reply to the delegate of Norway who asked why the word "documents" had been deleted from the title and text, the Chairman of ad hoc Working Group COM4/7 said that the word "publications" was considered to comprise all kinds of documents. The delegate of Norway considered that it might be misleading to omit the word "documents" in that particular context.

13.3 It was agreed to restore the word "documents" to the title of the draft resolution.

13.4 There were no comments on the **considering, further considering and resolves** sections.

13.5 With regard to the **instructs the Secretary-General** section, the delegate of the United Kingdom, supported by the Chairman of ad hoc Working Group COM4/7, proposed the addition of the phrase "within the financial constraints of the Union" at the end of paragraph 1.

13.6 It was so agreed.

13.7 Further to a query by the delegate of Spain which gave rise to a brief discussion, it was agreed to amend paragraph 5 of the same section to read: "to seek consultation with the advisory bodies of the three Sectors ...".

13.8 Draft Resolution 14(Rev.1) as a whole, as amended, was approved.

Draft Resolution [SG/A34] - Remote Access to ITU Information Services

13.9 At the proposal of the delegate of Spain, it was agreed to replace the words "ITU advisory bodies" in paragraph 1 of the **instructs the Secretary-General** section by "the advisory bodies of the three Sectors".

13.10 Draft Resolution [SG/A34] amending Resolution 62 (Nice, 1989) as a whole, as amended, was approved.

14 Review of the decisions, resolutions and recommendations of previous Plenipotentiary Conferences (Documents 43 and Corrigenda 1 and 2, 67, 155 and Corrigendum 1, 170, 199 and Corrigendum 1)

14.1 The Chairman drew attention to Document 170 which listed, together with cross-references to other relevant documents, the various texts on which the Committee was required to take action.

Resolutions and recommendations of the Nice Plenipotentiary Conference (1989)

Resolution 5

14.2 Retained, with editorial corrections.

Resolutions 7, 8, 9, 10, 14

14.3 Deleted.

Resolution 15

14.4 Retained, with editorial corrections.

Resolutions 16, 17, 19

14.5 Deleted.

Resolution 20

14.6 The delegate of Syria asked whether it would be possible to reword Resolution 20 so that it included some mention of the need for permanent expertise to be available within the Union to assist administrations in restructuring and developing their telecommunication systems.

14.7 The delegate of the United Kingdom considered that it would be preferable not to amend the resolution along such lines.

14.8 Resolution 20 was retained, with editorial corrections.

Resolutions 21, 22

14.9 The Deputy Secretary-General observed that Resolution 21 would require detailed revision to take account of the establishment of the BDT and the new financial arrangements.

14.10 The delegate of the United Kingdom wondered whether Resolution 21 was strictly necessary now that agreement had been reached with UNDP on ITU participation in its programmes.

14.11 The representative of the BDT observed that the resolution covered not only UNDP activities but other funding arrangements as well. In response to a question by the Chairman, he suggested that the ideas embodied in Resolution 22 might be incorporated in a new version of Resolution 21.

14.12 The Chairman suggested that he be authorized to work with the secretariat on a text combining Resolutions 21 and 22 which should be submitted directly to the Plenary Meeting.

14.13 It was so agreed.

14.14 On that understanding, Resolutions 21 and 22 were deleted.

Resolution 23

14.15 The delegate of India said that proposal IND/67/9, which requested ITU-T Study Group 3 to expedite studies of cost methodologies with a view to modifying the revenue-sharing formula for the benefit of developing countries, was closely related to joint proposal BEN.../199/1, which he fully supported. He was prepared to work on the basis of the joint proposal provided the words "in the least developed countries" were deleted from the title in order to accommodate the developing countries in general.

14.16 The delegate of Cameroon, introducing joint proposal BEN.../199/1, said that its sponsors firmly believed that the Kyoto Conference should examine all ways of improving telecommunication infrastructures in the developing countries, especially the least developed among them. Accordingly, fully supporting the position taken at WATTC-88, they called for an infrastructure development programme funded by the adjustment, in favour of developing nations, of the division of the international accounting rate, under the conditions outlined in their proposal. He accepted the Indian suggestion.

14.17 The delegate of Lebanon pointed out that the joint proposal referred back to Resolution 3 of WATTC-88 as well as to Resolution 23 (Nice, 1989) and the Buenos Aires Declaration. In essence, it called for simultaneous progress in the developing and the developed countries through a sharing formula other than 50/50.

14.18 The delegate of the United Kingdom said she fully supported the principle that any country should be encouraged to invest its income in improving the quality of its network. However, she found it difficult to accept the joint proposal which appeared to contradict Article 6 of the International

Telecommunication Regulations. In many countries services were now supplied on the basis of a commercial arrangement between private companies, in which governments were not involved. In her view, the matter fell within the purview of ITU-T Study Group 3.

14.19 The Chairman suggested that, in view of the short time available, he be authorized to prepare a text indicating the modifications to Resolution 23 proposed by the sponsors of proposal BEN.../199/1, in consultation with them and with all other interested delegations, with a view to facilitating the work of the Plenary when it took up his report on the matter.

14.20 It was so agreed.

Resolution 24

14.21 The representative of the BDT indicated that part of Resolution 24 was covered by the draft resolution submitted by Senegal in Addendum 1 to Document 194, while the rest remained valid.

14.22 At the suggestion of the delegate of Pakistan, Resolution 24, with the appropriate editorial changes, was retained.

Resolution 25

14.23 Retained, with editorial corrections.

Resolution 26

14.24 The delegate of Mali introduced the amendments to Resolution 26 proposed by a number of delegations in Document 155. Since the problems of the least developed countries persisted and the gap between them and the industrialized countries continued to widen, Resolution 26 was still topical and he proposed that it should be retained as amended by Document 155.

14.25 It was so agreed.

Resolution 27

14.26 Deleted.

Resolution 28

14.27 The delegate of Algeria suggested that, in accordance with joint proposal ALG.../43/8, Resolution 28, which was still valid, should be maintained subject to the necessary editorial corrections.

14.28 It was so agreed.

Resolutions 30, 32, 33, 40, 48, 49

14.29 Deleted.

Resolution 50

14.30 The Chairman suggested that he be authorized to update Resolution 50 in collaboration with the secretariat and present it to the Plenary Meeting.

14.31 It was so agreed.

Resolutions 55, 58, 60, 61, 62

14.32 Deleted.

14.33 The delegate of Syria pointed out that there was a need in certain resolutions to refer to "small-m" members as well as Members.

14.34 The Chairman said the secretariat had taken note of that observation.

Recommendation 1

14.35 Deleted.

Recommendation 2

14.36 At the suggestion of the delegates of Lebanon, Bangladesh and Senegal, Recommendation 2 was retained, with editorial corrections.

Resolutions of the Additional Plenipotentiary Conference (Geneva, 1992)

Resolution 2

14.37 At the suggestion of the delegates of Sweden and the United States, Resolution 2 was retained, with editorial corrections.

Resolution 3

14.38 The Chairman and the delegates of the United States and Spain pointed out that Resolution 3 contained the legal basis for the existence of the advisory groups and as such should be retained.

14.39 The delegate of the United Kingdom considered that a sufficient basis for the Advisory Groups already existed, so Resolution 3 could be deleted.

14.40 The Director of the BR pointed out that Resolution ITU-R 3 of the Radiocommunication Assembly virtually repeated Resolution 3 of the Additional Plenipotentiary Conference and referred to it as its legal basis.

14.41 After comments by the delegates of Syria and Canada, the Chairman suggested that Resolution 3 be left in square brackets to allow for further consultation among interested delegations.

14.42 It was so agreed.

Resolutions 4, 6

14.43 Deleted.

Resolution 7

14.44 The delegate of Lebanon, speaking as the coordinator of GAS activities, said that **resolves** 1-4 of Resolution 7 had been implemented, although some other points might still remain.

14.45 The Director of the BDT, after commending the delegate of Lebanon for his efforts, confirmed that the resolution had now been implemented.

14.46 Resolution 7 was deleted.

Resolutions 8, 10

14.47 Deleted.

Resolution 13

14.48 The Director of the BR suggested that in line with the proposal contained in Document 176 Resolution 13 should be amended by replacing the word "initiated" in the **resolves** paragraph by "continued".

14.49 Subject to that amendment, Resolution 13 was retained with editorial corrections.

Resolutions 14, 15, 16

14.50 Deleted.

15 Approval of the summary records of the first to ninth meetings (Documents 116, 132, 137, 149, 161, 173, 188, 197, 215)

15.1 The Chairman suggested that, to save time, delegates wishing to modify the summary records should submit their corrections directly to the Secretary.

15.2 On that understanding, the summary records of the first to ninth meetings were approved.

16 Conclusion of the work of Committee 4

16.1 After the customary exchange of courtesies, the Chairman declared that Committee 4 had completed its work.

The meeting rose at 1525 hours.

The Secretary:
D. MACLEAN

The Chairman:
A. BERRADA



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 305-E
4 November 1994
Original: French/
English**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 5

**SUMMARY RECORD
OF THE
TENTH AND LAST MEETING OF COMMITTEE 5
(CONSTITUTION AND CONVENTION)**

Monday, 10 October 1994, at 1435 hours

Chairman: Mr. L. CHEHAB (Brazil)

Subjects discussed	Documents
1 Approval of the summary records of the fifth and sixth meetings	206, 208
2 Report from the Chairman of the informal Working Group on observer status for Members not elected to the Council	203
3 Consideration of proposed amendments (continued)	142, 213, 234, 241
4 Rules of Procedure of conferences and meetings of the International Telecommunication Union	68
5 Date of entry into force of the amendments to the Constitution and the Convention	242
6 Report from the Chairman of the informal Working Group on observer status for Members not elected to the Council (resumed)	203
7 Draft resolution relating to provisional application by Members of the Union having not yet become Parties to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992)	260
8 Conclusion of the work of Committee 5	-

● For reasons of economy, this document is printed in a limited number of copies. Participants are therefore kindly asked to bring ●
their copies to the meeting since no others can be made available.

1 Approval of the summary records of the fifth and sixth meetings (Documents 206 and 208)

1.1 Subject to editorial amendments, which should be transmitted to the Secretariat, the summary records of the fifth and sixth meetings (Documents 206 and 208) were approved.

2 Report from the Chairman of the informal Working Group on observer status for Members not elected to the Council (Document 203)

2.1 The delegate of the Netherlands, speaking on behalf of the Chairman of the informal Working Group, introduced Document 203 on observer status for non-elected Members; the document set out the issue, the rationale and a draft resolution. The informal Working Group had consisted of some 15 delegations and had met on three occasions. It was proposed that, for a trial period lasting until the Plenipotentiary Conference in 1998, any Member of the ITU not elected to the Council be allowed, if it so wished, to send one observer to meetings of the Council, its committees and its working groups. Observer Members would be able to receive meeting documents, but would not have the right to vote or to address meetings, save in exceptional circumstances and where the Chair agreed otherwise. The purpose of the proposal was, first, to enable Members not elected to the Council to remain more in touch with the Council's work, and thus with the work of the Union, and second, to make the Union more open and increase the transparency of its operation. In that connection, she recalled that the Secretary-General, in his address to the first Plenary Meeting, had stated that "the ITU must become a truly open organization - open to its Members, open to its partners, open to new ideas, open to new ways of doing things, ...".

2.2 It should be noted that a large number of United Nations agencies authorized those of their Members that were not elected to their governing bodies to participate in the meetings of the latter as observers. The presence of observers at Council meetings would considerably enhance the level of understanding of the Union's activities, while at the same time enabling those Members intending to apply for membership of the Council to appreciate fully the scope of the duties and responsibilities of elected Members. As to the financial implications of the draft resolution, it was suggested, in the interests of minimizing costs, that only those observers which so requested should receive documents, that each non-elected Member should be able to send only one observer and that observers should receive no reimbursement of their travelling and other expenses. Based on the experience of other United Nations specialized agencies, it was unlikely that every Member of the Union would send an observer to Council meetings. The costs would be principally concentrated on reprographics and postage.

2.3 Certain delegations feared that only those countries which were close to Switzerland would be able to finance the sending of an observer to Council meetings and that countries which were geographically distant from headquarters would thus find themselves penalized. However, most countries maintained a permanent mission to the United Nations in Geneva, and could therefore request a member of their mission staff to attend Council meetings. Finally, it was important to ensure that the proposal on observer status for Members not elected to the Council related only to a trial period of four years.

2.4 The Legal Adviser informed the Committee that, according to information communicated to him by the Chief of the Finance Department, the granting of observer status to Members not elected to the Council would represent an annual cost of 482 000 Swiss francs up until the Plenipotentiary Conference of 1998.

2.5 The delegate of Lebanon, expressing support for the draft resolution introduced by the delegate of the Netherlands, said that he welcomed the encouragement of greater participation by Members in the work of the Union, at the same time that the Union was being opened up to members.

2.6 The delegate of Greece likewise supported the draft resolution, for all of the reasons which the delegate of the Netherlands had mentioned.

2.7 The delegate of Saudi Arabia said that if the draft resolution was approved, it would be those countries which were geographically close to Switzerland that would derive the greatest benefit. The staff of permanent missions to the United Nations Organization was too busy to be able to follow closely the meetings of the ITU Council. A practical problem had thus arisen to which a solution needed to be found.

2.8 The delegate of Mexico shared the concern expressed by the delegate of Saudi Arabia; furthermore, the estimate of the financial implications provided by the Legal Adviser appeared to be too high.

2.9 The delegate of the United Kingdom emphasized the need, when calculating the financial implications, to bear in mind that by no means all of the Members of the ITU would send observers; furthermore, even if the Council had to transfer its meetings from its customary room to a larger one, which would effectively mean holding them in the Geneva International Conference Centre (CICG), situated close to the ITU premises, that would not incur any additional cost, since the Swiss Government made the Centre available to the ITU free of charge. Finally, he noted that the members of his country's permanent mission in Geneva followed, and derived benefit from, those meetings and conferences of the United Nations agencies in which they had an interest. Why should it be any different with the ITU?

2.10 The delegate of Saint Vincent and the Grenadines approved the principle of the draft resolution. The countries of the Caribbean could send an observer to Council meetings using a system of rotation. Like the delegate of the United Kingdom, he, too, thought that the estimate of the financial implications was too high. Referring to the views expressed by the delegate of Saudi Arabia, he concluded by noting that several countries located close to the ITU headquarters were in fact elected Members of the Council and would therefore not be privileged by the new measure.

2.11 The delegate of New Zealand likewise supported the principle of granting observer status to Members not elected to the Council, even though his country permanently suffered from being so far from Geneva.

2.12 The delegates of Thailand, the United States and Spain supported the principle of the draft resolution, subject to a number of textual amendments.

2.13 The delegate of Cameroon was fully in agreement with the intention of the draft resolution. In response to those who feared that the Council would become too big and that the granting of observer status to non-elected Members would incur additional expenses for the Union, he pointed out that many countries would not have the wherewithal to send an observer to ITU meetings. In that connection, he wondered whether it might not be possible for those countries to be in some way represented by regional telecommunication organizations, which already had observer status, such as the Caribbean Telecommunication Union or the League of Arab States. Arrangements could also be envisaged whereby countries which did not have the means to send an observer to Geneva could nevertheless receive those documents which were of interest to them.

2.14 The delegate of Sweden said that the financial implications might well be higher than initially foreseen, given, on the one hand, that some countries not Members of the Council would doubtless announce their intention to send an observer for the sole purpose of receiving the documents, and, on the other hand, that certain countries not Members of the Council would feel themselves bound to send an observer, which would result in expenditure for their respective administrations. The argument that observers attended meetings of the governing bodies of other United Nations specialized agencies was not necessarily relevant, since each organization was different. Having said that, he was not opposed to the provisional implementation of the proposed measure for a trial period.

2.15 The delegate of Cuba approved the spirit of the draft resolution, but feared that the financial implications might be too high. It should, moreover, be pointed out that observer participation would not obey the principle of equitable geographical distribution, and that that would be inconsistent with No. 61 a) of the Constitution, which provided that the Members of the Council were elected with due regard to the need for equitable distribution of the seats on the Council among all regions of the world.

2.16 The delegate of Russia suggested that observer participation in the Council take place on a regional basis, thus avoiding major expenditure; the observers would report to the countries of their region on the meetings they had attended. Other points could still be clarified or amended in the draft resolution, but the Russian delegation had no objection to its substance.

2.17 The delegate of Pakistan had no objection to the principle of the draft resolution, but stressed that the Council was not a general body, but the governing body of the Union. It was in his opinion necessary to hear the Secretariat's views on the matter and to work towards a better definition of the concept of observer.

2.18 The delegate of Venezuela, congratulating the authors of Document 203, expressed support for the draft resolution, since participation by observers would enable non-elected Members to follow more closely the work of the Council. That view was shared by the delegates of Iran, Ecuador and Tunisia.

2.19 The delegate of Guinea, expressing support for the draft resolution, which would help to improve the functioning of the Union, said that he would like to have more details on the cost breakdown and suggested that interested Members for whom distance was a problem should be able to receive documents.

2.20 The delegate of Jordan, likewise expressing support for the draft resolution, said that the reevaluation which would take place at the end of the trial period would serve to determine whether observer participation constituted a financial burden for the Union or an asset. His remarks were supported by the delegates of Hungary and Japan.

2.21 The delegate of Bulgaria wished to have further details regarding the costs involved in observer participation, and pointed out that the Secretariat would need to know in advance the number of Members wishing to participate as observers, so that it could take steps to reduce certain expenses.

2.22 The delegate of Portugal, while supporting the draft resolution, said that the number of observers should not exceed about 30.

2.23 The delegate of Singapore was altogether in favour of observer participation and wished to have a more detailed breakdown of the financial implications of the draft resolution. Such participation would not hamper the effectiveness of the Council, and if the Union was prepared to welcome members, it should show the same degree of openness toward the Members. Those views were supported by the delegate of the Philippines, who felt that the financial estimate which had been given was excessive.

2.24 The delegate of China, while approving the principle of the draft resolution, which would encourage transparency, said that the factors which had given rise to it should be further studied, and reserved for his delegation the right to revert to the matter at a later stage. He added that if the draft resolution was adopted, the Council's Rules of Procedure would not necessarily have to be amended, since it was a trial period that was currently being proposed.

2.25 The delegate of Benin, while supporting greater transparency and effectiveness within the Union, recalled that a number of delegations had raised questions, including questions on the financial implications, which had not yet been answered. In his view, the matter of observer status should be held over until the next Plenipotentiary Conference.

2.26 The delegate of Burkina Faso said that his delegation, in common with all other delegations, could only support the principle embodied in the draft resolution in the interests of an increased level of transparency in the running of the Union and of participation by all in the whole range of its activities, including within the Council. If the aim was to achieve transparency, then cost should not be a prohibitive factor. As the delegate of Cameroon had suggested, those countries which had difficulty in sending representatives could be represented by regional telecommunication organizations or could ask to receive the documents. In the interests of equitable treatment all round, he proposed that participation be based on geographical distribution and that the Union contribute at least partially to observers' expenses.

2.27 The Legal Adviser, speaking on behalf of the Chief of the Finance Department, said that the figure he had quoted on the latter's behalf had been calculated on the basis of participation by 100 observers. The reprographics costs were estimated at 236 000 Swiss francs, public and internal services, including postage, at 96 000 Swiss francs, rental and maintenance of premises at 100 000 Swiss francs, contract services at 40 000 Swiss francs and staff costs at 10 000 Swiss francs, giving a grand total of 482 000 Swiss francs.

2.28 The delegate of Switzerland recalled that the Swiss Confederation made the CICG available to the organizations free of charge, but that the conference halls must nevertheless be reserved in advance. In his view, the figure of 100 observers was excessive.

2.29 The delegate of the Netherlands explained that following an exchange of views with the Chief of the Finance Department, the latter had agreed that the figure of 100 observers could be reduced, and the expense item corresponding to office rental deleted. Furthermore, the postal and reprographics costs would probably be much lower than those estimated if the number of observers was half, or less than half, the number suggested.

2.30 The delegate of the United Kingdom said that, in the light of the explanations provided, the amount of 482 000 Swiss francs could be reduced to 69 000 Swiss francs if the number of observers was 20. He reminded the meeting that the Council's budget for 1995 had been set at 1.45 million Swiss francs.

2.31 The delegate of Ireland wondered whether the Constitution or Convention would need to be amended if the draft resolution was adopted, given that the Council established its own Rules of Procedure. He approved the draft resolution in principle.

2.32 The Chairman invited the Committee to consider the draft resolution point by point.

2.33 The Committee approved § 1 of the **considering**.

2.34 The delegate of Benin, pointing out that § 2 of the **considering** referred to the fact that specialized agencies of the United Nations Organization could attend meetings of the Council as observers, stressed that the notion of observer was not the same for an agency as it was for a non-elected Member. He therefore proposed that § 2 of the **considering** be deleted. His views were supported by the delegates of Switzerland and Oman.

2.35 The delegate of Lebanon felt that § 2 should be maintained.

2.36 Replying to a question by the delegate of France, the Legal Adviser said that WHO and the ILO allowed observers to attend meetings of their governing bodies.

2.37 It was decided to delete § 2 of the **considering**.

2.38 The Committee approved § 1 of the **recognizing**.

2.39 The delegate of Sweden felt that no purpose was served by referring to other United Nations specialized agencies, and therefore proposed that § 2 of the **recognizing** be deleted.

2.40 The delegate of Burkina Faso, supported by the delegate of Benin, suggested that reference be made to the notion of transparency rather than deleting the paragraph.

2.41 The delegate of Portugal said that § 2 of the **recognizing** expressed facts, and that there was therefore no reason for deleting it. That opinion was shared by the delegate of the Netherlands, supported by the delegate of Guinea.

2.42 It was decided to maintain § 2 of the **recognizing**.

2.43 The delegate of the Netherlands suggested that a § 3 be added to the **recognizing** to reflect the very relevant proposal made by the delegate of Burkina Faso. The delegate of Spain, while understanding the proposal by the delegate of Burkina Faso, emphasized that the impression must not be given that the Union was lacking in transparency.

2.44 The Chairman invited the delegates of Burkina Faso, the Netherlands and Spain to consult one another with regard to the addition of a further paragraph to the **recognizing**.

2.45 The delegate of the United States proposed splitting § 1 of the **resolves** and inserting in § 1 the words "at its own expense" after "send one observer", so that § 1 would read "... send one observer at its own expense to meetings of the Council, its committees and its working groups". The second paragraph would read as follows: "§ 2. that observers from non-elected Members shall indicate to the Secretariat in good time their intention to attend the meetings of the Council; observers so notified may receive documents but shall not have the right to vote or to address meetings, save in exceptional circumstances, and where the Chair agrees otherwise".

2.46 The delegate of Mexico said that his delegation's position was very close to that of the United States delegation. He considered, moreover, that observers should not have the right to vote, since only the Members of the Council were empowered to take decisions. He proposed that the **resolves** be amended to read "... not elected to the Council may, provided it gives prior notification of its intention to do so, send at its own expense one observer to meetings of the Council, its committees and its working groups. An observer shall not have the right to vote, may receive documents during the session, but shall not have the right to address meetings, save in exceptional circumstances and where the Chair agrees otherwise".

2.47 The delegate of Portugal supported the proposal by the Mexican delegation and opposed that of the Russian delegation concerning the attendance of one observer per region.

2.48 The Chairman proposed that an informal Working Group be set up to draft a compromise text for submission directly to the Plenary.

2.49 The delegate of Sweden supported that proposal, provided the membership of the Working Group was open-ended.

2.50 The delegate of Japan felt that the number of Working Groups should be limited, reminding the Committee that it had only a short time in which to attend to a very full agenda.

2.51 The delegate of the Netherlands considered that the proposal by the delegate of Mexico was essentially akin to that of the delegate of the United States, and that a compromise was within reach. The Committee should therefore not put off its decision.

2.52 The delegate of Russia, too, felt that the Committee should take a decision without delay, particularly with regard to his own delegation's proposal. He otherwise supported the proposal by Mexico.

2.53 The delegate of Burkina Faso likewise wished the Committee to take a decision on his own proposal to the effect that the geographical distribution of observers should be equitable and that the costs arising from their participation should be borne in part by the Union. He added that an informal working group of a committee was not empowered to report to the Plenary, it being up to the Chairman of the Committee in question to do so.

2.54 The delegate of Venezuela fully shared the view expressed by the Netherlands delegation. It was up to administrations to decide whether or not they wished to send observers to Council meetings.

2.55 The delegate of the United States associated herself, in the interests of reaching a compromise, with the proposal by Mexico and endorsed the remarks made by the delegate of Venezuela concerning observers.

2.56 The delegate of Germany, supported by the delegate of Cuba, said that the Committee should not go into details which the Council would deal with when it came to amend its Rules of Procedure. He proposed deleting the final sentence of the **resolves**, since if the Chairman gave the floor to one observer, he would subsequently be obliged to give it to all the others.

2.57 The delegate of Mexico noted that his delegation's proposal was supported by many other delegations. He proposed, however, that the amendments suggested by the delegates of Germany, Russia and Burkina Faso be included in square brackets.

2.58 Following a break in the meeting, the Secretary of the Committee read out a new wording, formulated in the course of informal consultations, for the **resolves**:

"resolves

1. that, for a trial period up to the 1998 Plenipotentiary Conference, any Member of the Union which is not a Member of the Council may, if it gives sufficient notice to the Secretary-General, send one observer, at its own expense, to meetings of the Council, its committees and its working groups;

2. that an observer may receive documents during a meeting, but shall not have the right to vote or to address the meeting."

2.59 The delegate of Russia supported that proposal, with the exception of the words "any Member". He would wish to see only one representative per region, and suggested that his proposal be placed in square brackets.

2.60 The delegate of Burkina Faso would be prepared to support the new wording, provided his own proposal, which was very close to that of the delegate of Russia, was likewise included in square brackets. He expressed the wish that the Chairman request the Committee to take a decision on his proposal.

2.61 The delegates of Uruguay, Canada, Venezuela, Mexico, Tunisia, Portugal, Jordan, the Netherlands, Australia and Syria were opposed to the proposals by the delegate of Russia and the delegate of Burkina Faso, since the appointment of observers by region would pose major problems for certain regions and certain Members and would be inconsistent with the spirit of the draft resolution.

2.62 The delegate of Mexico said that he understood the reasoning behind the proposals by the delegate of Russia and the delegate of Burkina Faso, and therefore proposed including in the draft resolution an additional section with the wording "**requests the Members** to send, as far as possible, only one representative per region".

2.63 The delegate of the Netherlands, supported by the delegate of Australia, felt that the sending of observers on a regional basis should not be an obligation, but merely a possibility for any regions which so wished.

2.64 The Legal Adviser recalled that equitable distribution of Council seats among all of the regions of the world, as required under No. 61 of the Constitution, was already intended to ensure due representation of the whole membership within the Council, the Members of which were bound to report to the other Members of their respective regions. He therefore questioned whether it was truly

necessary to adopt a similar method of appointment for observers, when the aim of the draft resolution under consideration was purely and precisely to open the Council to Members of the Union which had not been elected to the Council, but were interested in its work.

2.65 Referring to the wording proposed by the informal Working Group for § 2 of the **resolves**, the delegate of Canada, supported by the delegate of the Netherlands, expressed the view that observers should, for reasons of efficiency, receive documents in advance.

2.66 The delegate of Jordan added that the cost of dispatching those documents could be borne by the observers.

2.67 Still in connection with § 2 of the **resolves**, the delegate of Tunisia, supported by the delegates of Jordan and the Netherlands, considered there to be no justification for refusing observers the right to address meetings in exceptional circumstances and with the agreement of the Chair.

2.68 The Chairman decided to defer consideration of the draft resolution contained in Document 203 until the end of the meeting.

2.69 The delegate of the Netherlands deplored that decision.

3 Consideration of proposed amendments (continued) (Document 142, 213, 234, 241)

3.1 The Legal Adviser drew attention to Document 241, which had been prepared following consultations between the Chairman of Working Group 4/1 and himself, acting at the request of Committee 4. It contained proposals regarding the participation of the entities and organizations referred to in No. 229 of Article 19 of the Convention. Committee 4 had approved the text of No. 262bis, and the consequential amendments to Nos. 258, 269, 271 and 1002 which were set out in paragraph 3 of the document were now submitted to Committee 5 for decision. The most important among them was the definition in the last indent of No. 1002.

3.2 The Chairman of Working Group 4/1 endorsed those remarks and thanked the Legal Adviser for his cooperation with Committee 4.

3.3 The Chairman having asked if there was any objection to the approval of new No. 262bis, the delegate of the United States pointed out that the Plenipotentiary Conference had not yet decided whether to make any changes to the Geneva Constitution and Convention. It might be more appropriate to embody the proposed amendments in a resolution, in view of the lengthy discussions currently taking place in another context on the question of observership and the many complex inter-relationships between various parts of the basic instruments. The proposed definition in No. 1002 did not, for instance, cover No. 58 of the Convention. Since there was at present no bar to observers in either the Constitution or the Convention, there was no need to make any change to those instruments. Moreover it was her understanding that, despite the lack of a relevant provision in the basic instruments, observers already attended certain meetings of the Council. Finally, Resolution SGA/7 adopted by the Plenary provided for the attendance of certain observers at Plenipotentiary Conferences and other meetings and conferences.

3.4 The delegate of Russia said that his delegation too had serious doubts about the need to introduce changes in the Geneva instruments that had only recently entered into force. Complex issues with possible serious financial implications were involved, and he therefore proposed that the matter be dealt with in a resolution or else deferred until the next Plenipotentiary Conference.

3.5 The Chairman having asked whether the Committee could accept the idea of dealing with the matter by means of a resolution, the Chairman of Working Group 4/1 drew attention to Document 142 containing the gist of the conclusions of Committee 4 and Working Group 4/1, where the points just raised had been debated at length. It would be undesirable to continue the same discussion in Committee 5. While it was a delegation's privilege to change its position upon further reflection, he found the attitude of the United States delegation surprising in the present instance in view of its

active participation in the discussions in both Committee 4 and Working Group 4/1. Perhaps the best course would be for the Chairman to request delegations to indicate their acceptance or rejection of the proposals.

3.6 The delegate of the United States stressed that her delegation supported the substance of Document 142 and the enhancement of the right of "small-m" members to participate as observers in Plenipotentiary Conferences. However, she believed that the Committee had the obligation to make any changes that might be required without amending the Constitution and Convention, and in those circumstances it would surely be sensible to discuss the possibility of adopting a resolution to achieve the desired end.

3.7 The delegate of the United Kingdom said that he too was somewhat surprised at the turn taken by the discussion. Although the United Kingdom wished changes to the basic instruments to be kept to the minimum, it saw no difficulty in adopting the proposed amendments. Committee 5's task was to see if the changes were sensible, not if they were necessary - a decision already taken by Committee 4.

3.8 The delegate of Japan, who had been a member of Working Group 4/1, considered that the matter had grave consequences and should be treated with all due care and clarity.

3.9 The delegate of France said that the direction of the present discussion was a little unexpected in view of the decision taken by Committee 4. It was true that the Conference had yet to decide whether to revise the basic instruments, but France was in favour of sending a clear signal that the ITU was to be opened up to "small-m" members.

3.10 The delegate of Germany supported Document 241.

3.11 The delegate of Norway, speaking on a point of order, requested the closure of the debate on the issue. A decision had been taken by Committee 4, and Committee 5's task was confined to approving the necessary consequential amendments. Discussion could continue in the Plenary Meeting if necessary.

3.12 The text of new No. 262bis of the Convention and the consequential amendments to Nos. 258, 269, 271 and 1002 in Document 241 were approved.

3.13 The delegate of New Zealand introduced Document 213 which contained proposals to modify the text of the Constitution and the Convention of the Union to ensure that its language was gender-neutral. Although some of the proposals, including the form "Chair" instead of "Chairman", might not translate readily, he did not consider that problem to be insuperable.

3.14 The delegates of the Republic of Korea, Saint Vincent and the Grenadines and Canada supported the proposal.

3.15 The delegate of Spain, while endorsing the idea behind the New Zealand proposal, thought it undesirable to modify so many provisions of the Convention. Moreover, serious problems would be created in the Spanish text and he could therefore not agree to the proposal.

3.16 The delegate of Norway strongly supported the idea behind the proposal but considered that changes of such magnitude, requiring careful translation, could not be made at the present late stage of the Conference. She therefore proposed that a suitable text be prepared for submission to the next Plenipotentiary Conference.

3.17 After a short exchange between the Chairman and the delegate of New Zealand, the Norwegian proposal was approved.

4 Rules of Procedure of conferences and meetings of the International Telecommunication Union (Document 68)

4.1 The delegate of Argentina, briefly introducing draft Resolution [ARG/2] in proposal ARG/68/6, said that his Administration considered it most important to adopt rules of procedure for ITU conferences and meetings at the earliest possible opportunity. For that purpose additional guidelines for the implementation of APP-92 Resolution 12 were needed and he commended the Argentine proposal, to which the Legal Adviser had some amendments which he could accept.

4.2 The Legal Adviser, after reading out a number of essentially editorial amendments to the draft resolution, said that his only substantive suggestion consisted in the insertion of the words "and revision" after "preparation" in paragraph 1 of the **instructs the Council** section, which would be a major step towards the removal of the Rules of Procedure from the Convention and their inclusion in a separate instrument. In that connection, he pointed out that previous amendments to the Rules of Procedure had been introduced piecemeal, making some tidying-up necessary. So it would be desirable to give the General Secretariat and the Group of Experts a mandate to revise the text as a whole with a view to harmonizing its provisions.

4.3 The delegate of Zaire pointed out that before a legal text was modified - particularly one that had been ratified by States - a thorough legal study was needed.

4.4 The delegate of the United States asked what would be the status of the Group of Experts if Resolution 12 was superseded and recalled that a number of countries had suggested taking specific provisions into account in the redrafting process, together with the inclusion of their proposals in the mandate of the Group of Experts.

4.5 The Legal Adviser, responding to the delegate of Zaire, said there was no question of modifying any text at the present stage. The purpose of the current exercise was to establish a legal basis by means of a resolution and thus to continue the work already begun under APP Resolution 12. By preparing the groundwork now, a document might eventually emerge for consideration at the next Plenipotentiary Conference in 1998. In reply to the delegate of the United States, he confirmed that APP Resolution 12 would be rendered obsolete by the resolution now under discussion, if approved. However, the latter resolution would empower the Council to establish a new group if it saw fit, and a draft proposal would be submitted to it for that purpose.

4.6 The delegate of Australia pointed out that if references to Resolution 12 were to be deleted, the title of the draft resolution itself contained such a reference.

4.7 After a short discussion in which the delegates of Spain, the United States and Argentina took part, the Chairman suggested that draft Resolution [ARG/2], as amended by the Legal Adviser, should be transmitted to Plenary in square brackets.

4.8 It was so agreed.

5 Date of entry into force of the amendments to the Constitution and the Convention (Document 242)

5.1 The Legal Adviser said that in the event of the Plenary deciding to adopt an amending instrument or instruments, Document 242 contained a final Article (Z), setting a date of entry into force in paragraph 1. The whole issue was, of course, still pending, but on the assumption that the Plenary would take such a decision, Article (Z) was to be added to the end of such an instrument or instruments. The actual date, whether 1 January 1996 or 1 January 1997, should be identical in both cases, and the entry into force would be between Members which were parties to the Geneva instruments. Paragraph 2 had been added to provide for provisional application by Members which on that date had not become parties to the amending instruments. It had been included to ensure some degree of continuity on at least a provisional basis through the application of a single set of instruments to what was, after all, a single organization. The paragraph went somewhat beyond

provisional application as envisaged in the Vienna Convention on the Law of Treaties, in that it suggested that States not yet parties to the new instruments should provisionally comply with their letter and spirit. Article Z ended with paragraph 2; paragraph 3 as presented wrongly in the document was in fact paragraph 4 of the main document. The Japanese delegation had informed him that it had difficulties with paragraph 2, which it suggested could take the form of a resolution - a suggestion he could from the legal point of view accept, if supported by the Committee as a whole.

5.2 The delegate of Germany said that while he had no difficulties in principle with paragraph 1 of proposed Article (Z), he was unclear as to whether it replaced No. 238 of the Constitution and how it linked up with the other provisions of Article 58.

5.3 The Legal Adviser explained that paragraph 1 did not replace No. 238 of the 1992 Geneva Constitution, which related to the entry into force of the 1992 Geneva Constitution and Convention themselves, and this between Members having deposited their instrument of ratification, acceptance, approval or accession concerning the Constitution and Convention; paragraph 1 under consideration applied only to the entry into force between Members being already parties to the 1992 Geneva Constitution and Convention and just about to become parties to the amending instruments as adopted by the present Conference. In other words, being a party to the Geneva instruments was a condition *sine qua non* of becoming a party to the amending instruments.

5.4 The delegate of the United States, after recalling that the question of treaty ratification was a sensitive one with her country's legislature - and provisional application even more so - said that, like the Japanese delegate, she would have problems with paragraph 2 and offered to collaborate on the drafting of an appropriate resolution.

5.5 The delegate of Japan stated that his delegation could not accept provisional application either in the Convention or in a resolution. It would not oppose such a resolution if supported by a majority of participants, but in view of its position on the matter could not take part in any drafting work.

5.6 The Legal Adviser suggested to withdraw paragraph 2 of Article (Z).

5.7 The delegate of Norway said that if the Plenary were to adopt amendments to the Constitution and Convention, a provision along the lines of the first paragraph of Article (Z), which was in line with No. 229 of the Constitution, would be needed. It would apply only to the entry into force of the amending instruments; once they had entered into force, Members would have to ratify the whole package. She therefore proposed that the first paragraph of Article (Z) should be approved on the understanding that the outcome would ultimately depend on the number of changes made to the Constitution and the Convention.

5.8 The delegates of the Philippines, the United Kingdom and Spain supported that proposal.

5.9 The first paragraph of Article (Z) as it appeared in Document 242 was approved, with the date of entry into force left in square brackets.

6 Report from the Chairman of the informal Working Group on observer status for Members not elected to the Council (resumed) (Document 203)

6.1 The Chairman, inviting the Committee to resume discussion of the draft resolution in Document 203, recalled that further to informal consultations the Secretary of the Committee had read out wording put forward for paragraphs 1 and 2 of the **resolves** section, and that the delegates of Russia and Burkina Faso had made proposals in connection with those two paragraphs. He invited further comments on the **resolves** section.

6.2 The delegate of Burkina Faso, speaking on a point of order and supported by the delegate of Russia, moved that the **resolves** section be placed in square brackets and referred to the Plenary for discussion.

6.3 The delegates of the Netherlands, New Zealand and Mexico opposed the motion.

6.4 Following comments of a procedural nature by the Legal Adviser and the delegate of the United States, the Chairman put to the vote the motion, the effect of which would be to postpone further debate on the matter until it could be taken up by the Plenary.

6.5 Following the vote, the Chairman announced that a majority of delegates opposed the motion, and that discussion of the **resolves** section would therefore continue.

6.6 The delegates of the Philippines and Mexico having suggested that the Chairman should call for indicative votes on the specific points covered in the **resolves** section, the delegate of the United States, supported by the delegates of Norway and the Netherlands, moved under No. 399 of the Convention that the debate be closed. The delegate of Burkina Faso opposed the motion, which was put to the vote by the Chairman.

6.7 Following the vote, the Chairman announced that a very large majority of delegates supported the motion. He therefore invited the Committee to signify, by a show of hands, its acceptance or rejection of the text of the **resolves** paragraph put forward further to the informal consultations and read out by Secretary of the Committee.

6.8 Following the show of hands, the Chairman announced that a very large majority of delegates supported the text of the **resolves** paragraph as read out by the Secretary, which was thus approved.

6.9 The Chairman invited the Committee to take up the remaining sections of the draft resolution one by one.

6.10 Referring to the **instructs the Council** section, the delegate of New Zealand proposed that "1995 session" should be replaced by "1995-1998 sessions", in order to provide for a genuine trial period.

6.11 The delegate of Sweden, supported by the delegates of Russia and Pakistan, endorsed the comments made earlier by the delegate of China, to the effect that the Council would not necessarily be obliged to amend its Rules of Procedure in order to accommodate observer status for non-elected Members, since the draft resolution referred specifically to a trial period. Accordingly the **instructs the Council** section should be deleted.

6.12 Following comments made by the Legal Adviser in response to a request for clarification from the delegate of Portugal and by the delegate of Zaire, the Legal Adviser suggested the following text for the **instructs the Council** paragraph: "to amend its Rules of Procedure accordingly, in order to allow provisionally observers of non-elected Members to attend its 1995-1998 sessions for a trial period".

6.13 The delegate of Uruguay remarked that if the Plenipotentiary Conference, as the Union's supreme body, decided that observers could attend Council sessions there should be no need for the Council to amend its Rules of Procedure as it could not disregard a decision taken by a Plenipotentiary Conference.

6.14 The delegates of Portugal and Mexico supported the text read out by the Legal Adviser. The delegate of Sweden withdrew her proposal to delete the paragraph in favour of the Legal Adviser's suggestion.

6.15 The Chairman said that if he heard no objection he would take it that the text read out by the Legal Adviser was acceptable to the Committee.

6.16 It was so agreed.

6.17 The delegate of Russia said it was regrettable that the proposal to delete the section, which he had supported, had been withdrawn. However, he would not press the point as he did not wish to prevent the Committee from making headway.

6.18 There were no comments on the **further instructs the Council** and **invites** sections.

6.19 The draft resolution in Document 203 as a whole, as amended, was approved.

6.20 The delegates of Burkina Faso, Uruguay and China reserved for their delegations the right to revert to the draft resolution in Plenary.

7 Draft resolution relating to provisional application by Members of the Union having not yet become Parties to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) (Document 260)

7.1 The delegate of the Philippines, introducing the draft resolution in Document 260 on behalf of the sponsors, observed that only one third of the Union's Members had ratified the 1992 Geneva Convention and suggested that the draft resolution might constitute a useful basis for the application of any amendments which the Kyoto Plenipotentiary Conference decided to make to the Constitution and Convention. She said that the word "Parties" should be replaced by "States Parties" throughout the draft resolution and drew attention to several other editorial changes to be made in the text.

7.2 The Chairman invited the Committee to consider the draft resolution paragraph by paragraph.

7.3 There were no comments on the **recalling**, **noting** and **mindful** paragraphs.

7.4 The delegate of the United States, while fully supporting the spirit of the draft resolution, proposed that the words "in all respects" should be deleted from the **considering** paragraph, as the Nairobi Convention was still applicable in certain respects.

7.5 It was so agreed.

7.6 The delegate of Syria proposed that the verb "urge" in the **resolves** paragraph be replaced by "appeal to".

7.7 The delegate of the United States proposed that, in order to allow for the approval procedures followed in her country and others, the **resolves** paragraph should be amended to tie in with **resolves** 1 of Resolution 1 (Geneva, 1992), as follows: "... to provisionally apply the provisions of the Constitution and Convention relating to the new structure and working methods of the Union ...".

7.8 The delegate of Portugal said that as his country might have problems with the provisional application of some provisions, he was favourably disposed to either the Syrian or the United States amendment.

7.9 The Legal Adviser saw no objection to the Syrian amendment. However, the United States proposal created problems because **resolves** 1 of APP Resolution 1 (Geneva, 1992) had ceased to be legally correct as of 1 July 1994 when the Convention and Constitution (Geneva, 1994) had come into force between those States having become parties to them.

7.10 In the light of that explanation, the delegate of the United States withdrew her proposal.

7.11 The delegate of Spain observed that if "**resolves** to urge" was changed to "**resolves** to appeal", the whole text would in fact constitute a draft recommendation rather than a draft resolution. The delegates of Portugal, the Philippines and Syria concurred.

7.12 Chairman said that if he heard no objection he would take it that the Syrian proposal was acceptable.

7.13 It was so agreed.

7.14 The draft resolution in Document 260 as a whole, as amended, was approved.

7.15 The delegates of the United States, Portugal and Japan reserved for their delegations the right to revert to the draft resolution in Plenary.

8 Conclusion of the work of Committee 5

8.1 The Legal Adviser said that since he would most probably have retired by the next Plenipotentiary Conference in the United States of America and might not have the opportunity to speak in the Plenary Meeting of the present Conference, he wished to express his thanks for the confidence placed in him by Member delegations and his pleasure at having been able to work with them, over 15 years, during so many conferences and to serve in that respect also the Union.

8.2 After the customary exchange of courtesies, the Chairman declared that Committee 5 had completed its work.

The meeting rose at 2045 hours.

The Secretary:
A. GUILLOT

The Chairman:
L. CHEHAB



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 306-E
4 November 1994
Original: French**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 7

**SUMMARY RECORD
OF THE
SIXTH MEETING OF COMMITTEE 7
(FINANCES OF THE UNION)
Saturday, 8 October 1994, at 0940 hours
Chairman: Mr. P. GAGNE (Canada)**

Subjects discussed

Documents

- 1** Limits of expenditure for the period 1995-1999 (continued)

DT/24, DT/26,
DT/28, DT/29

● For reasons of economy, this document is printed in a limited number of copies. Participants are therefore kindly asked to bring ●
their copies to the meeting since no others can be made available.

1 Limits on expenditure for the period 1995-1999 (continued) (Documents DT/24, DT/26, DT/28, DT/29)

Basis for the Financial Plan 1995-1999 (continued)

1.1 The Chairman said he very much hoped that the Committee at its last but one meeting would reach an agreement regarding expenditure limits for the period 1995-1999. Opening the discussion on Document DT/29, he recalled that the Committee, at its fifth meeting, had tried to reach agreement on a starting basis and that the different options were summarized in the document.

Basis for the limits of expenditure for the period 1995-1999 (Document DT/29)

1.2 The Secretary of the Committee, introducing Document DT/29, said that the amounts were based on the Nice Financial Plan updated at 1 January 1994. Option 1, excluding expenditure for the implementation of UNDP and Trust Fund projects, showed negative growth of 1.7%.

1.3 The delegate of France thanked the General Secretariat and especially the Secretary of the Committee for the excellent document, which was what his delegation had hoped for and which the Committee could use as a reference for the rest of its work.

1.4 The delegate of the United States, while also thanking the Secretary of the Committee, queried the figure of 738.8 million Swiss francs opposite item 2. He had been under the impression that the Committee at its fifth meeting had decided on that amount as a ceiling, including activities related to the Buenos Aires Action Plan (BAAP) and avoiding global cuts for the Sectors, yet he did not see those decisions reflected in the document. Pointing out that his delegation's proposal had been supported by several countries and had met with no objections, he said he would like those two priorities to be taken into account in Document DT/29. Once an agreement had been reached on that point, the Conference should then apply the "top-down" strategy agreed upon and to identify trade-offs between the various activities.

1.5 The Chairman said that his own impression had been that an agreement had been reached on the various items of the document before the Committee and he reminded the delegate of the United States that his delegation's proposal (Document DT/26) was still on the agenda. He did not recall any decision to include the activities referred to within the total of 738.8 million Swiss francs. A decision could certainly be taken to that effect, although at its previous meeting the Committee had only decided on establishing a starting basis.

1.6 The delegate of Morocco also expressed disagreement with the version of events given by the delegate of the United States. As far as he was concerned, the amount of 738.8 million Swiss francs had been calculated on the basis of the Nice ceiling, updated according to a logical method. As that amount had met with a consensus, it had become a starting basis, on which to establish a ceiling by a process of deductions and additions. There was no point in going back on what had already been decided.

1.7 In reply to a query by the delegate of Thailand regarding an apparent discrepancy between the amounts given in Documents DT/24 and DT/29, the Secretary of the Committee, referring to the amount of 743 million Swiss francs of Option 1 in Annex 4 to Document DT/24, said that it had been decided to include expenditure and income for the implementation of UNDP and Trust Fund projects in the Kyoto ceiling. As Annex 3 of that document covered only expenditure, i.e. a total of 17.4 million Swiss francs for the period, or 3.4 million Swiss francs annually, those amounts then had to be deducted from the estimated ceiling, which gave the net amounts indicated in Document DT/29.

1.8 The delegate of France said that although both the French and the Moroccan delegations had asked how the amount of 699.4 million Swiss francs referred to in Document DT/26 had been calculated, no explanation had been given. Logically speaking, a hypothesis should always precede

a conclusion. In the case in hand, the hypothesis was the budget established by the Nice Conference, subsequently updated, which for a constant volume of Union activities came to 726.3 million Swiss francs, after deducting project support cost income. On that starting basis, after adding the odd priority project and withdrawing others which might have become less urgent, a final figure could be arrived at within the ceiling of 738.8 million Swiss francs.

1.9 The delegate of Canada said that the problem arose from the fact that the figure of 738.8 million Swiss francs was shown in Document DT/26 as the total Kyoto ceiling, whereas the Committee at its previous meeting had tried to agree on a starting basis, which was the purpose of Document DT/29. He also recalled that the Secretary of the Committee had explained that the difference between the 743.7 million Swiss francs of Option 1 in Document DT/24 and the 699.4 million Swiss francs of item 2 in Document DT/26 arose from the credits allocated to BDT programmes on the basis of the Nice appropriations. He was therefore in favour of using Document DT/29 as a basis for discussion.

1.10 The Chairman, pointing out that no agreement had been reached on establishing a total ceiling of 738.8 million Swiss francs, proposed approving the amount of 726.3 million Swiss francs, as mentioned in item 3 of Document DT/29, as a starting basis.

1.11 The delegate of the United States said that he could not accept Document DT/29 as a basis for discussion unless it was agreed that the ceiling was 738.8 million Swiss francs, taking into account the two priorities he had referred to earlier. Otherwise, he was afraid the figure of 726.3 million Swiss francs would have to be rediscussed, since his delegation had a number of queries to raise regarding the elements underlying that amount.

1.12 The delegate of the Netherlands said that what was important was the expenditure which Members were able to finance through their contributions. In that respect, the BAAP should undoubtedly be deducted from the amount established as a starting basis, to avoid the risk of perhaps having to include other activities in the budget, whence the need to deduct the corresponding 11.3 million Swiss francs from the total of 726.3 million Swiss francs. With regard to the real growth rate indicated in item 4 of Document DT/29, he shared the views expressed earlier by the delegate of New Zealand regarding the growth of actual expenditure (Table 1, Annex 1, Document DT/24), arguing that with those rates growth was no longer negative.

1.13 The delegate of Italy said that one fact stood out clearly in the confused discussion as far as he was concerned, namely that his delegation could not approve any amount in excess of the ceiling of 738.8 million Swiss francs, which it considered as a maximum.

1.14 The Chairman, pointing out that the figure of 738.8 million Swiss francs was being considered by some delegations as a starting basis and by others as a final amount, invited participants to agree on the former.

1.15 The delegate of New Zealand said that the problem resided not so much in the amount adopted as a starting basis, but in its content, in other words in the underlying assumptions understood by each Committee member, whence the differing views. He therefore proposed considering the other documents on the agenda before returning to the question of establishing a ceiling. With regard to the Trust Funds, he asked under what budget item, according to the decision taken by the Council in that respect, the residual cost to the Union of 3.488 million Swiss francs had been entered.

1.16 The Secretary of the Committee replied that Document DT/24 showed an estimated annual income shortfall of 0.6 million Swiss francs and that disregarding the cost of implementing UNDP projects did not necessarily solve the problem. The reason lay in the actual activities of the Development Sector, and the Council should ensure that the expenditure item concerned was fully funded when it discussed the Union's budget, on the understanding that the credits allocated to that Sector should not be exceeded as a whole when the Council considered and approved the budget for all the Sectors.

1.17 The delegate of Cameroon was surprised at the difficulties raised by Document DT/29, which he had considered an excellent proposal, clearing up all his delegation's remaining doubts. In his view, the figure of 726.3 million Swiss francs was a perfectly good starting basis, so long as it did not include the BAAP.

1.18 The delegate of Japan, while approving the Chairman's summing up, welcomed Document DT/29 and supported Option 1 calculated on a zero growth basis.

1.19 The delegate of Australia said that one essential item was missing in Document DT/26, namely the amount of 40-44 million Swiss francs of savings which had been announced. In Document DT/29, the General Secretariat had shown that it was unable to arrive at the same figure for savings. Unless the delegation of the United States could justify that amount, the Committee in his view had no alternative but to accept Document DT/29 as a starting basis, after which the ceiling would depend on whatever decisions were taken thereafter.

1.20 The delegate of Norway, finding that much time had been spent to little effect, supported the proposal by the delegate of New Zealand and asked the delegation of the United States to be patient. The delegate of Germany said that Document DT/29 appeared to be based on sound reasoning and he was afraid that any further discussion might lead to a general reconsideration of the matter.

1.21 When the Chairman, before going on to consider Document DT/28, proposed agreeing on the amount of 726.3 million Swiss francs as a starting basis, the delegate of the United States said that as far as his delegation was concerned the figure of 738.8 million Swiss francs constituted a global ceiling, which could in no event be exceeded, and he reserved the right if necessary to query the assumptions used for the calculations in Table II of Document DT/24.

Draft Financial Plan for 1995-1999 (Document DT/28)

1.22 The Secretary of the Committee, introducing Document DT/28, said that until the relevant decisions had been taken by other Committees and in Plenary, the figure of 726.3 million Swiss francs could only be provisional and that the options regarding increases were as indicated in Document 138. Some decisions which had been taken elsewhere were quite precise, while others had been left to the Committee's discretion. Document DT/28 would be updated for the following meeting in the light of the current discussion. In reply to a question by the Chairman, he said that on the basis of the figure of 738.8 million Swiss francs, taken as a reference, the increase would be 4.74% in Swiss francs (real value at 1 January 1994) over the Nice ceiling. That figure was not, however, final.

1.23 The delegate of Finland, said that, when discussing the overall budget ceiling, the Committee should not overlook income. He drew attention to Chapter 5, "Financial considerations", of Document 166 concerning the strategic plan, where it was clearly indicated that income from Members would probably not increase and might even diminish.

1.24 The delegate of France praised the previous speaker's comment as very relevant and reminded Committee members of the trend of contributory units, especially with regard to their number. It was also worth noting, more generally speaking, that the document showed a series of increments and that the Conference might agree to some of the items if it managed to make savings on others.

1.25 The Chairman proposed considering the draft Financial Plan item by item.

Increase due to statutory step increases

1.26 The Secretary of the Committee said that instead of taking into account increases due to statutory step increases under the Staff Regulations, the estimate was based on the balance of previous years and on the number of persons likely to benefit from such increases in the period 1996

to 1999. For 1995, the increases were already included in the provisional budget approved by the Council.

1.27 The delegate of France asked why the figures increased systematically, in non-linear fashion, at an annual rate of 0.4 million Swiss francs, and the delegate of the United States, following up that comment, suggested that the point should be taken up again later when the figure of 738.8 million Swiss francs was rediscussed. The delegate of Germany wanted to know whether step increases were calculated only on the basis of currently filled posts or whether they took account of the new posts to be filled in the different Sectors.

1.28 The Secretary of the Committee said that three elements had been taken into account: posts already approved, staff turnover and posts currently either vacant or frozen, less the number of staff members at the last step in their grade, who would not be receiving any further increase. That method explained why the increases were cumulative from 1996 onwards. If the increases were calculated on the basis of all posts, the figure would have been much higher. In reply to a further question by the delegate of France, who wanted to make sure that the costs referred to did not call for any decision on the part of the Committee, he explained that the estimate had been based on existing staff, towards whom the Union had a long-term obligation. Budgets were based on the grades and steps of existing staff, an expenditure which did in fact lie outside the scope of the Committee.

1.29 The delegate of Germany wanted to know firstly whether any account had been taken of inevitable staff departures over the next five years, and secondly how much of the total of 4 million Swiss francs could be either fully or partially absorbed by the budget and, lastly, whether it would be possible to absorb the 4 million Swiss francs in the years ahead.

1.30 The Secretary of the Committee said that if the step increase was applied to all posts, the overall annual increase under the common system would amount to 2.166 million Swiss francs. However, that figure would have to be reduced by 40%, i.e. 0.866 million Swiss francs, to take account of staff at the last step of each grade; by 25%, i.e. 0.541 million Swiss francs, attributable to staff turnover and to replacements by recruitment at lower steps; and by 0.325 million Swiss francs in respect of vacant or frozen posts not included in the budget. The upshot was that the minimum amount which could be allocated to statutory step increases was 0.4 million Swiss francs, a figure which was in line with those of previous years. The same method had been used to establish ceilings at the Nairobi and Nice Conferences. Meeting statutory costs attributable to the common system constituted a long-term commitment towards the staff and reinstating staff expenditure cuts worth 22.2 million Swiss francs would lead to a further overall reduction of 4 million Swiss francs. That was the only way to cover statutory costs.

Increase in the volume of study group meetings

1.31 The Director of the BR reminded the Committee that a considerable increase had been planned in Düsseldorf in 1990 by the CCIR Plenary Assembly and that it had in fact amounted to 80% since then. As a result, the Union had decided to institute a two-year cycle for radiocommunication conferences and assemblies. The effective cost increase was due both to big-M Members and small-m members, the latter's contribution having considerably increased in recent years. Conference preparatory meetings were another activity requiring a considerable volume of documents and information to be supplied by the study groups.

1.32 The Secretary of the Committee explained that the increase in the volume of documentation of the Standardization Sector was due to the size of the programme of study group meetings decided by Members at the Helsinki WTSC in 1993, as well as to the obligation to produce recommendations in three languages. Any cut-back in that expenditure would have the effect of delaying the publication of recommendations. In percentage terms, the planned increase was 25% a year from 1996 onwards.

1.33 When the delegate of the United Kingdom asked whether the estimated increase in the volume of documentation depended on concrete factors and whether some effort should not be made to slow the trend, the Director of the BR said that since the Düsseldorf Assembly the increase in his Sector had actually been 80% and that he did not think the trend could go on in that way much longer.

Reinstatement of staff expenditure cut from the 1995 provisional Budget

1.34 The Secretary of the Committee drew attention to the fact that operating expenditure, both for the Secretariat and for the Bureaux and Council, had been decreasing constantly from year to year, falling from 88.1 to 81.8 million Swiss francs since the Nice Conference, and that the implications of a number of decisions taken by the High Level Committee had also had to be covered. The problem of global cuts was beginning to take on such proportions that the quality and the very substance of the Secretariat's activities were being jeopardized. A fresh start was needed on a new basis, with a new financial operating system which identified costs and handed responsibility to the Directors.

1.35 The delegate of New Zealand, who said that it was preferable to speak of desired savings rather than global cuts, recalled that the 1992 Additional Plenipotentiary Conference had approved structural modifications which were to lead to greater efficiency, although he was willing to admit that it was not always easy to establish a logical link between resources and objectives and outputs. The Council had approved a draft budget for 1995 which could not exceed the budget of the previous year by more than 1%. While the reinstatement of some of the expenditure concerned was perhaps justified, the matter should be considered in more detail before any global reinstatement was decided.

1.36 The Secretary of the Committee pointed out that because of the need to keep to the 1994 budget, the draft budget for 1995 did not take account of the full cost of the Union's activities. The Conference should therefore turn its attention to global cuts, both past and future.

1.37 The delegate of the United Kingdom said that all organs of the Union should establish priorities and should take a more differentiated approach to resources and products. He doubted whether that could be done before the end of the Conference, but a lower amount might be an encouragement to give more thought to priorities.

1.38 The delegate of the Netherlands suggested that the approach should be output-oriented rather than input-oriented. Members should establish their constraints and priorities.

1.39 The delegate of Germany said that global cuts should not be excluded when they were the only way to achieve savings, especially as they tended to draw attention to the real priorities and to improve efficiency.

1.40 The delegate of France agreed with the previous speakers, but commented that Members should also assume their responsibilities and really agree on priorities in practice.

1.41 The delegate of Barbados, supported by the delegate of China thought that not only the efficiency but also the effectiveness of the Union should be improved.

1.42 All the comments concerning that item were noted.

Increase in the maintenance of ITU buildings

1.43 The Secretary of the Committee explained that maintenance work on the Union's buildings, which were used by both Members and members, had had to be deferred owing to the budget limits imposed by the Nairobi and Nice Conferences. The amount requested under that item was very reasonable, in the light of common standards.

Increase in the number of seats on the Council from 43 to 46, and establishment and repatriation of three elected officials

1.44 The Chairman noted that no delegation had any comment to make on that item.

Policy Forum

1.45 The Secretary of the Committee said that the expenditure for that new activity should be covered by the ordinary budget, but that resources outside the budget would also have to be called upon.

1.46 The delegate of Japan read out paragraph 9 of the **resolves** section of Committee 4's draft resolution on the matter (Document 184), which showed that the Forum would be convened so as to coincide with one of the Union's Conferences or meetings, in order to reduce the budgetary implications as much as possible.

1.47 The delegate of Saudi Arabia said he attached considerable importance to the Forum and to its financing outside the budget, on the assumption that the ordinary budget should only be used as a last resort to cover any deficit which might arise.

1.48 The delegate of the United Kingdom proposed approving no amount for that activity.

1.49 The proposal by the delegate of the United Kingdom was approved.

Buenos Aires Action Plan

1.50 The Secretary of the Committee explained that the sum of 11.325 million Swiss francs constituted the difference between annual estimates based on the provisional budget adopted by the Council and the amounts shown in the Annex to Document 58, which corresponded to the resources needed for the implementation of the BAAP. The variations in the amount from year to year were due to the fact that two regional conferences were planned for 1996 and one world conference for 1998. He recalled that Committee 4 had decided that the full implementation of the Plan should be considered as the priority of the Development Sector (Document 191).

1.51 The delegate of France wondered whether that activity, which was unquestionably a top priority, could not be funded from savings on other lower priority activities.

1.52 The delegate of Germany, while agreeing with the BAAP's priority status, wanted to know whether the 1.679 million Swiss francs proposed for that item for 1995 could not be either wholly or partly included within the 29.8 million Swiss francs budgeted for the Development Sector as a whole.

1.53 The delegate of the United Kingdom, supported by the delegates of the Netherlands and Italy, said that as many resources as possible should be allocated to developing countries wishing to extend their telephone network and to improve their telecommunication network. He therefore proposed incorporating the BAAP budget within that of the Development Sector, indicating in a footnote that the BDT should implement the Plan in full. That approach would also imply reversing the current pattern of expenditure, whereby preference was given to headquarters activities over field activities.

1.54 In reply to a question by the delegate of New Zealand regarding the possibilities of transferring resources from activities producing less impact and less return in terms of development, the Director of the BDT said that implementing the BAAP would not require any additional staff. The Bureau's workload would however be increased owing to the establishment of two major Study Groups, which would have the effect of facilitating the work of other Sectors by circulating information concerning standardization and radiocommunications in the developing countries. With regard to the relation between headquarters and field staff, he pointed out that most of the latter were paid out of support costs, while carrying out Union duties. The redeployment of staff required by the ambitious Action Plan should be aimed at achieving greater efficiency, in the light of verifiable objectives. Existing aid

programmes for developing countries should also be continued, and a further effort should be made to promote the participation of the private sector, as the funds invested in those activities produced significant multiplier effects. Already 72 small-m members had added 1.1 million Swiss francs to the budget. The additional amount of 1.672 million Swiss francs proposed in Document DT/28 did not seem at all unreasonable in that respect.

1.55 The Secretary of the Committee drew attention to the fact that the BAAP appeared as a separate whole, so that in the draft financial plan (Annex 4 to Document DT/24) the two regional conferences and the world conference had not been included in the budget of the Telecommunication Development Sector.

1.56 The delegate of France thought that the question of the relation between headquarters and field staff should be considered not from an abstract point of view but in practical terms. It was worth noting that the other Sectors had also been asked to improve efficiency as much as possible.

1.57 The delegate of Saudi Arabia pointed out that the newness of the Development Sector implied a need for a redeployment of staff and for start-up expenses. The budgetary constraints were a fact and the principle of zero growth had to be observed, but nevertheless it was the first plan of its kind to be implemented in that field. He approved the amount requested in that respect and hoped that once Committee 4 had reached a decision on the question of regional and world conferences, it would be possible to clarify matters regarding the budget.

1.58 The Chairman noted that all members agreed that the Buenos Aires Action Plan was the priority for the BDT. Most Committee members were in favour of including the amount for that item within the Development Sector's 1995 budget. He invited the Committee to give some thought to the issues raised in the discussion, which would be resumed at the following meeting.

The meeting rose at 1255 hours.

The Secretary:
A. TAZI-RIFFI

The Chairman:
P. GAGNE



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 307-E
8 November 1994
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KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

COMMITTEE 7

SUMMARY RECORD

OF THE

SEVENTH AND LAST MEETING OF COMMITTEE 7

(FINANCES OF THE UNION)

Monday, 10 October 1994, at 1430 hours

Chairman: Mr. P. GAGNE (Canada)

Subjects discussed

Documents

- | | | |
|----------|--|---------------------|
| 1 | Use of official and working languages:
financial implications | DT/21(Rev.1) |
| 2 | Draft financial plan 1995-1999 (continued) | DT/28(Rev.1) |
| 3 | Conclusion of the work of Committee 7 | - |

1 Use of official and working languages: financial implications (Document DT/21(Rev.1))

1.1 The Chairman drew the attention of the Committee to the need to discuss only the financial implications of the matter, and not the substance. The Committee should try to define the amounts to be included in the total ceiling for the period 1995-1999.

1.2 The Secretary of the Committee said that the figures contained in Document DT/21(Rev.1) were a very approximate estimate and should be treated with great caution. The actual amount would depend on the volume of work over the next five years. In reply to a query by the delegate of Spain, he explained that the average cost of translation amounted to 170 Swiss francs per page; multiplied by three for the three languages Arabic, Chinese and Russian, that came to 510 Swiss francs per page, which was the basis for the calculations on page 4 of Document DT/21(Rev.1).

1.3 The delegate of Saudi Arabia did not understand why estimates for the use of the other languages had not been supplied, as he had previously requested, in order to provide a proper basis for comparison. The figures given were not precise enough. The delegate of Bahrain endorsed that view. The estimates, which had been prepared in great haste, lacked precision and ought to be revised. He asked why the head of the Arabic Translation Section was not present at the Conference.

1.4 The Secretary-General said that while it was true that the estimates were approximate, he wished to make it quite clear that they were not over-inflated, but the best honest estimates available. The Committee should take a reasonable decision on a ceiling, and the Secretariat would then endeavour to provide the best possible language service within that figure. With regard to the absence of the head of the Arabic Translation Section, the number of ITU staff present at the Conference was a record low in order to save costs, following negotiations with the host Administration. That had led to difficulties in some committees, for it had not been possible to provide all the services to which delegates had become accustomed. The Secretariat was nevertheless doing its utmost to provide the best possible service.

1.5 The delegate of New Zealand pointed out that the additional costs over five years of the proposals in Document DT/21(Rev.1) would amount to some 42 million Swiss francs. He would have particular difficulties with that figure, unless it was funded from extra-budgetary sources.

1.6 The Chairman said that it was necessary for delegates to indicate a ceiling which they found acceptable.

1.7 The delegate of Italy reiterated that the overall ceiling should be the Nice ceiling adjusted for inflation, i.e. 738.8 million Swiss francs. An increase of 42 million Swiss francs would be impossible to accept. The delegate of Germany agreed that it was quite out of the question to finance such a large increase.

1.8 The delegate of Sweden said that an increase of 42 million Swiss francs was clearly not acceptable. As the ITU was becoming an organization in which not only governments were involved, it was important not to send the wrong signals to industry, which was bearing an increasing share of the costs. The total Kyoto ceiling should represent zero real growth, in order to ensure the support of new partners.

1.9 The delegate of the Netherlands said that he was not able to use his mother tongue in meetings of the Union and expressed sympathy regarding the language issue; however, it was a matter of priorities. Any increase over the adjusted Nice ceiling was quite unacceptable. His Administration, like others, was subject to financial constraints and had already increased its contributions to international organizations over recent years.

1.10 The delegate of Kuwait having suggested that the Committee should discuss how to find funding for the increased use of the three languages, the delegate of Switzerland said that he understood the concerns of the Arabic-speaking countries, and that spending on languages could

be increased if savings were made elsewhere. However, the adjusted Nice ceiling should be maintained or only slightly increased.

1.11 The delegate of Saudi Arabia agreed that the figure of 42 million Swiss francs was too high; however, he could not accept that the limit set in 1989 in Nice should be enshrined forever as the ceiling for the use of languages. The discussion in the Plenary Meeting had produced a reasonable and acceptable compromise on the original proposal for full use of the Arabic language.

1.12 The delegate of France, like the delegate of Switzerland, sympathized with the Arabic-, Chinese- and Russian-speaking countries. However, the situation was a difficult one. Although the total figure indicated might not be precise, it did express an order of magnitude. It might be advisable to maintain the status quo, or perhaps agree to a small increase, pending the outcome of the study to be conducted on the language issue.

1.13 The delegate of Russia said that although his Administration could not accept an increase of 42 million Swiss francs, the differences in the treatment of the two groups of languages must be reduced. The use of Arabic, Chinese and Russian should be increased within reasonable limits. That did not necessarily involve increasing the budget. It might be possible to introduce changes in the use of all six languages; indeed, if no solution could be found by the Committee, he would raise that question in the Plenary Meeting.

1.14 The delegate of China stressed that the Committee must consider the financial implications of the increased use of the three languages very carefully, in view of the discussion in the Plenary Meeting.

1.15 The Secretary-General expressed the hope that the study called for by the Plenary Meeting concerning language services would find solutions to achieve a more efficient system than the present one. However, the Conference should not conclude that fewer resources than before should be provided. Some increment must be found, to demonstrate that the Conference understood the value of the three languages in question and the need to improve the Union's services. He therefore suggested that the provisional figure of 3.685 million Swiss francs in the 1995 budget should be increased by a minimal amount, possibly by rounding it up to 4 million Swiss francs, to indicate goodwill. That, over the five-year period, would increase the ceiling by 1.575 million Swiss francs, equivalent, for example, to a world telecommunication development conference. Such a compromise solution would, in his view, be in the interests of the Union and its Members.

1.16 The delegate of Algeria said that in the Plenary Meeting it had been decided to find a short-term solution pending the outcome of the study to be carried out by the Secretary-General. Such a solution would require some change from the Nice ceiling. He agreed in principle with the approach suggested by the Secretary-General, provided that the Committee was prepared to discuss a percentage change in the Nice ceiling.

1.17 The delegate of Qatar endorsed the Russian delegate's analysis of the situation. He found the Secretary-General's suggested approach useful, although he could also agree to the Algerian delegate's suggestion to discuss the issue in terms of a percentage figure.

1.18 The Chairman said that the Secretary-General's suggestion would entail an 8.5% increase in the ceiling for the three languages.

1.19 The delegate of Bangladesh made the following statement:

"My mother tongue is not one of the ITU languages. We are now speaking more on language than on telecommunication. The question of language is already embodied in the ITU Constitution. To implement that, any shortfall of funds should be resolved by innovative means."

1.20 The delegate of New Zealand suggested that the additional costs for the three languages might be met by establishing a special fund based on voluntary contributions.

1.21 The delegate of Morocco said that two opposing camps seemed to have developed. One group wanted to discuss the issue on the basis of a unanimously agreed resolution, but was prepared to compromise; the other had tried to bury the resolution altogether. Arabic, Chinese and Russian speakers merely wanted their rights and the Secretary-General's suggested figure was inadequate to meet their needs.

1.22 The delegate of Russia, supported by the delegate of Italy, wanted no truck with the idea that two groups were engaged in a struggle. All parties were eager to find a solution. The Secretary-General had as usual steered the discussion in the right direction. In his own view, the minimum requirement was for an additional 4.5 million Swiss francs. That would enable most, if not all, Recommendations to be translated into Arabic, Chinese and Russian.

1.23 The delegate of Saudi Arabia agreed with the delegate of Russia that the issue should be approached in a spirit not of confrontation but of a desire to find a solution. In response to various points that had been raised, he noted that Arabic, Chinese and Russian were not new languages but were enshrined in the Constitution. To talk of special funds in that context was therefore inappropriate; or if it was not, the principle should apply to all languages equally. With regard to the remarks by the delegate of Bangladesh, he observed that his own country had made considerable sacrifices for the sake of promoting the development of telecommunications. As for the question of an additional language allocation, he had envisaged a higher figure than either the Secretary-General or the Russian delegate, but further discussion was required.

1.24 The delegate of Poland stressed the need for realism. His country supported any approach that promoted the work of the Union, including the widest possible distribution of languages. On the other hand, the use of more than three languages was already causing difficulties. The solution might lie in encouraging Members to fund meetings in their countries as far as possible.

1.25 The Chairman noted that a wide range of figures had been put forward. The sum of 42 million Swiss francs over five years implicit in Document DT/21(Rev.1) had unanimously been declared too high. Some delegations had argued for the status quo, which effectively meant the Nice figures adjusted for inflation, while others thought that the amount of 4.5 million Swiss francs suggested by the Russian delegation was not high enough. In order to enable a ceiling to be set for the purposes of the draft financial plan, the sum of 4.5 million Swiss francs would be inserted on a provisional basis in Annex B of Document DT/21(Rev.1).

2 Draft financial plan 1995-1999 (continued) (Document DT/28(Rev.1))

2.1 The Chairman, introducing Document DT/28(Rev.1), recalled that the figure agreed as a basis for the 1995-1999 ceiling was 726.3 million Swiss francs, corresponding to the Nice ceiling of 600 million Swiss francs, value 1 January 1994, i.e. 738.8 million Swiss francs, adjusted to exclude implementation of UNDP and funds-in-trust projects. Pages 2 and 3 of the document reflected all the decisions taken by the Plenary and by Committees 4 and 6, together with the elements of options 2, 3 and 4 contained in Document 138 which had been approved in principle by the Council at its most recent session. That produced a grand total of 775.7 million Swiss francs (excluding any increase for the Arabic, Chinese and Russian languages) which represented a 4.99% increase in relation to the adjusted Nice ceiling. If the 4.5 million Swiss francs figure for language services was accepted, the total given in Document DT/28(Rev.1) would rise to 779.8 million Swiss francs, an increase - according to his calculations - of 5.74%. He invited delegations to comment on those figures and to state their preferences.

2.2 The delegate of the United States said that in his view the Kyoto ceiling should be the original sum proposed, namely 738.8 million Swiss francs. That should include the cost of implementing the Buenos Aires Action Plan (BAAP), the application of global cuts across the board and the proposed increase of funds for language services, as proposed by the Russian delegation.

2.3 The delegate of the United Kingdom was uncertain which of the many figures quoted represented the updating of the Nice figures in line with inflation. As he recalled it, that figure stood at about 724 million Swiss francs, but he was prepared to accept a higher figure if such proved to be the result of inflation.

2.4 The Chairman confirmed that 738.8 million Swiss francs was the basic amount under discussion. The figure of 726 283 000 Swiss francs had been arrived at by subtracting expenditure on the implementation of UNDP and funds-in-trust, and was no longer under consideration. In response to a query by the delegate of Sweden, he recalled that the decision to remove support costs from the ceiling had already been taken and needed no further discussion.

2.5 The delegate of France said that he was unwilling to countenance any growth over and above the 738.8 million Swiss francs already mentioned. The same position was taken by the delegates of Germany, the Netherlands, Switzerland, Finland and Japan.

2.6 The delegate of Canada, supported by the delegate of Saudi Arabia, sympathized with the desire for zero real growth, but said that if the Union was to carry out its programmes in an efficient and timely manner more would be required. He would be prepared to accept a very modest increase to provide for some growth. That view was endorsed by the delegates of Denmark and India, the latter adding that it was essential for funds to be provided for certain priorities and that despite his country's poverty he would support modest growth, particularly for the sake of implementing the BAAP. The delegate of China was in favour of zero growth in principle, but conceded that it was not realistic in view of the cost of the BAAP. He would be prepared to support a slight increase.

2.7 The delegate of Cameroon said it was his understanding the 738.8 million Swiss francs quoted did not include the 11.3 million Swiss francs earmarked for the BAAP. He therefore joined Canada in supporting a modest increase.

2.8 The delegate of Russia observed that the 738.8 million Swiss francs, which did include provision for implementing the BAAP, was regarded by his delegation as the absolute ceiling.

2.9 The delegate of Senegal drew the Committee's attention to his country's proposals for the work of the Conference (Document 64), which in his view adopted a more efficient method for establishing requirements and budget limits.

2.10 The delegate of Kenya believed that 738.8 million Swiss francs could form the basis of the Committee's discussions, but since the BAAP was a top priority for the developing countries there should be a slight increase in that amount.

2.11 The delegate of Algeria noted that according to the proposal in Document DT/26, which combined elements of Options 1 and 4 of Document 138, the 738.8 million Swiss francs already included not only the cost of the BAAP, but also the restoration of global cuts under Option 1. That left some 6 million Swiss francs for all other eventualities, including the additional allocation for language services. The question therefore arose as to how the decisions of Committees 4 and 6, which would cost some 14 million Swiss francs, could be accommodated.

2.12 The delegate of New Zealand said that zero growth was naturally an attractive principle; however, the Committee had to be financially responsible, as it asked other committees to be. The mark of its success would be if the figure it produced was acceptable to the Conference. He suggested that if the ceiling were to be set at 750 million Swiss francs there would be greater flexibility for any new projects that might arise. That figure would probably leave all parties equally dissatisfied, but that in itself might be a measure of how acceptable it was.

2.13 The delegate of Tanzania considered the remarks of the delegate of New Zealand to be very timely. It was all very well to talk of zero growth, but other committees had set priorities for expenditure. A realistic approach meant striking a proper balance and maintaining flexibility; there was no knowing what the future might bring. He was not sure whether the Committee should accept an increase of 1% or adopt the suggestion of the delegate of New Zealand, but he did not relish the thought of the Conference referring the matter back to the Committee.

2.14 The delegate of Uruguay was somewhat perplexed since originally the figure of 738.8 million Swiss francs had been advanced as a starting point for discussion, whereas now it was being referred to as a ceiling. He was more interested in how the funds would be put to use to ensure the implementation of priority activities including the BAAP. Surely a more reasonable approach would be to establish a figure for a zero growth budget and then add to it, as necessary.

2.15 The delegate of Estonia said that his delegation was in favour of a zero growth budget, but could agree to a ceiling of approximately 738.8 million Swiss francs, which in his view should allow for the full implementation of the BAAP.

2.16 The delegate of Mali said that a slight increase would be acceptable, stressing that the activities of the Union must not be jeopardized as a result of budgetary restrictions. He wondered whether the proposed ceiling would enable the follow-up of decisions taken in other committees such as Committee 6.

2.17 The Chairman noted that so far the majority of delegates had stated their preference for a ceiling of 738.8 million Swiss francs, which would probably not allow for implementation of all the decisions taken in other committees.

2.18 The delegate of Morocco said that contrary to certain of his earlier statements, he was now in favour of minimal budget growth so as to enable the ITU to fulfil its objectives. On the basis of his personal calculations for the various activities of the Union, he had arrived at a ceiling of approximately 749.8 million Swiss francs, which corresponded to 1.5% growth and was similar to that proposed by the New Zealand delegate. To ensure adequate funding for priority activities, that figure could be rounded up to a total of 753 million Swiss francs. In his view, budget growth of between 1.5% and 2% should be acceptable to the ITU membership.

2.19 The delegate of the United Kingdom stated his preference for the figure of 738.8 million Swiss francs but had his own ideas on how those funds should be distributed. For instance, he was not in favour of reinstating the sum of 22.2 million Swiss francs for staff expenditure cut from the provisional budget for 1995; furthermore, he recommended a reduction of 1.2 million Swiss francs in the funds earmarked to meet the increase in the volume of study group meetings and saw no need to provide 1.1 million Swiss francs for the review of the ITU's frequency coordination and planning framework for satellite services. Such savings should cover the costs of the additional language allowance, which he could endorse. The possibility of reducing the base figure for overall expenditure by a further million Swiss francs might also be looked into with a view to releasing additional funds for full implementation of the BAAP. That activity must be given top priority and endeavours made to ensure that developing countries would derive the maximum benefit from it, by spending a little more on the implementation of activities and rather less on the related administrative costs at ITU headquarters.

2.20 The delegate of the United States, referring to comments made by the Algerian and United Kingdom delegates respectively, pointed out that his Administration's proposal (Document DT/26) did make provision for implementation of the BAAP and also included the sum of 22.2 million Swiss francs for the restoration of global cuts. It should allow some room for manoeuvre, particularly in view of the additional 7 million Swiss francs to be gained as a result of global cuts across the Sectors over and above the 5.8 million Swiss francs provided in the document as an additional flexible appropriation.

2.21 The delegate of Indonesia said that the ceiling of 750 million Swiss francs suggested by the New Zealand delegate seemed to be acceptable. It would make ample provision for implementation of the BAAP; however, the guidance of Committees 4 and 6 should be sought with regard to the distribution of those funds in line with the priorities they had established.

2.22 The Director of the BDT, responding to a question by the delegate of Cameroon, said that the minimum amount required for implementation of the BAAP was 11.325 million Swiss francs, as indicated in Document DT/28(Rev.1). As to the remarks by the United Kingdom delegate, he emphasized that implementation of the BAAP would not entail any increase in BDT staff; in fact, 21 posts in ITU-D Sector had been frozen. The sum of 1.672 million Swiss francs would be required in 1995, and slightly more the following years, for new study group activities which, in his view, should not place too heavy a financial burden on the Union. The activities of the study groups in the other two Sectors were well under way, whereas the BDT was obliged to redeploy staff to launch the ITU-D study groups. Furthermore, he feared that the new study groups would suffer if more staff were made available for field work. At present, the Field Operations Department had a staff of only five, with one person responsible for coordinating activities in each region. In the light of the decisions taken during the 1994 session of the Council, he stressed that any further reduction in the BDT budget would jeopardize the full implementation of the BAAP and result in fewer fellowships and seminars for the developing countries. Document 58 provided detailed figures to justify the total allocation of 11.325 million Swiss francs requested.

2.23 The Secretary-General welcomed the very constructive approach adopted by delegates to the financial plan. The Committee must now ascertain how much should be added to the basic figure of 738.8 million Swiss francs and what exactly should be included in the budget. In his view, neither the figure of 779.779 million Swiss francs, obtained by including the additional language allowance in the total budget ceiling for 1995-1999, nor the basic figure of 738.8 million Swiss francs constituted a realistic ceiling. Likewise, a 1% increase over the latter figure would not suffice to cover all the Union's activities. A 2% increase, in other words, 14 million Swiss francs over and above the base figure, or 779.779 million Swiss francs less 26 million Swiss francs, would be more realistic. In order to reach that figure, savings would have to be made in the more costly items of the draft financial plan. For instance, a few million Swiss francs could be saved on the increase in the volume of study group meetings; also, the 22.2 million Swiss francs allocated for the reinstatement of staff expenditure could be almost halved by means of phased implementation. Moreover, since cuts were being made in the other Sectors, the allocation of 11.325 million Swiss francs to the Development Sector could be reduced by a few million Swiss francs without adversely affecting implementation of the BAAP. A 2% increase in the budget was consistent with current budget policy in other United Nations organizations including the Universal Postal Union (UPU) which at its recent conference in Seoul had adopted a budget along those lines. The ITU's requirements were certainly no less than those of other organizations and he therefore urged the Committee to accept a 2% increase in relation to the base figure, resulting in a ceiling of approximately 753.6 million Swiss francs. The details of how and where reductions could be made would of course require further consideration but, in his view, such a solution would ensure the successful outcome of the Conference.

2.24 The delegate of Lebanon said that the 2% increase suggested by the Secretary-General seemed acceptable, but wondered whether it would cover the cost of the policy forum, to which he attached great importance. He proposed that the Committee should agree to the ceiling suggested by the Secretary-General, since it was close to that proposed by the New Zealand delegate, which had been supported by the delegates of Tanzania and Morocco.

2.25 The delegate of Qatar expressed support for the New Zealand proposal, which was in the general interest of the membership of the Union. An increase of about 1.5% seemed an acceptable half-way solution.

2.26 The delegate of Japan said that the figure for the budget ceiling put forward by the Secretary-General was rather too high, but that some aspects of his suggestion deserved further consideration. In the view of the Japanese delegation, particular attention should be paid to the increase in the volume of study group meetings, the reinstatement of staff expenditure, and the additional language allowance.

2.27 The delegate of Saudi Arabia said that implementation of the BAAP could not be examined in isolation from the budget since the ITU had limited resources and had decided to give the Plan top priority. The Secretary-General's suggestion seemed reasonable and should ensure that the BAAP was implemented; however, a detailed examination of the figures involved was required before any decision could be taken.

2.28 The delegate of the United Kingdom, referring to the remarks by the Director of the BDT, stressed that the point of his earlier suggestion had been that more funds should be allocated to activities which would be of direct benefit to the developing countries and fewer on administering such activities. A case in point was the 1994 budget for the Development Sector where almost twice as much had been spent on administrative costs as on actual activities. He welcomed the suggestion put forward by the Secretary-General but considered that the total figure could be reduced by a further 11 million Swiss francs, while ensuring that the allocation of 11.325 million Swiss francs was put to proper use for BAAP implementation, by not restoring the global cuts of 22.2 million Swiss francs.

2.29 The delegate of the Netherlands said that the main point at issue was how the budget would be used to carry out the Union's activities on the basis of established priorities. It was worth noting that in addition to the priorities recommended by the various committees for new or urgent tasks, there were other activities already under way that were no less important. In his view, the only solution consisted in making global cuts, even though in some cases they would inevitably lead to under-expenditure, since they would force the ITU to set priorities on the basis of the limited resources available. Although he maintained his preference for the base figure of 738.8 million Swiss francs, he would be able to agree to a higher ceiling of approximately 750 million Swiss francs on the understanding that a detailed programme of ongoing activities would be made available in due course.

2.30 The delegate of France said that while his delegation had originally advocated a zero real growth budget, it now realized that each Member country would have to give a little ground and agree to a slight increase. By the same token, the different Sectors must accept a reduction in their respective budget lines. There had never been any question of not ensuring full implementation of the BAAP; however, priorities should be reassessed across the board and the effectiveness of certain long-standing or routine activities closely examined. He would be in favour of a solution along the lines suggested by the Secretary-General and would be willing to consider a ceiling of approximately 750 million Swiss francs. A related issue that required further consideration was the steady decline in the number of contributory units at each Plenipotentiary Conference. In the interests of the Union, he appealed to all members to maintain or even increase their current class of contribution so as to avoid grave financial and practical difficulties in defraying the expenses of the Union in future. Unless the ITU membership stood united on that

front, the current contribution system might have to be changed, which in his view would be regrettable.

2.31 The delegate of the United States was encouraged by the Secretary-General's remarks regarding the possibility of making further savings in the draft financial plan. He shared the French delegate's concern regarding the decline in the number of contributory units. He was also anxious that the ITU should not price itself out of the market, thereby jeopardizing its pre-eminent role in the telecommunication sector. In that connection, he stressed that "small-m" members must participate fully in all Sectors, particularly ITU-D. A further and equally serious cause of concern was the current arrears situation. For all those reasons, he was not in favour of increasing the budget ceiling and maintained his position that 738.8 million Swiss francs was a realistic figure. Those delegates who advocated higher ceilings had so far failed to produce convincing arguments to justify an increase, whereas the United States proposal (Document DT/26) had been explained in detail and had received broad support.

2.32 The delegate of Uruguay endorsed the Secretary-General's suggestion. However, it would appear from Document DT/24 that there had been underspending in some sections of the 1994 budget, so that some additional funds should be available for 1995. According to his calculations, within the figure of 738.8 million Swiss francs approximately 12 million Swiss francs could thus be found to cover the cost of new activities.

2.33 The delegate of Sweden said that while a ceiling of around 750 million Swiss francs appeared reasonable, he was not certain that he would be able to convince his national Ministry of Finance of the need for an increase of more than 2% in the overall budget. Sweden had recently introduced a new budget system which consisted in establishing a ceiling and then distributing funds on the basis of priority activities. Furthermore, over the last year staff in the Swedish Administration had been reduced by approximately 25%. For those reasons, he would have difficulty in agreeing to the sort of increase suggested by the Secretary-General.

2.34 The delegate of Tunisia endorsed the Secretary-General's suggestion. A slight increase in the budget would reflect the Union's current dynamism and the impetus given by the Plenipotentiary Conference. Speaking as Director elect of the BDT, he noted with satisfaction the emerging consensus on the need for full implementation of the BAAP. Whatever decision was taken on the budget ceiling, he ensured delegates that no effort would be spared to make the best possible use of the resources allocated to the ITU-D Sector. In particular, he wished to reassure the United Kingdom and French delegates that adequate human and financial resources would be deployed with a view to providing greater support to the developing countries in future.

2.35 The delegate of Canada would have preferred growth of between 0 and 1% over the ceiling of 738.8 million Swiss francs, but he was prepared to accept 750 or 753 million Swiss francs. He noted the fact that the BAAP could be fully implemented by rearranging priorities within the BDT, whence the importance of settling the question of priorities.

2.36 The delegate of Switzerland expressed concern at the doubling of the ITU budget over 10 years. Switzerland would have preferred a zero growth scenario, but, as the country of the Union's headquarters, it was prepared to assume its responsibilities and was willing to accept a ceiling of 750 million Swiss francs. In any event, it placed great hopes in the study which was to be submitted to the Council concerning the ITU's management and cost structure, since transparency was the best means of moderating growth and expenditure.

2.37 The delegate of Germany said that 2% growth was excessive, but that he was prepared to accept a ceiling of 750 million Swiss francs, i.e. 1.5% growth, so long as the BAAP was fully implemented within that ceiling.

2.38 The delegate of Senegal was in favour of the Committee approving the Secretary-General's proposal for a 2% increase, provided that the BAAP was fully implemented. He recalled that in the light of the document presented to Council on the matter, no reduction could be made in the resources requested to implement the Plan. If the ceiling of 738 million Swiss francs was proposed again, he would request a documented analysis showing precisely which items could be cut in order to include within that amount the updated Nice ceiling, plus all the new expenditure, such as the Forum, BAAP, languages, incompressible staff costs, etc.

2.39 The Chairman recalled how the Committee, starting from the Nice ceiling of 600 million Swiss francs, had arrived at the figure of 779.779 million Swiss francs, which was the ceiling indicated in Document DT/28(Rev.1), plus an amount arising from the decision concerning the use of languages.

2.40 The delegate of Estonia said that the Committee should first establish an overall expenditure ceiling, and a limit on the increase of the value of the contributory unit, after which it should establish priorities in accordance with the resolutions adopted by the Conference, leaving it to the Council to apply those three parameters when it came to consider the financial plan drawn up by the Secretary-General.

2.41 The Chairman proposed a ceiling of 750.056 million Swiss francs, i.e. growth of 1.52%. That amount was arrived at by making the following changes in some items of the draft financial plan: increase in the volume of Study Group meetings, 2.3 million Swiss francs; reinstatement of staff expenditure cut from the 1995 provisional budget, 7.5 million Swiss francs; BAAP, 4.5 million Swiss francs; review of the ITU's frequency coordination and planning framework for satellite services, 0.55 million Swiss francs; use of languages, 3.2 million Swiss francs; decisions taken by Committee 6 having financial implications, 1.165 million Swiss francs, including 0.59 million for in-service training. That proposal, in his view, reflected most of the comments which had been made in the course of the discussion.

2.42 The delegate of Ireland was prepared to accept the Chairman's proposal, though with some reluctance, pointing out that the amount proposed for the use of languages was greater than that proposed by the Secretary-General.

2.43 The delegate of Venezuela explained that in view of her country's economic situation, she could not accept the figure of 750 million Swiss francs proposed by the Chairman, a ceiling which by any standard appeared to be extremely high.

2.44 The delegate of Pakistan said that the proposed reduction in the BAAP was excessive. Cuts should be made in other items, so as to restore the figure initially provided for implementation of the Plan.

2.45 The Chairman said that as far as he understood the BAAP could be effectively implemented on the basis of the proposed amount of 4.5 million Swiss francs.

2.46 The delegate of the United States said that the Chairman's proposal showed clearly that it was not difficult to identify savings in several items. In Document DT/26, the delegation of the United States had made proposals along the same lines and it was convinced that the Union's basic activities, the implementation of the BAAP, the reinstatement of expenditure removed with the global cuts and the extra expenditure needed for the use of languages could all be financed within a ceiling of 738.8 million Swiss francs. He would also like to know whether the question of statutory step increases had also been looked into by the committee dealing with staff matters. The Chairman said that he did not think that Committee 6 had done so.

2.47 The delegates of Lithuania and Norway, while preferring zero growth, were prepared to accept the ceiling proposed by the Chairman.

2.48 The delegate of Denmark, while also prepared to accept a ceiling of 750 million Swiss francs, expressed doubts as to whether the BAAP could be fully implemented with the new amount proposed for that purpose.

2.49 The delegate of Mali wondered whether the cuts proposed by the Chairman would allow for the effective implementation of the BAAP and whether they took into account the lively discussions to which some staff matters had given rise in other committees.

2.50 The Director elect of the BDT commented that out of the 19 million Swiss francs of the BDT's annual budget (Document 58), 15 million concerned expenditure related to the Bureau's internal technical resources, which would contribute to the implementation of the BAAP. Reducing the latter's budget meant reducing the number of man/months available, both in the field and at headquarters. The full implementation of the Plan, if it were not to jeopardize the activities of the BDT as a whole, would require not 4.5 but at least 5.5 million Swiss francs.

2.51 The delegate of Uganda, while considering the Secretary-General's proposal reasonable, was concerned at the large cut in the BAAP and was afraid that it could not be offset in the BDT's budget; he found that cut all the more surprising, in that it was being proposed just when many delegations were demanding the full implementation of the BAAP.

2.52 The delegate of Senegal asked the Chairman to maintain the figure of 11.3 million which had been earmarked for the BAAP and to look for cuts in other Sectors. He was very concerned at the situation, just when the time had come at last, thanks to the BAAP, to reduce the development gap identified by the Maitland Commission, and he informed the Committee that, if the Chairman maintained his proposal, his delegation reserved the right to raise that capital issue in Plenary.

2.53 The delegate of France welcomed the Chairman's proposal, which appeared to offer a remarkable compromise, even though various trade-offs remained to be worked out in more detail. As far as the implementation of the BAAP was concerned, it appeared that a misunderstanding had arisen regarding the figures and how they should be interpreted: the idea was not to reduce the amount allocated to the Plan, but to determine the amount of additional credits required for its implementation, assuming that the missing part would be financed from savings achieved in other activities by the BDT. The reduction proposed for the BAAP did not appear to him outrageous, compared with other worse-off activities, such as the study group meetings of the Standardization and Radiocommunication Sectors and in-service training; in that respect, he suggested reconsidering the amount the Secretary-General had proposed allocating to languages in order to give those two Sectors a little breathing space. For his delegation, the ceiling proposed by the Chairman constituted an absolute limit.

2.54 The Chairman noted that suggestion.

2.55 The delegate of Canada considered the Chairman's proposal as very reasonable and was prepared to support it. He understood from the Secretary-General's statement that the BAAP would be fully implemented, subject to a review of the Development Sector's priorities.

2.56 The delegate of Japan said that the Chairman's proposal was well balanced and amounted to a fair compromise. He could support the ceiling of 750 million Swiss francs, on which a consensus appeared to be emerging. Referring to the Policy Forum, he said that there might be a misunderstanding regarding paragraph 9 of the **decides** of the draft resolution in Document 184: the expression "to minimize" did not in fact mean that there was no impact at all. Holding the Forum would give rise to a certain as yet undetermined cost, although the absence of a precise figure did not mean that the cost would not be financed from the ordinary budget.

2.57 The delegate of India, in a spirit of compromise, supported the Chairman's proposal, although he shared the concern expressed by the Director elect of the BDT regarding the effects of such a reduction on the implementation of the BAAP. He asked the Chairman to give a clear indication of the implications in his report to the Plenary, at which he reserved the right to speak.

2.58 The delegate of Saudi Arabia, having noted the statements by the Chairman and by the Director elect of the BDT regarding the full implementation of the BAAP within the limit of the new appropriation, said that he was prepared in that respect to approve a figure of 5.5 million Swiss francs, but that, in view of his concern regarding the matter, he reserved the right to raise the issue in Plenary if he did not obtain sufficient assurances. He would also like to receive assurances regarding the decision taken concerning the use of working languages, which involved only a modest increase. He wanted the amount initially decided to be left as it was and he considered that it would be regrettable to reopen the discussion at that stage. He thought, furthermore, that whatever reductions were necessary should be distributed equitably among the Sectors.

2.59 The Chairman reiterated that he sincerely believed that the BAAP could be fully implemented; no delegation had in fact suggested either delaying or not implementing the project. The question was how much should be set aside for its implementation?

2.60 The Secretary-General, while recalling that he had stated earlier that the BAAP could be fully implemented for a cost of less than 11.3 million Swiss francs, pointed out that the reduction which was being proposed was more than the amount he had himself envisaged. In his view, the discussion should focus on the amount which could be absorbed into the BDT budget; in that respect, he favoured the figure of 5.5 million Swiss francs, which the Director elect of the BDT had estimated was a minimum requirement, i.e. one million more than the Chairman's proposal, and he wondered whether it would be possible to fix the ceiling at 751 million Swiss francs in order to avoid seriously jeopardizing the implementation of the Plan.

2.61 The delegate of Uruguay made the following statement:

"The delegation of Uruguay agrees with the Chairman's proposal regarding the amount of the ceiling, namely 750 million Swiss francs, but not with the way it is distributed.

According to Document DT/28(Rev.1) the "starting basis" for establishing the ceiling for the period 1995-1999, Option 1", submitted by the Secretary-General in Document 138(Add.1), is to be used for the distribution of available amounts. That figure of 743.733 million Swiss francs has still not been sufficiently explained. It is higher than the 738.813 million Swiss francs, which is the updated value of the ceiling established at the Nice Plenipotentiary Conference for the period 1990-1994. It is also 5.3% above the updated value of effective expenditure for the period 1990-1994, namely 706.404 million Swiss francs.

Several Plenipotentiary Conferences have established the common wish among all Members to encourage the Union's participation in development. For that it is essential to maintain the Buenos Aires Action Plan in its entirety within the budget. This has been confirmed in several documents submitted, including the Strategic Plan.

The Buenos Aires Action Plan can be fully implemented within the expenditure ceiling proposed by the Chairman if, in the figures given in Document DT/28(Rev.1), instead of starting from the Option 1 figure of 743.733 million Swiss francs, the operating figure for the previous period is taken, namely 706.404 million, which represents zero growth in the ordinary expenditure of the Union. This would leave money available for the whole of the Buenos Aires Action Plan, additional language costs and most of the additional expenses arising from the decisions by other Committees."

2.62 The delegate of the Netherlands, recalling that his delegation had been among the first to mention the figure of 750 million Swiss francs, said that he was not prepared to go any higher and preferred a round figure. With clearly established priorities, that amount constituted a satisfactory basis for the budget over the next four years. He could support the Chairman's proposal, but thought that it contained some elements which deserved further consideration. He understood that a financial solution had definitely been found for the shortage of income resulting from the cuts in UNDP finance. While he shared the concern expressed by other delegations regarding the

implementation of the BAAP, he agreed with the United Kingdom delegate that it should be possible to find additional sources of finance within the budget. Lastly, pointing out that the global cuts decided in Nice had resulted in an under-utilization of the approved appropriations, he said that, although it would be unfair to penalize the General Secretariat for its good management, the room for manoeuvre available in the actual commitment of credits should not be overlooked and the ceiling of 750 million Swiss francs should therefore not be exceeded.

2.63 The delegate of Tanzania said that the BAAP, which was a top priority for his delegation, should be fully implemented. Considering that BAAP-related activities had been estimated initially at 11.3 million Swiss francs, and then had been reduced to 4.4. or 5.5 million Swiss francs, he failed to understand the justification for the proposed reduction and therefore reserved the right, in the absence of any convincing arguments, to raise the issue in Plenary.

2.64 The Chairman, after referring to the authorized opinions submitted to the Committee, said that the latter needed to discuss only the financial implications of the Conference's decisions and not the Sectors' priorities.

2.65 The delegate of Iceland said he would have liked to keep expenditure as low as possible, but in order to go along with the majority would be willing to accept a ceiling of 750 million Swiss francs. He also preferred a round figure and assumed that the extra million requested for the implementation of the BAAP could be taken from another part of the budget.

2.66 The delegate of Russia would have preferred zero growth, but in a spirit of realism was willing to agree to the ceiling of 750 million Swiss francs. In order to avoid any difficult discussion in Plenary, he suggested that the Chairman should state in his report that the amount of 5.5 million Swiss francs allocated to the BAAP would not reduce its scope, as other sources of finance could be found within the framework of the budget. That would be a means of guaranteeing the implementation of the Plan, while reassuring delegations which were in favour of its full implementation. He was not satisfied with the proposal to review the amount allocated to working languages and preferred maintaining the amount which had previously been decided on and which had been the outcome of a difficult compromise. As a solution, he proposed omitting from the draft financial plan the review of the ITU's frequency coordination and planning framework for satellite services, which in his view should be part of the normal activities of the study groups and the RAG in particular.

2.67 The delegate of Guinea said that the way the reductions were being decided was not logical, since it was based on the difference between the ceiling of 750 million Swiss francs and the starting amount of 726 million Swiss francs. The breakdown of that latter sum should have been reconsidered, with a view to examining the possibilities of cuts at all levels. He also thought that the Committee's evaluation was a little hasty, considering that it did not know how the decisions of the various committees had been arrived at in detail; some parts of the budget might thus have been overestimated, which might leave some possibilities for correction. With regard to the implementation of the BAAP, he was afraid that the Committee might be referring an insoluble problem to Plenary, in view of the fact that all delegations to the Conference had already seen Document DT/28, where the necessary amount had been estimated at 11.3 million Swiss francs. He therefore supported the request by the delegate of Senegal for the original amount to be maintained and suggested returning to the unsolved problem of the percentage increase in the cost of the use of languages. The readjustments needed to arrive at the figure of 750 million Swiss francs, which his delegation considered to be a maximum might be arrived at by considering the matter point by point.

2.68 The delegate of New Zealand said that a consensus was emerging in favour of a budget ceiling of 750 million Swiss francs. The real problem, in his view, was knowing which activities could be included within that amount. He had noted the statements to the effect that the BAAP could be implemented on a basis of 4.5 million Swiss francs, but if the extra million proposed was sufficient to guarantee full implementation, then Plenary should be so informed. He was prepared

to support the allocation of the extra million and, in order to achieve that, proposed reducing from 7.5 to 5.5 million Swiss francs the amount proposed for the reinstatement of staff expenditure cuts, one million then being allocated to the BAAP and another to the increase in the volume of study group meetings. The lower figure should still allow the Secretary-General to redeploy resources to achieve greater efficiency. As time was passing, he also proposed that the Committee should approve the ceiling of 750 million Swiss francs, as well as the allocation of 5.5 million Swiss francs to the implementation of the BAAP, and that the Chairman, assisted by the Secretary-General, the Sector Directors and the Secretary of the Committee, should do whatever was necessary to ensure the proper balance of the financial plan and finalize the draft.

2.69 The delegate of Australia agreed to the ceiling of 750 million Swiss francs and to allocating an additional million to the implementation of the BAAP and in general supported the procedure proposed by the delegate of New Zealand.

2.70 The Chairman approved the distribution proposed by the delegate of New Zealand and informed the Committee that he would study the other modifications suggested by that delegation. The figures would be submitted to the Directors and elected officials, in order to arrive at a final amount which could then be proposed to Plenary.

2.71 The delegate of Australia supported the total figure of 750 million Swiss francs, and 5.5 million for the BAAP. The delegate of Poland also approved the total amount, despite a preference for the figure of 738.8 million Swiss francs, representing zero growth.

2.72 The delegate of Indonesia was willing to support the ceiling of 750 million Swiss francs, on the proviso that the BAAP budget of 11.325 million Swiss francs, as set out in Document 28(Rev.1), should be fully implemented. He supported the list of programmes submitted by India to the Plenary, independently of the final figure chosen for the Action Plan. With that proposal, delegates ought to be able to determine whether the BAAP could be implemented effectively within the limits of the approved budget.

2.73 The delegate of Bangladesh said that the Conference should consider the BAAP as an absolute priority. It was a tiny fraction of the ITU's overall budget and should be fully implemented. If any cuts were necessary, they should be introduced in other areas. He reserved the right to speak on the issue in Plenary.

2.74 The delegate of Italy appreciated the efforts made to reduce costs, but said that he was concerned regarding three items where doubts still remained, namely the cost of the Forum, the possibility of implementing the Action Plan with 5.5 million Swiss francs and the cost of the use of languages, for which the figure had risen from 1.5 to 3.2 million Swiss francs. His delegation preferred keeping within the figure of 738.8 million Swiss francs, considering 1.6% budget growth to be excessive.

2.75 The delegate of Lebanon was also in favour of maintaining the figure of 11.325 million Swiss francs for the implementation of the BAAP. Committee 5 had not completed its discussions and it would be advisable to take account of whatever increase it decided to allocate for non-elected Members to attend Council meetings as observers.

2.76 The delegate of China said that his country had no difficulty with the figure of 750 million Swiss francs. Like several other delegates, he was very concerned, however, with the cuts in the BAAP item and their possible effects on the implementation of the Plan. He failed to see how staff expenditure could be reduced. As for the use of languages, it appeared that the Committee had reached a consensus and he hoped that Russia's proposal could be taken into consideration.

2.77 The delegate of Sweden reported that his country's Ministry of Finance had doubts concerning the figure of 750 million Swiss francs. Despite his preference for zero growth on the basis of 726 million Swiss francs, however, he was prepared to accept the proposed figure in a spirit of compromise, together with the figure of 5.5 million Swiss francs for the BAAP.

2.78 The delegate of the United States, noting the great diversity of figures proposed and the reservations expressed by a number of delegations, wondered where the consensus was. Document DT/28(Rev.1) took the figure of 743.7 million Swiss francs as a starting basis, and not 738.8, which already left an unexplained difference of 5 million Swiss francs. While the Committee might achieve savings of 5 million or so by cutting the BAAP figure from 11 to 5.5 million Swiss francs, it could also achieve 5 millions of savings by dropping the overall budget from 743 to 738 million Swiss francs. He supported Russia's proposal to cut an extra 3.5 million Swiss francs from the study group meetings, which would release a total of 8.5 million Swiss francs. A further 4 million Swiss francs could be deducted from the increase due to statutory step increases, which had not been decided by Committee 6. The total for the two figures came to 12.5 million Swiss francs, which, less 750 million, would bring them back to 738.8 million Swiss francs. If it would be helpful to the discussions, his delegation would submit its proposal in the form of a draft resolution.

2.79 The delegate of France said that in his understanding the BAAP figure was 11.325 million Swiss francs; with 6 million Swiss francs of savings being made from other BDT activities, that would leave a figure of 5.5 million, which represented not the cost of implementing the Action Plan, but the additional cost required in the light of savings achieved in other lower priority areas. He supported New Zealand's position, whereby the BAAP budget could be increased to 5.5 from 4.5 million Swiss francs. In order to keep within the limit of 750 million Swiss francs, one possible source of saving could come, albeit regretfully, either from the item for the use of languages, or from the reinstatement of staff expenditure cuts, which could be reduced as necessary.

2.80 The Secretary-General said he would like to point out that the amount of 11.3 million Swiss francs was not entirely dissociated from either the ITU's activities or those of the BDT more specifically. Its purpose was to ensure that the budget of the Development Sector was sufficient for the full implementation of the BAAP without detracting from the Bureau's other activities and without any need for further savings. Within the framework of the BDT's overall budget, the addition of 5.5 million Swiss francs, taken together with the Bureau's other resources, would be sufficient for 100% implementation of the BAAP.

2.81 The delegate of Thailand said that, while he preferred zero growth at 738.8 million Swiss francs, he was prepared to accept the proposed figure of 750 million Swiss francs.

2.82 The delegate of Switzerland said that the difference between 5.5 and 11 million Swiss francs could be covered from other secretariat and BDT items. That left only the problem of finding a further one million to increase the 4.5 million Swiss francs to 5.5. Under New Zealand's proposal, the reinstatement of staff expenditure would be cut from 7.5 to 5.5 million Swiss francs, which meant that one million could be allocated to the implementation of the BAAP. He regretted the fact that cuts invariably affected new activities, since it was impossible to tell from the budget as presented whether savings could be made from the older activities.

2.83 The delegate of the United Kingdom, like the delegates of the United States and Italy, preferred keeping to the figure of 738.8 million Swiss francs. While the method of distribution proposed by New Zealand appeared acceptable, it was regrettable that the sum allocated to additional languages had not been maintained and that the BAAP figure had been somewhat sacrificed in favour of reinstating staff expenditure. He reserved his delegation's position regarding the total amount, while recognizing that the distribution proposed by New Zealand was a useful contribution.

2.84 The delegate of Saudi Arabia, while supporting the Secretary-General's proposal regarding the figure of 750 million Swiss francs, said that he would like some explanations concerning the amount allocated to development and the figure decided for the promotion of additional languages. He also wondered which activities would be incorporated within the Development Sector and whether the figures took account of the reinstatement of staff expenditure and regional presence. The Chairman said that he would reply to those queries after consulting the Bureau Directors and the Secretary-General.

2.85 The delegate of the United States said that considering the ITU's innovatory role, the telecommunication industry's growing dynamism and the enthusiasm generated by the BAAP, there were surely other ways of mobilizing out-of-budget resources, for instance by holding new TELECOM exhibitions. He supported Saudi Arabia's position and would like the Chairman to set down his proposal in writing. He still felt, however, that the compromise should be reached around the figure of 738.8 million Swiss francs and not 750.

2.86 The delegate of Lebanon reserved his position on the matter until such time as the Secretary-General and the Directors of the three Sectors had announced the exact breakdown of the proposed 750 million Swiss francs.

2.87 After summing up his proposal and referring back to the main lines of New Zealand's proposal, the Chairman said he would discuss the breakdown of the overall amount with the Secretary-General, the Deputy Secretary-General and the Sector Directors. He would also do his best, as requested by the delegate of Saudi Arabia, to provide Plenary with as much information as possible regarding the implications of his proposal and would ask the Committee to accept the ceiling of 750 million Swiss francs, with a few changes, in particular the increase in the BAAP figure from 4.5 to 5.5 million Swiss francs. He reminded the Committee that delegations were always free to express reservations and to return to the question in Plenary. After a motion of order raised by the delegate of Poland, he said that his report to the Plenary would follow Document DT/28(Rev.1) strictly item by item.

2.88 The delegates of the Netherlands and Lebanon said that the Chairman should also include the implications of his proposal in his report to Plenary.

2.89 The delegate of Uganda said he would like further details on how the 6 million Swiss francs of savings in the BAAP were going to be achieved. Would that figure be cut only from the BDT or from the ITU's activities as a whole? He preferred the latter solution, but if the former were adopted, he would like the new Sectors of activity to be spared.

2.90 The Chairman said that his report to Plenary would include an assessment by the Secretary-General, the Directors and himself of the implications of the proposed amount of 5.5 million Swiss francs.

2.91 The delegate of the United States said that it should be stated in the report to Plenary that Document DT/26 proposed by the United States had been supported by a number of delegations, that none had opposed it and that his delegation reserved the right to reopen the issue in Plenary.

2.92 The Chairman assured him that those clarifications would be included in the report, with a reference to the amount of 726 million Swiss francs, which had been one of the items discussed earlier.

3 Conclusion of the work of Committee 7

3.1 The Chairman, noting how late it was, said that the Committee no longer had time to consider the remaining items on its agenda, which he therefore proposed referring to Plenary.

3.2 It was so decided.

The meeting rose at 2110 hours.

The Secretary:
A. TAZI-RIFFI

The Chairman:
P. GAGNE



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

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8 November 1994
Original: English

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

SIXTEENTH PLENARY MEETING

Monday, 10 October 1994, at 0935 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

Documents

- | | | |
|----------|--|-------------------|
| 1 | Approval of the minutes of the ninth, tenth and eleventh Plenary Meetings | 190, 198, 207 |
| 2 | Date of taking of office of the Deputy Secretary-General elect, the Director elect of the Radiocommunication Bureau, the Director elect of the Telecommunication Development Bureau and the members elect of the Radio Regulations Board | - |
| 3 | Note from the Chairman of Working Group PL/A | 201 |
| 4 | Second series of texts submitted by the Editorial Committee for first reading (B.2) | 180 |
| 5 | Third series of texts submitted by the Editorial Committee for first reading (B.3) | 195 |
| 6 | First series of texts submitted by the Editorial Committee for second reading (R.1) | 181 |
| 7 | Use of working languages (continued) | 237, DT/21(Rev.1) |

**1 Approval of the minutes of the ninth, tenth and eleventh Plenary Meetings
(Documents 190, 198, 207)**

- 1.1 The minutes of the ninth Plenary Meeting (Document 190) were approved.
- 1.2 The minutes of the tenth Plenary Meeting (Document 198) were approved subject to corrections to paragraph 7.5 to be submitted to the secretariat in writing by the delegates of the United States and Poland.
- 1.3 The minutes of the eleventh Plenary Meeting (Document 207) were approved.

2 Date of taking of office of the Deputy Secretary-General elect, the Director elect of the Radiocommunication Bureau, the Director elect of the Telecommunication Development Bureau and the members elect of the Radio Regulations Board

- 2.1 The Chairman said that, after consultation with the newly elected and outgoing officials, he could propose that the date of taking of office should be 1 January 1995.
- 2.2 It was so decided.

3 Note from the Chairman of Working Group PL/A (Document 201)

- 3.1 The Chairman of Working Group PL/A, after thanking the seventeen delegations which had participated in the Working Group's discussions, drew attention to the summary of its findings set out in Document 201 and the attached annexes.
- 3.2 The Chairman said that the various decisions, recommendations, resolutions and opinions concerned had been reviewed very thoroughly and requested the Plenary to endorse the Working Group's conclusions. He invited the meeting to consider Annex 1 to the document, which set out those conclusions in tabular form.
- 3.3 Annex 1, comprising items 1 to 18, was approved.
- 3.4 The Chairman invited the meeting to consider the draft resolutions and recommendation in Annex 2 one by one, pointing out that the numbering in square brackets would be adjusted as required and the square brackets removed once the Conference had completed its work.
- 3.5 Draft Resolutions [SG/A4], [SG/A5], [SG/A7], [SG/A8], [SG/A19], [SG/A27], [SG/A30] and [SG/A35] and draft Recommendation [SG/A37] were approved.
- 3.6 The Chairman said that the draft resolution headed "Resolution 11" needed to be renumbered, a matter that would be taken care of by the Editorial Committee.
- 3.7 The Chairman of Working Group PL/A said that **noting** a) and b) of that resolution had been redrafted by the Working Group. Furthermore, two words had been omitted from **resolves** 2, which should read "... use of time and resources during such conferences".
- 3.8 Subject to those amendments, the draft resolution was approved.
- 3.9 The Chairman, after noting that the texts would be transmitted to the Editorial Committee for finalization, thanked the Working Group and its Chairman for their excellent work.

**4 Second series of texts submitted by the Editorial Committee for first reading (B.2)
(Document 180)**

Resolution COM6/3 - Recruitment of ITU Staff and Experts for Technical Assistance Missions

4.1 The Chairman of Committee 8 said that a small drafting change required in the French text would be made before the document was submitted for second reading.

4.2 The delegate of Japan, referring to paragraph 3 of the **instructs the Secretary-General** section, said that the creation of posts was involved and that the financial implications had not yet been studied by Committee 7. He therefore requested that the text be placed in square brackets.

4.3 The Secretary-General explained that there were not necessarily any financial implications; the recruitment in question did not involve creating posts and could be carried out within present limits through a slightly different organization of the budget.

4.4 The Chairman said that, although there was virtually no need for them, the text would be placed within square brackets.

4.5 Resolution COM6/3 was approved on that understanding.

Resolution COM6/4 - Compensation Matters

4.6 The Chairman of Committee 8 said that the text contained some typographical errors which would be corrected.

4.7 The delegate of Spain requested that the word "invites" in **invites the Council** should be rendered by "encarga" in the Spanish-language version.

4.8 Subject to that amendment, Resolution COM6/4 was approved.

Resolution COM6/5 - Human Resources Management and Development

4.9 The delegate of the United States suggested that, because of budgetary constraints, the text of the **instructs the Council** paragraph should be amended to read "... shall represent at most 1% of the portion ...".

4.10 The Chairman considered that the United States proposal should be noted by the Chairman of Committee 7 and discussed by that Committee rather than the Plenary.

4.11 The Chairman of Committee 6 observed that Committee 6, mindful of the financial situation, had advocated that the rise from 1% to 3% should be gradual and had approved the text now before the Plenary.

4.12 The delegate of Lebanon considered that the text, which involved a question of principle of great importance to the developing countries, should be adopted as it stood.

4.13 The delegate of Japan expressed similar concerns to those of the United States. A sum of approximately 2 million Swiss francs was involved and the question should therefore be discussed in Committee 7 before the resolution was finally approved. He suggested that the **instructs the Council** paragraph should be placed in square brackets.

4.14 The delegate of Russia echoed the concern expressed by previous speakers and noted that the resolution referred to the training of Union staff, not of specialists in developing countries. Since at present 0.5% was spent on ITU staff training, a sixfold increase was being proposed. He too considered that Committee 7 should study the financial implications, and he suggested that the part of the text referring to percentage figures should be placed in square brackets.

4.15 The delegate of New Zealand said that it was important, as part of the Union's development, for staff to be trained in order to ensure that they were suitably skilled. The Secretary-General would have to implement that instruction within the resources allocated, not additional ones, and the wording of the paragraph concerned should perhaps be studied by Committee 7 with a view to clarifying that intent.

4.16 The Chairman of Committee 6 said that a misunderstanding seemed to have arisen concerning the percentage figures. The amount included in the in-service training budget for 1995 was 1.2%.

4.17 The delegate of Lebanon said that there appeared to be some discrepancy between the percentage figures cited by delegations, and asked that Committee 7 be requested to consider the matter.

4.18 The Chairman suggested that the **instructs the Council** and **requests the Council** sections should be placed in square brackets.

4.19 Resolution COM6/5 was approved on that understanding.

4.20 The second series of texts submitted by the Editorial Committee (B.2) as a whole, as amended, was approved on first reading.

5 Third series of texts submitted by the Editorial Committee for first reading (B.3) (Document 195)

Article 9 (CS) - Principles Concerning Elections and Related Matters

5.1 The delegate of the United Kingdom reiterated the concern he had expressed at the tenth Plenary Meeting, namely, that amendments to the Constitution and Convention should be considered for second reading only when the Plenary had a clear idea of all the changes which were needed. Referring specifically to the text under consideration, he said that the amendments to Article 9 of the Constitution caused him no difficulty.

5.2 The delegate of Morocco, observing that Article 52 of the Constitution provided for the Constitution and Convention to be ratified simultaneously in one single instrument, requested the Secretary-General to clarify the legal situation with regard to the ratification of either or both of those instruments as modified - or not, as the case might be - by the present Conference.

5.3 The Chairman said that the matter would be studied by the Secretary-General and the necessary clarifications provided in due course.

5.4 MOD 62 and 63 were approved.

Article 28 (CS) - Finances of the Union

5.5 MOD 163 was approved.

5.6 The delegate of Russia, referring to MOD 167, recalled the doubts expressed by his delegation in Committee 5 regarding the financial implications of the amendment relating to the expenses of regional telecommunication development conferences. Although he would be prepared to go along with the majority view, he continued to believe that it would be more appropriate to leave No. 167 of the Constitution as it stood.

5.7 The delegate of the United States and the Netherlands supported that view, the latter adding that the Geneva Constitution and Convention should not be amended unless important issues of principle so demanded.

5.8 The delegate of Morocco considered that delegations should refrain from using the argument of the need to avoid modifications to the Constitution as a reason for rejecting amendments. That question should be considered in a general context, not in relation to each individual provision.

5.9 The delegate of Syria observed that expenditure on regional development conferences was a new issue, in respect of which there was as yet no established practice. He would have no objection to MOD 167 if the majority of delegations supported it.

5.10 The delegate of New Zealand said that he was not in favour of the amendment, which would have the effect of reducing flexibility. Furthermore, neither the Constitution nor the Convention appeared to contain any provisions which applied specifically to world telecommunication development conferences, so that it was not clear which provisions were referred to in MOD 167.

5.11 The delegates of Benin and Pakistan endorsed the comments by the delegate of Morocco and supported MOD 167.

5.12 The delegate of Senegal said that he would be interested in hearing the Legal Adviser's comments on the legal implications of the amendment.

5.13 The Chairman of Committee 5, replying at the invitation of the Chairman to the question by the delegate of Senegal, said that with the exception of the Russian reservation on financial implications, no objections had been raised to the amendment in Committee 5.

5.14 The Secretary-General confirmed that the issue had been discussed at some length in Committee 5, with the participation of the Legal Adviser.

5.15 The Legal Adviser, speaking at the invitation of the Chairman, stated that, whether or not the additional sentence was included in No. 167 of the Constitution, the result would be the same. The Constitution and the Convention contained no special provisions relating to world development conferences, which were already covered under No. 157 itself of the Constitution as forming part of the expenses of "the Sectors of the Union", the related costs thus being borne by the budget. There was accordingly, in his opinion, no need to alter the text of No. 167.

5.16 Having called for a show of cards, the Chairman noted that the majority of delegations were not in favour of MOD 167. Consequently, No. 167 of the Constitution would be left as it stood.

Article 33 (CV) - Finances

5.17 The Chairman of Committee 8 said that the only modifications to Article 33 involved minor editorial changes, such as the renumbering of paragraphs and the alignment of the texts in the three languages.

5.18 Article 33 (CV), as amended, was approved.

Decision COM7/1 - Procedure Concerning Choice of Contributory Class

5.19 Approved, with the square brackets maintained in paragraphs 1 and 4.

Resolution COM7/4 - Settlement of Arrears and Special Arrears Accounts

5.20 Approved.

Resolution COM7/5 - Special Arrears and Interest Accounts

5.21 Approved.

5.22 The third series of texts submitted by the Editorial Committee (B.3) as a whole, as amended, was approved on first reading.

**6 First series of texts submitted by the Editorial Committee for second reading (R.1)
(Document 181)**

Resolution COM6/1 - Rehabilitation of the Provident Fund of the ITU Staff Superannuation and Benevolent Funds

6.1 The Chairman of Committee 8 recalled that the resolution had been approved in square brackets on first reading pending the settlement of a point raised by the delegate of Senegal. Following consultations between the interested parties, the **considering** paragraph had been amended.

6.2 Resolution COM6/1 was approved.

Resolution COM6/2 - Remuneration and Representation Allowances of Elected Officials

6.3 Approved.

Resolution COM7/1 - Approval of the Accounts of the Union for the Years 1989 to 1993

6.4 The Chairman of Committee 8 said that the word "first" should be deleted from the second line of **considering** b) and the document number "186" inserted in the third line.

6.5 Subject to those amendments, Resolution COM7/1 was approved.

Resolution COM7/2 - Auditing of the Accounts of the Union

6.6 Approved.

Resolution COM7/3 - Assistance Given by the Government of the Swiss Confederation in Connection with the Finances of the Union

6.7 Approved.

6.8 The first series of texts submitted by the Editorial Committee (R.1) as a whole, as amended, was approved on second reading.

7 Use of working languages (continued) (Documents 237; DT/21(Rev.1.))

7.1 The Chairman said that at the fifteenth Plenary Meeting the use of languages had been discussed at length on the basis of proposals made by the Arabic-speaking countries and information supplied by the Secretary-General. A consensus had been reached that a study should be carried out before the next Plenipotentiary Conference. In order to draft a resolution for that purpose, an ad hoc Group had been set up. At the same time several delegations had stressed the need to seek a short-term solution to the problem, and this aspect had also been included in the task of the ad hoc Group. He proposed to take up the draft resolution on the future study first and the so-called short-term solution next.

7.2 The Chairman of the ad hoc Group explained the results reached in the ad hoc Group contained in Document 237. The Group had met twice and, in accordance with its terms of reference, had considered proposals to improve the use of languages in the Union. In view of its limited mandate, it had not provided any guidance on the credits required. He introduced the draft resolution in Annex 2 on the future study.

7.3 The Chairman invited delegates to consider the draft resolution in Annex 2 to the document.

Draft Resolution [...] - Study of the Languages in the Union

7.4 The delegate of Saudi Arabia, stressing the importance of the subject, considered that the study of the use of languages in the Union should not be dissociated from the short-term solution proposed in the draft resolution in Annex 1 to Document 237. With reference to **considering** a), he proposed adding the phrase "as well as to promote and to offer technical assistance to developing countries in the field of telecommunications" to the end of that paragraph, thus reflecting No. 3 a) of the Nice Constitution and emphasizing the link between the use of languages and aid to development.

7.5 It was so agreed.

7.6 The Secretary-General, replying to a question by the delegate of Germany, said that provided the study remained relatively restricted, its cost could be absorbed by the regular budget. If a more detailed study were required, the Plenipotentiary Conference would have to allocate additional funds for that specific purpose.

7.7 The delegate of Saudi Arabia, supported by the delegates of Syria, Egypt, Lebanon and Jordan, proposed that the **recognizing** paragraph should be amended to read: "the need to adopt efficient, effective and balanced policies on the use of languages in the Union".

7.8 It was so agreed.

7.9 The draft resolution as a whole, as amended, was approved subject to editorial amendments by Committee 8.

7.10 The Chairman invited delegates to consider the draft resolution in Annex 1.

Draft Resolution [...] - Interim Limitations in the Use of Official Working Languages of the Union

7.11 The Chairman of the ad hoc Group introduced the draft resolution in Annex 1 to Document 237. After drawing attention to a number of editorial changes to be made to the text, he observed that the list of exceptions in the first, second and third indents of **resolves** 1 differed quite substantially from that given in Nice Resolution 59.

7.12 The Secretary-General, introducing Document DT/21(Rev.1) on the financial implications of Document 237, recalled that the terms of reference of the ad hoc Group had not included the consideration of such implications. The figures in the document prepared by the Secretariat were only approximate, due to lack of time for their preparation, and the estimated annual increase for the Arabic, Chinese and Russian languages combined - calculated at 8.47 million Swiss francs per year - would have to be given very serious consideration in budgeting over the next four to five years.

7.13 The delegate of Syria supported the view expressed earlier by the delegate of Saudi Arabia that the two draft resolutions in Document 237 were complementary. Regarding the financial aspect, the decision on the use of languages would be subject to the limits on expenditure decided by the Plenipotentiary Conference. In his view, however, there were considerable gaps in the estimates given in Annex B to Document DT/21(Rev.1).

7.14 The delegate of Russia considered that the figures in Annex B to Document DT/21(Rev.1) were much inflated: for example, the calculation of the number of pages and the cost per page of translation disregarded the fact that about half the Recommendations had already been translated. He could approve the draft resolution in Annex 1 provided that a ceiling was set to the related expenditure.

7.15 The delegate of Luxembourg said that it would have been preferable for the financial implications of the draft resolution to be discussed by Committee 7 before the Plenary took a final decision on short-term measures concerning the use of official and working languages of the Union.

7.16 The delegate of the United Kingdom recalled the lengthy discussions in Committee 7 concerning other areas of the Union's finances, in particular the importance of providing for implementation of the Buenos Aires Action Plan (BAAP). He therefore supported the view that the matter should be referred to Committee 7 in order to establish clearly the financial limits within which the Union would have to operate.

7.17 The delegate of the Netherlands said that any discussion of the budget ceiling for the coming budgetary period had to take into account available funds and the financial implications of the decisions taken by the Plenipotentiary Conference, which inevitably influenced the choice of priorities. His delegation reserved its position on that issue, because it considered that greater emphasis should be placed on certain other priorities such as implementation of the BAAP.

7.18 The delegate of Sweden supported the views expressed by the two previous speakers, stressing the importance of balancing expenditure between the different priorities of the Union's activities.

7.19 The delegate of Switzerland, supporting the views expressed by the delegates of the Netherlands and Sweden, moved that the financial implications of the draft resolution should be discussed in Committee 7 before a decision was taken.

7.20 Having called for a show of cards, the Chairman noted that several delegations seconded the motion put forward by the delegate of Switzerland to postpone the discussion in the Plenary until the financial aspects had been discussed by Committee 7.

7.21 The delegate of Saudi Arabia, speaking on a point of order, said that as he understood it a decision of principle had been taken at the previous Plenary Meeting and that the present meeting was merely discussing the details. In view of the importance of the subject, he proposed that the discussion should be continued at the present meeting.

7.22 Having called for a further show of cards, the Chairman noted that approximately 44 delegates were in favour of referring the matter to Committee 7 and approximately 24 were against that motion. He therefore suggested that, in accordance with the majority view, the matter should be referred to Committee 7 before the debate was resumed in Plenary.

7.23 The delegate of Saudi Arabia said that in the past the Plenary had never subordinated its own decisions of principle to the findings of a committee. Pointing out that Committee 7 had no legal authority over the Plenary, he urged that discussion of the issue be continued at the present meeting in order to reach a decision.

7.24 The delegate of Syria observed that the customary practice was for decisions to be taken by the Plenary and then for their financial implications to be examined by the Finance Committee. It now looked as if the substantive decision taken by the Plenary was to be influenced by the conclusions of Committee 7.

7.25 The Chairman pointed out that his suggestion to refer the matter to Committee 7 before resuming the discussion in the Plenary Meeting had been prompted by the fact that approximately 44 delegations had favoured that solution as compared with approximately 24 who had opposed it.

7.26 The delegate of Tunisia fully supported the view that the draft resolution should be approved before it was passed on to Committee 7.

7.27 The delegate of Russia, speaking on a point of order, said that having regard to the majority view he was not opposed to transmitting the matter to Committee 7. However, the decision of substance clearly lay with the Plenary and he asked for confirmation that the discussion in Committee 7 would be confined to the financial aspects, namely, the amount of funds to be allocated to the three languages in question.

7.28 The Chairman confirmed that the discussion in Committee 7 would be limited to the financial implications of the draft resolution.

7.29 The delegate of Saudi Arabia repeated that, as far as his delegation was concerned, the decision of principle had been taken at the previous Plenary Meeting.

7.30 Following a show of cards which indicated that approximately 60 delegates supported the Chairman's suggestion and approximately 24 opposed it, it was decided to suspend the debate on the draft resolution until Committee 7 had discussed the financial implications.

The meeting rose at 1230 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

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9 November 1994
Original: English

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

SEVENTEENTH PLENARY MEETING

Tuesday, 11 October 1994, at 0935 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

Documents

- | | | |
|----|---|---------------|
| 1 | Approval of the minutes of the twelfth, thirteenth and fourteenth Plenary Meetings | 238, 239, 240 |
| 2 | Swearing-in ceremony | - |
| 3 | Report of Committee 2 to the Plenary Meeting | 229 + Corr.1 |
| 4 | Report by the Chairman of Committee 4 to the Plenary Meeting | 258 |
| 5 | Oral report by the Chairman of Committee 5 | - |
| 6 | Report by the Chairman of Committee 6 to the Plenary Meeting | 247 |
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| 8 | Items referred to the Plenary by Committees 5 and 7 | 268 |
| 9 | Future conferences of the Union | 38, 53, 212 |
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| 11 | Fifth series of texts submitted by the Editorial Committee for first reading (B.5) | 263 |

1 Approval of the minutes of the twelfth, thirteenth and fourteenth Plenary Meetings (Documents 238, 239, 240)

1.1 The minutes of the twelfth Plenary Meeting (Document 238) were approved.

1.2 The delegates of Japan and the Islamic Republic of Iran said that they would hand in written corrections to their statements in paragraph 4.6 of Document 239 and paragraph 2.10 of Document 240, respectively.

1.3 Subject to those corrections, the minutes of the thirteenth and fourteenth Plenary Meetings (Documents 239 and 240) were approved.

2 Swearing-in ceremony

2.1 The Chairman drew attention to Regulation I.10 of the Staff Regulations for elected officials, under which an elected official who was not already a staff member had to take the oath of office orally before the body by which he had been elected. In that present instance, that provision applied to the Deputy Secretary-General elect, the Director elect of the Radiocommunication Bureau (BR) and the Director elect of the Telecommunication Development Bureau (BDT).

2.2 The Deputy Secretary-General elect took the following oath of office:

"I, Henry Chasia, solemnly affirm to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any Government or other authority external to the Union in regard to the accomplishment of my duties."

(Applause)

2.3 The Chairman presented the Deputy Secretary-General elect with a letter of appointment.

2.4 The Director elect of the BR took the following oath of office:

"I, Robert Jones, solemnly promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any Government or other authority external to the Union in regard to the accomplishment of my duties."

(Applause)

2.5 The Chairman presented the Director elect of the BR with a letter of appointment.

2.6 The Director elect of the BDT took the following oath of office:

"I, Ahmed Laouyane, solemnly promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Telecommunication Union; to discharge these functions and to regulate my conduct with the interest of the Union only in view, without seeking or accepting instructions or assistance from any Government or other authority external to the Union in regard to the accomplishment of my duties."

(Applause)

2.7 The Chairman presented the Director elect of the BDT with a letter of appointment.

2.8 He then presented letters of appointment to the Secretary-General and the Director of the TSB, who had taken the oath of office when first elected to their respective posts.

3 Report of Committee 2 to the Plenary Meeting (Document 229 and Corrigendum 1)

3.1 The Chairman of Committee 2 introduced the report contained in Document 229 and its corrigendum. He confirmed the transfer of powers from Liechtenstein to Switzerland and from Turkmenistan to Belarus. In addition, the Working Group of the Committee had approved the transfer of powers from Belize to Guyana, El Salvador to the United States, Georgia to Bulgaria, Lithuania to Denmark and Tajikistan to Uzbekistan. He drew attention to the Committee's conclusions set out in the annex to Document 229 and to its recommendation that the Plenary should authorize the Chairman and the Vice-Chairman of Committee 2 to verify the credentials received after the date of the report and to submit their conclusions to the Plenary Meeting.

3.2 The report of Committee 2 (Document 229 and Corrigendum 1) was approved and the Chairman and Vice-Chairman of the Committee were authorized to verify any credentials received after 7 October 1994.

4 Report by the Chairman of Committee 4 to the Plenary Meeting (Document 258)

4.1 The Chairman of Committee 4 said that during its sixteen meetings the Committee had developed the strategic plan and considered proposals which had resulted in the resolutions listed on page 2 of his report (Document 258). It had set up a number of ad hoc working groups or informal drafting groups to deal with specific problems, and he thanked all those who had taken part in those groups. He apologized to the delegate of Sweden who had not been given the opportunity to explain his position after a decision had been taken. Five resolutions - the four listed in paragraph 7 of the report and a resolution on the Telecommunication Development Advisory Board - had been discussed by the Committee without a decision being taken, due to lack of time. Since the conclusion of Committee 4's work, he had held further consultations with interested delegates and would submit the resolutions concerned directly to the Plenary.

4.2 The Chairman thanked the Chairman of Committee 4 for his sustained efforts in favour of coordination.

4.3 The delegate of Sweden, after thanking the Chairman of Committee 4 for his apology, expressed the hope that he would have an opportunity to bring the matter up in Plenary.

4.4 The Conference took note of the report by the Chairman of Committee 4 (Document 258).

5 Oral report by the Chairman of Committee 5

5.1 The Chairman of Committee 5 said that there had been much debate on the findings of the informal group established to consider observer status at Council meetings for Members of the Union which had not been elected to the Council. A second informal group had been set up to reconcile the divergent views, and the great majority of Committee 5 participants had eventually agreed to the resolution developed on the subject, three delegations reserving the right to revert to the topic in Plenary. There had been little agreement regarding such observers' right to speak at meetings. Following a lengthy discussion on the question of observer status for "small-m" members at Plenipotentiary Conferences, Working Group 4/1's proposals in Document 142 had been approved as they stood. At its last meeting, Committee 5 had agreed to transmit to the Plenary Meeting, in square brackets, a draft resolution relating to the continuation of work on the Rules of Procedure of ITU conferences and meetings. It had also approved a draft resolution relating to provisional application of the basic instruments of the Union by Members which had not yet ratified them, as well as a text concerning the date of entry into force of the amendments to the Constitution and the Convention adopted by the present Conference.

5.2 The Conference took note of the oral report by the Chairman of Committee 5.

6 Report by the Chairman of Committee 6 to the Plenary Meeting (Document 247)

6.1 The Chairman of Committee 6 introduced Document 247 containing his report to the Plenary Meeting and to Committee 7. In the course of the Committee's six meetings, consensus had been reached on all questions concerning staff matters.

6.2 The Conference took note of the report by the Chairman of Committee 6 (Document 247).

7 Oral report by the Chairman of Committee 7

7.1 The Chairman of Committee 7 said that it had not been possible for his Committee to complete its work at its final meeting, although considerable progress had been made. Consensus had almost been reached on the draft financial plan for 1995-1999: a ceiling of some 750 million Swiss francs had been agreed on for that period, representing an increase of 1.5% over that for the previous period. He was shortly to meet the Directors of the three Bureaux in order to put the finishing touches to the text, after which he would report back to the Plenary. Information was not yet available on the financial implications of two decisions taken at committee level and relating, respectively, to observers at Council sessions and the TDAB. Finally, he particularly wished to thank the team from the ITU secretariat and the delegates who had been involved in the work of Committee 7 for their cooperation.

7.2 The Conference took note of the oral report by the Chairman of Committee 7.

8 Items referred to the Plenary by Committees 5 and 7 (Document 268)

8.1 The Chairman said that although Committees 5 and 7 had almost completed their work, there were still some pending issues requiring discussion in the Plenary; they were listed in Document 268. He suggested that two informal working groups of the Plenary should be set up to handle the unfinished business of Committees 5 and 7.

8.2 The delegate of Australia agreed with the Chairman's suggestion. There were, however, two texts which had not been mentioned but which should be taken up by the group that would be considering financial matters, namely, section I of Document 42 containing Australia's proposals for strengthening the financial base of the ITU, and Document 245 containing a note by the Chairman of Committee 4 to the Chairman of Committee 7 concerning the establishment of a committee to review the rights and obligations of "small-m" members. Neither of those documents had been considered in Committee 7.

8.3 The Chairman of Committee 7 confirmed that those documents had not been discussed by his Committee but that they could be included in the work of the informal group.

8.4 The Chairman of Committee 4 said that the Australian proposal to strengthen the financial base of the Union had been endorsed by Committee 4 and referred to Committee 7 for further consideration. If Committee 7 thought it appropriate, the text could be forwarded to Committee 8 for final editing.

8.5 The Chairman suggested that the delegate of Spain should chair the informal group on the unfinished business of Committee 5, and the Chairman of Committee 7 the group on financial matters.

8.6 It was so agreed.

8.7 Responding to a proposal by the delegate of Saudi Arabia, the Chairman requested the Chairmen of both groups to endeavour not to hold meetings in parallel with the Plenary, so that as many delegations as possible would be able to participate.

9 Future conferences of the Union (Documents 38, 53, 212)

9.1 The Chairman drew attention to Document 38 prepared by the Secretariat containing the draft schedule of conferences of the Union for the years 1995-1999, and also to draft Resolution [SG/A3] in Document 53, which was a revised version of Resolution 1 of the Nice Plenipotentiary Conference prepared by the Secretariat for our information. As the subject required detailed discussion, he suggested that an informal open-ended working group should be set up under the chairmanship of the delegate of Lebanon to review Nice Resolution 1, taking into account Document 38, draft Resolution [SG/A3] and the relevant decisions of Committee 4.

9.2 It was so agreed.

10 Fourth series of texts submitted by the Editorial Committee for first reading (B.4) (Document 262)

10.1 The Chairman of Committee 8 introduced Document 262 containing Resolution COM4/1 to which was annexed the strategic plan for 1995-1999. The text contained a number of square brackets, some indicating changes of a purely editorial nature, in particular references to other texts from Committee 4 which would have to be checked, and others relating to matters of substance.

Resolution COM4/1 - Strategic Plan for the Union, 1995-1999

10.2 The Chairman of Committee 4, replying to a question by the delegate of Canada concerning the second paragraph of the **instructs the Secretary-General** section, which appeared in square brackets, said that many practical problems would arise if the Secretary-General's annual report to the Council were to be distributed to all "small-m" members. After lengthy discussion the Committee had concluded that each administration should distribute the report to its own "small-m" members and that the Secretary-General should distribute it to international members which participated in the work of the Union.

10.3 In the light of that explanation, it was agreed to remove the square brackets from the second paragraph of the **instructs the Secretary-General** section.

10.4 The Chairman of Committee 4 drew attention to two minor editorial amendments to be made to the same paragraph, and the Chairman invited the Chairmen of Committees 4 and 8 to coordinate in numbering the resolutions placed between square brackets throughout the text.

10.5 Resolution COM4/1, as amended, was approved.

Annex to Resolution COM4/1 - Strategic Plan 1995-1999

10.6 The Chairman invited delegates to consider the text of the strategic plan part by part.

Part I - Introduction

10.7 The Chairman of Committee 4 read out minor editorial corrections to paragraph 2 which would be dealt with by the Editorial Committee.

10.8 Part I was approved.

Part II - The overall strategy and priorities of the Union

10.9 The delegate of Guyana, referring to paragraph 16, proposed that the end of the last sentence should read "in the areas of telecommunication policy, law, regulation and trade", to reflect the current shift towards value-added services as well as ongoing discussions in GATT. That proposal

was supported by the delegate of Saint Vincent and the Grenadines. The Chairman of Committee 4 said that he saw no difficulty in accepting the proposal. He also indicated that the square brackets in paragraph 20 could be removed.

10.10 The Chairman, replying to a question by the delegate of Bangladesh, said that the square brackets in paragraphs 24 and 25 would be removed once the Conference had completed its work and the resolutions had been given their final numbers.

10.11 Part II, as amended, was approved.

Part III - Sectoral strategies and priorities

10.12 Referring to paragraph 27, the delegate of Mexico said that the third indent might usefully be aligned with No. 173 of the Convention. The delegates of Germany and the United Kingdom observed that the wording of that paragraph was based on No. 12 of the Constitution, whereas No. 173 of the Convention related only to the functions of the Director of the BR rather than to those of the Radiocommunication Sector as a whole. They therefore supported the text as it appeared in Document 262. The Chairman of Committee 4 said that the concern of the delegate of Mexico related to the Spanish text only and therefore suggested that the text be kept as it stood.

10.13 It was so agreed.

10.14 The delegate of Syria noted that a title seemed to have been omitted before paragraph 31. To his recollection, it had been agreed to use similar headings in the sections relating to all three Sectors. The Chairman of Committee 4 concurred, but explained that the Vice-Chairman of the Committee had decided otherwise. The Vice-Chairman of Committee 4 explained that although the Committee had agreed on the need for symmetry in the document, that had proved very difficult to achieve in practice because of the differences and slightly different approaches in the Sectors.

10.15 After a discussion in which the delegates of Germany and Lebanon participated, the Chairman of Committee 8 said that the heading "C.5 The Development Sector Actions" preceding paragraph 41 should be deleted in line with the decision to eliminate such headings for all Sectors. The Chairman observed that the matter was purely editorial and suggested the establishment of an informal group to resolve the question, the heading being placed in square brackets.

10.16 It was so agreed.

10.17 The delegate of Lebanon expressed his desire to participate in the group.

10.18 The delegate of Syria having questioned the wording of paragraph 31, which did not correspond to the agreement reached in Committee 4 as he remembered it, the Chairman of Committee 4 recalled the discussion which had taken place on the subject and strongly advised that redrafting should be avoided unless absolutely necessary.

10.19 It was so agreed.

10.20 The Chairman having requested the meeting not to reopen discussion on editorial matters, which should be referred to Committee 8, the Chairman of Committee 8 stressed that only texts submitted by Committee Chairmen could be examined by the Editorial Committee; texts from individual delegations or groups of delegations were not admissible. The Chairman emphasized that he had been referring only to minor editorial changes.

10.21 The delegate of Poland said it was his understanding that Committee 4 had decided to include a reference to the development of a global information infrastructure (GII) in the text relating to each Sector. That had been done for the Radiocommunication Sector in paragraph 30, but apparently not for the other two Sectors. The Chairman of Committee 4 confirmed that the topic had been discussed at length in reference to the Standardization Sector. It would, in his view, not be

advisable to reopen what might prove to be a very long discussion. The Chairman, endorsing that view, said that all the elements of GII were covered in the first indent of paragraph 35 even though there was no specific mention of GII as such.

10.22 At the proposal of the delegate of Lebanon, it was agreed to remove the square brackets from round the last indent of paragraph 35.

10.23 At the suggestion of the Chairman of Committee 4, it was agreed to remove the square brackets from round the penultimate indent of paragraph 37.

10.24 The delegate of South Africa said that a proposal by his delegation in Committee 4 to delete a phrase from paragraph 38 had been acted upon; however, it had subsequently emerged from consultations that the deletion could have adverse effects for the developing countries and he therefore appealed to the meeting to allow the text to be reinstated. The Chairman said that every delegation had the right to express its views but that once the discussion had been concluded the opinion of the majority had to be respected. He was therefore not sure whether such a move was possible. The Chairman of Committee 4 offered to discuss the request, which was similar to others received, with the delegate of South Africa and to return to the matter later.

10.25 It was so agreed.

10.26 Referring to paragraph 40, the delegate of Greece said that the word "and" should be added after "members" in the indent under the heading "Chapter 1". The Chairman said that the correction would be dealt with by Committee 8.

10.27 The delegate of Papua New Guinea said that wherever the Buenos Aires Action Plan (BAAP) was referred to in the document, it should be made clear that the reference was to the BAAP as set out in the final report of the World Telecommunication Development Conference (Buenos Aires, 1994) and not to the analysis in Document 58 which was formulated in a similar style, tending to lead to confusion. The Chairman of Committee 4 endorsed that view. It was very important to distinguish the BAAP from the analysis in Document 58 and he suggested that the first time the BAAP was mentioned in the strategic plan for 1995-1999 a footnote should be included indicating that the reference was to the final document of the Buenos Aires Conference.

10.28 It was so agreed.

10.29 The Chairman of Committee 8 noted that, subject to confirmation by the informal group established to discuss the matter, the heading "C.5 The Development Sector actions" preceding paragraph 41 should be deleted. Furthermore, at the late request of Committee 4, paragraph 41 should be placed in square brackets.

10.30 The Chairman of Committee 4 confirmed that the title should be deleted and said that the content of paragraph 41 had been accepted but that the BDT had been requested to produce the final text; he had asked for the paragraph to be placed in square brackets because its actual wording had not been approved by the Committee.

10.31 Following a procedural discussion concerning the status of both the text of paragraph 41 and its heading, in which the delegates of Syria, Zaire, Tanzania and Bahrain, the Chairman of Committee 4 and the Chairman took part, the Chairman said that square brackets would be placed round the heading but not round the paragraph itself.

10.32 Part III, as amended, was approved.

Part IV - Management and personnel strategies and priorities

10.33 The Chairman of Committee 4 said that Part IV had been considered by Committee 6 and transmitted to Committee 4, which had agreed to add at the very end of the text the words "performance evaluation services". If there was no objection from Committee 6, he suggested that the square brackets around those words be removed.

10.34 It was so agreed.

10.35 Part IV was approved.

Part V - Financial considerations

10.36 The Chairman of Committee 7 said that agreement had been reached in his Committee on paragraphs 46-49; paragraphs 50-52 had been left in square brackets pending a decision on the financial ceiling for the 1995-1999 period. Those three paragraphs would be reviewed again before the text was taken up for second reading.

10.37 The delegate of Syria proposed the addition of the words "and funds-in-trust" at the end of the third indent of paragraph 47.

10.38 The delegate of Australia, referring to paragraph 48, proposed the deletion of the words "and members" from the first indent. He was supported by the Chairman of Committee 7 and the delegate of Lebanon.

10.39 Subject to those amendments, Part V was approved.

10.40 The fourth series of texts submitted by the Editorial Committee (B.4) as a whole, as amended, was approved on first reading.

**11 Fifth series of texts submitted by the Editorial Committee for first reading (B.5)
(Document 263)**

Resolution PLEN/1 - Inaugural Meeting of the New Council and 1995 Session of the Council

11.1 Approved, with the square brackets retained in the first preambular paragraph.

Resolution PLEN/2 - Invitations to Hold Conferences or Meetings away From Geneva

11.2 The delegate of Syria proposed that paragraph 2 of the **resolves** section should be amended to read: "that invitations to hold development conferences and meetings ...".

11.3 It was so agreed.

11.4 Resolution PLEN/2, as amended, was approved.

Resolution PLEN/3 - Attendance of Liberation Organizations Recognized by the United Nations at Conferences and Meetings of the International Telecommunication Union as Observers

11.5 Approved.

Resolution PLEN/4 - Updating of Definitions

11.6 Approved.

Resolution PLEN/5 - Training of Refugees

11.7 Approved.

Resolution PLEN/6 - Measurements to Enable the United Nations to Carry Out Fully any Mandate Under Article 75 of the Charter of the United Nations

11.8 Following comments by the delegate of Morocco and the Legal Adviser, Resolution PLEN/6 was approved as it stood.

Resolution PLEN/7 - Joint Inspection Unit

11.9 Approved.

Resolution PLEN/8 - World Telecommunication Day

11.10 The delegate of Spain proposed an editorial amendment affecting only the Spanish-language version.

11.11 At the proposal of the delegate of New Zealand, it was agreed to replace the word "interest" by "opportunity" in the **considering** section.

11.12 The delegate of Pakistan considered that it would be appropriate to involve other organizations of various types as well as "small-m" members in the celebration of World Telecommunication Day. He proposed that words to that effect should be added in the first line of the **invites administrations of Members** section.

11.13 Having ascertained from a show of cards that there was support for the proposal, the Chairman invited the delegate of Pakistan to submit his amendment in writing, for consideration when the resolution was taken up for second reading.

11.14 At the suggestion of the delegate of Morocco, it was agreed to invert the order of the **instructs the Secretary-General** and **invites the Council** sections.

11.15 Resolution PLEN/8, as amended, was approved.

Resolution PLEN/9 - Duration of Plenipotentiary Conferences of the Union

11.16 The delegate of Saudi Arabia said that he had not had an opportunity to take part in the discussion of the resolution, which in his view was unnecessary. It would be preferable to adopt a flexible attitude to the question of the duration of future Plenipotentiary Conferences and to allow the Council to take the appropriate decisions as and when required. The delegate of Syria agreed, adding that the subject matter was more suitable for a recommendation than a resolution. The Chairman expressed his view that the existing text was flexible enough as it permitted an exception by saying "unless there is a pressing need otherwise".

11.17 The delegates of Norway, the Netherlands, the United States, France and Tanzania were in favour of retaining Resolution PLEN/9 as it stood. In view of the expenditure involved, it was prudent to limit the duration of Plenipotentiary Conferences to the extent possible, and four weeks should be quite sufficient. Moreover, the resolution had been put forward by the Plenary itself, which should not go back on its earlier decision.

11.18 Having called for a show of cards, the Chairman noted that the Saudi Arabian proposal did not command majority support.

11.19 Resolution PLEN/9 was approved as it stood.

The meeting rose at 1245 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 310-E
11 November 1994
Original: French/
English**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

**SUMMARY RECORD
OF THE
EIGHTEENTH PLENARY MEETING
Tuesday, 11 October 1994, at 1430 hours
Chairman: Mr. Y. UTSUMI (Japan)**

Subjects discussed

Documents

- | | | |
|----------|--|-----------------------|
| 1 | Fifth series of texts submitted by the Editorial Committee for first reading (B.5) (continued) | 263 |
| 2 | Sixth series of texts submitted by the Editorial Committee for first reading (B.6) | 264 |
| 3 | Seventh series of texts submitted by the Editorial Committee for first reading (B.7) | 265 |
| 4 | Draft resolution on assistance to Bosnia and Herzegovina | 196 + Corr.1+2 |

● For reasons of economy, this document is printed in a limited number of copies. Participants are therefore kindly asked to bring ●
their copies to the meeting since no others can be made available.

**1 Fifth series of texts submitted by the Editorial Committee for first reading (B.5)
(continued) (Document 263)**

Resolution PLEN/10 - Resumption of full participation of the Government of South Africa in the Plenipotentiary Conference and all other conferences, meetings and activities of the Union

1.1 Approved.

Recommendation PLEN/A - Unrestricted transmission of news and the right to communicate

1.2 The delegate of Tanzania, in recommends, after the word "facilitate" proposed adding: "universal access to telecommunication services and".

1.3 The delegate of Norway said that such an addition would introduce a new element, which he thought went beyond the scope of the recommendation. The delegate of the United Kingdom shared that point of view, adding that Article 33 of the Constitution already catered for the concerns expressed by the delegate of Tanzania.

1.4 The delegate of Tanzania said that in his view the right to communicate fitted perfectly within the scope of the recommendation.

1.5 The delegate of Mexico suggested that the delegate of Tanzania might bring up his proposal under consideration of Resolution COM4/12: "Non-discriminatory access to modern telecommunication facilities and services".

1.6 The delegate of the Netherlands endorsed the views expressed by the delegates of Norway and Mexico.

1.7 The delegate of Uganda pointed out that the right to communicate appeared in the actual title of the recommendation. If that right did not fit within the scope of the recommendation, it should not be mentioned in the title.

1.8 The delegate of Burkina Faso supported the previous speaker and said he would back Mexico's proposal if the right to communicate was not mentioned in the title of the recommendation.

1.9 The Chairman asked the Chairman of the working group which had prepared the draft why the right to communicate had not been mentioned in the title of the initial version of the recommendation. The Chairman of Working Group PL/A replied that it was because the recommendation under consideration was a redrafted version of Recommendation 3 of the Nice Conference entitled "Unrestricted transmission of news".

1.10 Pointing out that the right to communicate was described in the **conscious of** section as a "basic human right", the Chairman proposed adopting the resolution unchanged.

1.11 It was so decided.

1.12 The fifth series of texts submitted by the Editorial Committee (B.5), as amended, was approved as a whole on first reading.

**2 Sixth series of texts submitted by the Editorial Committee for first reading (B.6)
(Document 264)**

Article 4 (CV) - The Council

MOD 50, ADD 50A

2.1 Approved.

MOD 80

2.2 The Chairman of Committee 8 said that the delegation of the United States had reserved the right to refer to that amendment in Plenary.

2.3 The delegate of the United States recalled that, at the tenth Plenary Meeting, the delegates had agreed to reconsider draft modifications to the Constitution and Convention at the second reading, before finally adopting them, in view of the quantity involved. His delegation therefore withdrew the reservation it had expressed with regard to that amendment.

2.4 Amendment MOD 80 was approved.

Article 7 (CV) - World Radiocommunication Conference

MOD 118

2.5 Approved.

Article 19 (CV) - Participation of entities and organizations other than administrations in the Union's activities

MOD 239

2.6 Approved.

Article 32 (CV) - Rules of procedure of conferences and other meetings

MOD 379

2.7 The delegates of Norway, the United Kingdom, the United States and Sweden said that deleting the words "In general" at the beginning of No. 379 of the Convention gave an extremely restrictive character to the provision, which might then become very difficult to apply, especially at the end of conferences, when decisions had to be taken concerning documents which could not possibly be translated into all the languages of the Union within the time available. They were therefore opposed to deleting the words "In general".

2.8 The delegate of Morocco, whose delegation had proposed the amendment, and the delegate of Spain expressed the view that no important text should be adopted in a single language, whichever it was. They pointed out further that No. 379 applied only to major proposals.

2.9 The delegate of Switzerland said that it was perhaps the wrong way of looking at the problem. While translating the text of a proposal into several languages took time, it was also time-consuming to reach agreement on a text drafted in a single language. He therefore proposed adding at the beginning of No. 379 "Save in exceptional circumstances".

2.10 The delegates of Cameroon, Saudi Arabia, Zaire and Ecuador recalled that the amendment had been discussed at length in Committee 5 and had been approved by the great majority of delegates.

2.11 After an informal show of hands, the Chairman noted that a great majority of delegates supported the amendment.

2.12 Amendment MOD 379 was approved.

Resolution COM3/1 - Approval of the Memorandum of Understanding between the Representative of the Government of Japan and the Secretary-General of the International Telecommunication Union relating to the Plenipotentiary Conference (Kyoto, 1994)

2.13 The delegate of Japan asked for the words "the Government of Japan" to be replaced by "the representative of the Government of Japan" in the first line of the title of the Resolution, in the second line of the **considering** and in the first line of the **resolves**.

2.14 Resolution COM3/1 was approved as amended.

Resolution COM5/1 - Possible revision of Article IV, Section 11, of the Convention on the privileges and immunities of the specialized agencies

2.15 Approved.

Resolution COM5/2 - Request to the International Court of Justice for advisory opinions

2.16 Approved.

Resolution COM5/3 - Juridical status

2.17 Approved.

[Resolution COM5/4] [Recommendation COM5/A] - Deposit of instruments relating to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992)

2.18 At the Chairman's request, the Chairman of Committee 5 explained that the members of the Committee had not been able to decide whether the text should be a resolution or a recommendation.

2.19 The Secretary-General proposed adopting the term "Recommendation".

2.20 It was so decided.

2.21 The Chairman said that the fourth section would then be "invites".

2.22 Recommendation COM5/A was approved as amended.

Resolution COM6/7 - ITU staff participation in conferences of the Union

2.23 Approved.

2.24 The sixth series of texts submitted by the Editorial Committee (B.6), as amended, was approved as a whole on first reading.

3 Seventh series of texts submitted by the Editorial Committee for first reading (B.7) (Document 265)

Resolution COM4/2 - Recognition of the rights and obligations of all members of the Sectors of the Union

3.1 The Chairman of Committee 8 drew the Conference's attention to the fact that the words "and to consult them before any formal vote" in **invites administrations of Members** was between square brackets.

3.2 The delegates of Mexico, Djibouti, Qatar, Russia and Chad proposed deleting the passage, on the grounds that it should be up to individual administrations to decide whether such consultation was necessary or not.

3.3 The delegate of New Zealand said that it was only an invitation and that, by maintaining the phrase, the Union would show that its aim was to encourage the full participation of members in its activities.

3.4 The Chairman, observing that a large majority of delegations were opposed to the phrase between square brackets, proposed deleting it.

3.5 It was so decided.

3.6 The Chairman of Committee 4 said that an error had slipped into the introductory part of the **recognizing**. Read carefully, the sentence meant that Members could no longer take part in a formal vote. As a solution, he proposed deleting the whole phrase which was between brackets.

3.7 At the request of the delegate of Russia, the Chairman proposed that an informal working group, chaired by the Chairman of Committee 4, should redraft the introductory part of the **recognizing**.

3.8 After some informal consultations, the Chairman of Committee 4 proposed that the introductory part of the **recognizing** should read as follows: "that entitles and organizations authorized according to Article 19 of the Convention, hereinafter called "members", may participate ...".

3.9 It was so decided.

3.10 The delegate of Syria expressed surprise at the fact that in the expression "members of the Sectors", the word "members" was written with a capital in the title in English and with a small letter in the body of the text. The Chairman of Committee 8 explained that, in English, the first letter of nouns in a title should be written with a capital. He had in fact warned the Conference that using the words "Members" and "members" could give rise to ambiguity. The problem was worse in German, where all nouns were written with a capital. He proposed for the time being adding a footnote to the English text to make matters quite clear. In the future, for the sake of the reputation of the ITU's texts, it would be advisable to improve the terminology.

3.11 Resolution COM4/2 was approved as amended.

Resolution COM4/3 - Review of the rights and obligations of all members of the Sectors of the Union

3.12 The delegate of Mexico, referring to the **resolves**, in accordance with the right he had reserved in Committee 4 discussions, proposed that the sentence should read as follows: "that the rights and obligations of members should be reviewed, with the aim of finding various means of enhancing their rights, in such a way that their active and effective participation is promoted". In his view, the draft approved in Committee 4 in that respect was unclear and illogical. The delegates of Ecuador, Cuba and Uruguay supported that proposal.

3.13 After requesting a vote by show of hands, the Chairman noted that a large majority of the Plenary was in favour of maintaining the text approved in Committee 4.

3.14 The delegate of Saudi Arabia asked for some clarifications regarding the first indented subparagraph of **instructs the Secretary-General**. The phrase which followed the comma seemed to go against the wish expressed by delegates to the effect that membership of the Review Committee should be limited.

3.15 The delegate of the Netherlands recalled that, in that first subparagraph, Committee 4 had tried to ensure a balanced representation of Members and members and to limit the membership of the

Review Committee, while allowing Members and members which did not belong to the Committee to submit written contributions.

3.16 The Chairman of Committee 8 proposed that the phrase following the comma in the first subparagraph should read as follows in the French version: "tous les autres Membres et membres n'appartenant pas à cette commission ayant la possibilité de lui soumettre des contributions écrites;". The English version would be improved accordingly.

3.17 Resolution COM4/3 was approved, with the first indented subparagraph of **instructs the Secretary-General** placed between square brackets.

Resolution COM4/4 - Establishment of a forum to discuss strategies and policies in the changing telecommunication environment

3.18 The Chairman of Committee 8 said that the only words still remaining in square brackets were "requests" and "recommends" in the title of the last section of the resolution; as a matter of protocol, Committee 8 had not been sure whether one Plenipotentiary Conference made a request or a recommendation to the following Plenipotentiary Conference.

3.19 The Secretary-General proposed that, as was normal practice, the word "invites" should be used.

3.20 It was so decided.

3.21 The delegate of Canada pointed out that in c) of the **considering**, the CITEI referred to the Inter-American Telecommunications Commission and not the Inter-American Telecommunications Conference.

3.22 That correction was noted.

3.23 The delegate of Japan proposed deleting the word "first" in **instructs the Secretary-General** and **instructs the Council**, on the grounds that, according to paragraph 4 of the **resolves**, the world telecommunication policy forum should be convened once or twice before the next Plenipotentiary Conference. He added that the proposal had already been made in Committee 4, which the Chairman of Committee 4 confirmed.

3.24 That proposal was approved.

3.25 The delegate of Saudi Arabia, noting that according to the resolution the world telecommunication policy form would be held in conjunction with other ITU conferences and meetings, wondered what the financial implications would be of holding such a forum.

3.26 The Chairman of Committee 4 said that it had been decided to hold a forum in conjunction with other ITU conferences and meetings in order to minimize its cost. It was up to Plenary to decide how the forum should be financed.

3.27 The Secretary-General said that, failing any precise decision in that respect by the Plenipotentiary Conference, it would be up to the Council to decide how to finance any expenditure related to the forum when it considered the budget. It was clearly the wish of the Plenipotentiary Conference that the organization of the forum should be kept simple and that the forum should be convened in conjunction with other conferences in order to minimize costs. It might be expected, however, that if the forum dealt with very interesting issues, it might attract a lot of people and would therefore give rise to some fairly substantial expenditure. It was a little late for the Plenipotentiary Conference to take a decision in that respect. The Council would have to find a solution for the financing, though that would not be easy.

3.28 The delegate of Saudi Arabia said that the Chairman of Committee 7 should look into the matter. If that were not possible, then Council would have to decide. He reserved the right to return to the issue of the forum's financial implications.

3.29 The delegate of Russia recalled that the resolution had been the result of a compromise. As far as he was aware, Committee 7 had not budgeted a cent for the forum and Committee 4 had expressed the wish that the forum would not lead to any extra expenditure. If a decision were to be taken to commit funds for a forum, then the Russian delegation would reserve its position.

3.30 The delegate of the Islamic Republic of Iran confirmed that in fact no appropriation had been made for the policy forum in the draft financial plan for 1995-1999.

3.31 The delegate of Canada said that the cost of organizing the forum should be contained within the limits of the budget; it was to be hoped that the costs would be low and that funds could be found outside the budget.

3.32 The delegate of Bahrain suggested that Plenary should postpone its decision until Committee 7 had reviewed the matter.

3.33 The Chairman pointed out that Committee 7 had finished its work. Considering that the subjects discussed at the forum concerned the activity of the Union and of the three Sectors, expenditure might well be borne by the ordinary budget. He recalled that Committee 7's task was to consider expenditure ceilings rather than individual budget items.

3.34 The delegate of Zaire also wished to know the views of the Chairman of Committee 7.

3.35 The Chairman proposed for the time being suspending the Plenary's decision concerning Resolution COM4/4.

3.36 It was so decided.

Resolution COM4/5 - Regional presence

3.37 Approved.

Resolution COM4/6 - Special measures concerning alternative calling procedures on international telecommunication networks

3.38 Approved.

Resolution COM4/7 - Implementation of the Buenos Aires Action Plan

3.39 Approved.

Resolution COM4/8 - Strengthening of relations with regional telecommunication organizations

3.40 Approved.

Resolution COM4/9 - Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector

3.41 The delegate of Sweden said that Resolution COM4/9 had been the result of a compromise arrived at by an ad hoc Group of Committee 4. He recalled that his own delegation and several others had wanted a study to be made by a high-level body with an outside view of the ITU's activity. That suggestion had run into strong opposition in Committee 4. Despite its reluctance, the Swedish delegation was prepared to accept the draft resolution submitted to Plenary, considering that it provided in a way for a two-stage process, with the Council considering future procedure on the basis of a preliminary report submitted for its 1996 session by the Directors of the BR and the TSB. In any event, the Swedish delegation would contribute to the study of the allocation of work, in the belief that it was extremely important strategically for the future of the Union.

3.42 Resolution COM4/9 was approved.

Resolution COM4/10 - Review of the ITU's frequency coordination and planning framework for satellite networks

3.43 Approved.

Resolution COM4/11 - Use by the broadcasting service of the bands additionally allocated to this service

3.44 Approved.

Resolution COM4/12 - Non-discriminatory access to modern telecommunication facilities and services

3.45 Approved.

Resolution COM4/13 - Telecommunication support for the protection of the environment

3.46 Approved.

Resolution COM4/14 - Telecommunications for disaster mitigation and disaster relief operations

3.47 Approved.

Resolution COM4/15 - Access to documents and publications of the Union

3.48 Approved.

Resolution COM4/16 - Remote access to ITU information services

3.49 Approved.

Resolution COM4/17 - Special measures for the least developed countries

3.50 Approved.

Resolution COM6/6 - Organizational structure and grading in the ITU

3.51 Approved.

3.52 The Chairman of Committee 8 said that he wished to thank the Secretariat and especially the pool, for quickly and efficiently converting the Editorial Committee's documents into blue documents for submission to Plenary.

4 Draft resolution on assistance to Bosnia and Herzegovina (Document 196 and Corrigenda 1 and 2)

4.1 The Chairman invited the delegate of Bosnia and Herzegovina to introduce the draft resolution, which had been tabled by a number of delegations.

4.2 The delegate of Bosnia and Herzegovina said that the text contained in Document 196 had been produced by a number of delegations, but that since it had been submitted to the Secretariat, further improvements had been made in the draft following bilateral contacts. The improvements concerned the following points: in the **resolves**, the terms "an assistance programme" should be replaced by "special action" and "as a special case" should be deleted; in **calls upon Members**, "special assistance programme" should be replaced by "special action" and in **instructs the Council**,

the term "implementation stage for the said programme" should be replaced by the word "action". In the **instructs the Secretary-General**, he proposed adding the following sentence at the beginning of the paragraph: "to invite the Government of Bosnia and Herzegovina to present the current condition of its telecommunication network and its views on how to rebuild it", leaving the rest of the paragraph unchanged.

4.3 The delegate of the United Kingdom, while welcoming the amendments to the text, considered that the **resolves**, which referred to the Telecommunication Development Sector, was restrictive regarding the type of action required. He proposed the following amendment: "that special action shall be initiated in the framework of the activities of the Telecommunication Development Sector of the Union, with the substantive assistance ...", the aim being to make it clear that all possible practical measures would be taken to bring effective assistance to Bosnia and Herzegovina.

4.4 The delegate of India said that since access to universal telecommunication services was one of the Union's main activities, he felt bound to support the draft resolution and hoped that the BDT would have the necessary resources to provide the required assistance, within the ceilings adopted by the Conference.

4.5 The delegate of France warmly welcomed the draft resolution and recalled that France had contributed the largest contingent of soldiers in the field to the United Nations Peacekeeping Force. As a Member of the Union, moreover, France could only feel satisfaction at the ITU's determination to use its skills to help rebuild Bosnia and Herzegovina.

4.6 The delegate of Pakistan, who was one of the joint authors of the initial draft resolution, said he hoped that the text proposed by the delegate of Bosnia and Herzegovina would be approved unanimously. After recalling that the proper functioning of telecommunication networks was a sign of peace and normality, he said that his country would make every effort to apply the resolution and he called on other Union Members to do the same.

4.7 The delegate of Norway, while saying that she was not opposed to the draft resolution as amended by the delegate of Bosnia and Herzegovina, drew the attention of participants to the fact that the situation in Bosnia and Herzegovina had not yet returned to normal and that resolutions of the United Nations Security Council applied to some areas of the country. For the sake of completeness, the document should contain a reference to the relevant Security Council resolutions, for instance, in paragraph b) of the **recalling**.

4.8 The delegate of Saudi Arabia, as joint author of the draft resolution, recalled that the delegations concerned had met several times to draw up the text given in Document 196. He would like to know the exact scope of the modification proposed by the United Kingdom.

4.9 The delegate of Germany, while in favour of the draft resolution, said he would like to hear the views of the General Secretariat and the BDT regarding the sort of practical measures of assistance which the Union would be in a position to take in the short term, and also to have an estimate of the financial implications of such assistance.

4.10 The delegate of Cameroon, while approving the generous idea underlying the draft resolution, pointed out that the situation prevailing in Bosnia and Herzegovina also existed in many other countries. He thought that the draft was extremely restrictive, since it concerned one country only, for which his delegation otherwise felt a great deal of sympathy, and that the Development Sector might consider extending the proposed assistance to the countries referred to in a) of the **recognizing**, such as Rwanda, Somalia and many others. He therefore proposed that the **instructs the Council** should also include special action in favour of countries undergoing a similar situation to that of Bosnia and Herzegovina.

4.11 The Chairman, observing that the draft resolution did not meet with unanimous approval, since amendments had been proposed by some delegations and further clarifications had been requested,

suggested that the delegations concerned should agree on a proposal for subsequent submission to the Plenary.

4.12 The delegate of the Netherlands said that he was prepared to agree to the Chairman's suggestion, provided that the informal group had precise instructions and was told in particular whether the draft resolution was to be extended to countries other than Bosnia and Herzegovina. He himself proposed restricting the draft to Bosnia and Herzegovina.

4.13 The Chairman said that, in order to ensure that all views were reflected, the delegate of Cameroon would join the informal group in charge of drawing up a new text for the draft resolution.

4.14 The delegate of the Netherlands again asked whether the informal group would deal only with the situation in Bosnia and Herzegovina or would also take into consideration that prevailing in many other countries affected by natural disasters, domestic conflicts or war.

4.15 The Chairman said that the intention of the delegate of Cameroon had been to draw participants' attention to the fact that the action of the Telecommunication Development Sector chiefly concerned developing countries and that that aspect should be taken into account in the draft resolution. If the Plenary so wished, he proposed reopening the discussion on that point.

4.16 The delegate of Saudi Arabia reiterated that the delegations concerned had met several times to draw up a text which had raised no objection. He suggested that the Plenary, in order to save time, should adopt it as read by the delegate of Bosnia and Herzegovina. Regarding the comment concerning the Telecommunication Development Sector, he pointed out that the aim of the BDT was to assist telecommunication development in all countries of the world, and not only in developing countries. The draft resolution under consideration concerned an individual case, which had been dealt with. He suggested that the Chairman might consult the delegates regarding the text read out by the delegate of Bosnia and Herzegovina; if the participants were in favour of the draft resolution, then the Plenary could adopt it; if not, it could set up a working group.

4.17 The Chairman proposed setting up a working group and submitted his proposal to Plenary. Noting that his proposal did not meet with approval, he asked whether the draft resolution, as amended by Bosnia and Herzegovina at the meeting, could be adopted.

4.18 The delegate of Canada, raising a point of order, said that Plenary should first of all decide on the amendments proposed by the delegates of Norway and the United Kingdom, since those read out by the delegate of Bosnia and Herzegovina were an integral part of the draft resolution. He thought that the amendments suggested by the delegates of Norway and the United Kingdom could be accepted without much difficulty. He also noted that the draft resolution had received broad support.

4.19 The delegate of Germany, on a point of order, recalled that he had asked for the opinion of the Secretary-General and the Director of the BDT regarding the practical possibilities of assistance and the resulting financial implications.

4.20 The Secretary-General said that the implementation of Plenipotentiary Conference decisions was chiefly the responsibility of the General Secretariat, which would ensure in particular that the resolution under consideration, if adopted, would be fully applied. With regard to financial implications, as the Union and BDT budgets were very limited, it was more in the areas of the coordination and development of human resources that the Union could supply most assistance. Moreover, the budgetary decisions which would be taken by the Plenipotentiary Conference would probably affect the issue as well and every Member should contribute to the special action. In the end, the extent of the aid supplied to Bosnia and Herzegovina would depend on the contribution made by individual Members.

4.21 The Chairman, having invited delegates to indicate by a show of hands whether they were in favour of or opposed to the United Kingdom amendment, observed that there was a majority in favour. He then called for a show of hands on the proposal by the delegate of Norway.

4.22 At the request of the delegate of Morocco, the delegate of Norway clarified her proposed amendment. There were a number of United Nations Security Council resolutions concerning Bosnia and Herzegovina. One such resolution, if her memory served her correctly, was resolution 409 which dealt with sanctions concerning certain areas of Bosnia and Herzegovina, and exemption concerning telecommunications. As the draft resolution currently before the Plenary Meeting related to the rebuilding of telecommunications infrastructure, she considered it advisable for the text to refer to that and other relevant United Nations Security Council resolutions. She therefore proposed the addition in **recalling** b) of the words "the appropriate resolutions concerning the situation in Bosnia and Herzegovina adopted by the Security Council of the United Nations, and".

4.23 The Chairman observed that the show of hands indicated that there was a large majority in favour of the proposed amendment.

4.24 The delegate of Saudi Arabia, speaking on a point of order, said that the show of hands was merely indicative of intentions. The amendment proposed by the delegate of Norway had not been discussed. It was difficult to include a general reference to Security Council resolutions in the draft resolution when the specific resolutions were not known.

4.25 The Chairman said that that was why he had proposed setting up an informal working group; however, the Plenary Meeting had rejected that proposal. He invited the meeting to consider the amendment proposed by the delegate of Bosnia and Herzegovina.

4.26 The delegate of Russia, speaking on a point of order, said that the delegate of Bosnia and Herzegovina had not amended the original proposal. In his view, the time had come to take the feeling of the Plenary Meeting on the resolution in Document 196 as a whole, as amended.

4.27 The Chairman said that, as he understood it, the original proposal had been made by several delegations and the delegate of Bosnia and Herzegovina had proposed amendments which had been incorporated in the original proposal. Amendments had also been proposed by the delegates of the United Kingdom and Norway.

4.28 The delegate of Saudi Arabia, speaking on a point of order, said it should be clearly understood that the Plenary Meeting had not voted on the proposed amendments but had merely indicated its intentions. The amendments, which were ambiguous, should be dealt with before the original proposal. If the position was not clear, the Legal Adviser should be asked to give an opinion.

4.29 The Chairman said that according to No. 433 of the Convention, "any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal". He also drew attention to the Convention which stipulates that the proposal thus amended shall then be put to the vote as a whole. He therefore invited the Plenary Meeting to indicate, by a show of hands, whether it supported the draft resolution in Document 196 as a whole, as amended.

4.30 The delegate of Bahrain said that the matter was still not clear, and he supported the request for comments by the Legal Adviser.

4.31 The Chairman said that from his reading of the Convention, the situation was very clear. There had already been support for the United Kingdom and Norwegian amendments, and the amendment proposed by the delegate of Bosnia and Herzegovina was incorporated in the original proposal. He was therefore asking the Conference to indicate whether it was in favour of the proposed draft resolution as a whole, as amended.

4.32 The delegate of Saudi Arabia said that the request he had made when speaking on a point of order should be respected. He had listened to, but did not agree with, the Chairman's explanations. He again formally requested an explanation by the Legal Adviser.

4.33 The Legal Adviser, responding through the Chairman to the request for legal and procedural advice by the delegate of Saudi Arabia, said that the delegate of Bosnia and Herzegovina, when introducing the draft resolution, had proposed amendments to the **resolves, calls upon Members, instructs the Council and instructs the Secretary-General** paragraphs. Initially, he (the Legal

Adviser) had understood that the amendments were proposed on behalf of all the co-sponsors. However, in the light of subsequent discussion, it had become apparent and clear to him, at least, that that was not the case. Therefore, the amendments proposed by the delegate of Bosnia and Herzegovina did indeed constitute an "en bloc" amendment to the original text proposed by that delegate, and could not be qualified as "accepted" by all the co-sponsoring delegations in the meaning of No. 433 of the Convention. His advice, therefore, was that the Plenary Meeting should decide first on the amendments proposed by the delegate of Bosnia and Herzegovina and then on the draft resolution as a whole, bearing in mind that the other two proposed amendments had already received the consent of the majority. He also pointed out that the so-called "indicative voting" procedure, the purpose of which was only to "test the temperature of the meeting", should and could not be formally adopted.

4.34 The delegate of Cameroon said that the Legal Adviser had omitted to mention his delegation's amendment to the **instructs the Council** paragraph, which had been proposed with the intention of extending the scope of the assistance proposed for Bosnia and Herzegovina to other countries with similar special needs. He specifically proposed the inclusion of a separate subparagraph reading, as follows: "as necessary and within available resources, to extend the action contemplated in **resolves** above to other Member countries suffering from similar disasters, at their request."

4.35 The Chairman reiterated his suggestion that the Conference should set up an informal group to negotiate a compromise proposal, since the situation was very complex and difficult to resolve.

4.36 The delegate of Russia, speaking on a point of order, wished to clarify the explanation by the Legal Adviser. His own understanding was quite different, namely, that the delegate of Bosnia and Herzegovina had introduced the draft resolution, including the changes, on behalf of the co-sponsors. He sought the ruling of the Chairman on the issue.

4.37 The Chairman said it was his understanding that Document 196 had been introduced by the delegate of Bosnia and Herzegovina. The amendments which that delegate had read out were the result of a compromise achieved in the informal consultations, and they had the support of the other co-sponsors. Document 196 as thus amended was therefore the basis of the discussion in the Plenary Meeting. Two amendments had then been proposed by the delegates of the United Kingdom and Norway and supported by a majority of delegations. It now remained to decide on the draft resolution, with the two amendments, as a whole. However, he proposed to postpone that decision until the next meeting, when he hoped that agreement could be quickly reached.

4.38 The delegate of Saudi Arabia said that, as he understood it, the Chairman's appreciation of the situation differed from that of the Legal Adviser. Consequently, the procedures followed at the present meeting were incorrect, and therefore the outcome too was wrong. He wished to cooperate, but he feared that it would be necessary to return to the original draft resolution, and to the amendments proposed by the delegate of Bosnia and Herzegovina.

4.39 The Chairman said that it was up to the Conference, not the Legal Adviser, to determine whether or not the Chairman's assessment was correct. He suspended the debate due to the non-availability of the interpretation service.

The meeting rose at 1820 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

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14 November 1994
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KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

NINETEENTH PLENARY MEETING

Wednesday, 12 October 1994, at 0930 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

Documents

1	Reports by the Chairmen of Committees 2, 3 and 5	216, 269
2	Draft resolution on the use of working languages	237
3	Telecommunication facilities in the Republic of Cyprus	57+Add.1-3
4	Seventh series of texts submitted by the Editorial Committee for first reading (B.7) (continued)	265
5	Eighth series of texts submitted by the Editorial Committee for first reading (B.8)	273
6	Ninth series of texts submitted by the Editorial Committee for first reading (B.9)	279

1 Reports by the Chairmen of Committees 2, 3 and 5 (Documents 216, 269)

1.1 The Chairman of Committee 2 reported that the delegation of Paraguay had registered on 11 October and that its credentials had been verified and found to be in order. A second corrigendum to Document 229 would be issued to reflect the new situation.

1.2 The Chairman of Committee 3, introducing Document 216, reported that the direct Conference expenditure to be charged to the ordinary budget was estimated at 2,377,000 Swiss francs as at 30 September 1994. The actual costs, however, would only be known when the final accounts were established at 31 December. Committee 3 had been greatly impressed by the organization of the Conference and the excellent facilities made available to the participants.

1.3 The Chairman of Committee 5, introducing Document 269, highlighted the work carried out by the Committee, drawing particular attention to paragraphs 16 and 17 which referred to those delegations that had reserved their right to revert to the subjects of Resolutions COM5/4 and 5 in Plenary.

1.4 The delegate of Morocco recalled that in a previous oral report the Chairman of Committee 5 had drawn attention to the reservation of Morocco with regard to proposal MRC/31/12 - a position also taken by the delegation of Saudi Arabia. He had requested that the matter be discussed in Plenary.

1.5 The Chairman said he would take up the question at an appropriate time.

1.6 The delegate of Spain said that instead of reverting in Plenary to the subject of the deposit of reservations, as stated in paragraph 18 of the report, he would submit a written reservation.

2 Draft resolution on the use of working languages (Document 237)

2.1 The Chairman recalled that at the sixteenth Plenary Meeting it had been decided to ask Committee 7 to consider the financial implications arising from the draft resolution on interim limitations in the use of official and working languages of the Union (Annex 1 to Document 237).

2.2 The Chairman of Committee 7 said that Committee 7 recommended that 4,075,000 Swiss francs should be allocated during the next budgetary period for the use of Arabic, Chinese and Russian over and above the existing allocation of 3,685,000 Swiss francs and within the ceiling of 750 million Swiss francs.

2.3 The delegate of Saudi Arabia, recalling that after lengthy discussions in Committee 7 it had been decided to allocate a minimum amount to the use of Arabic, Chinese and Russian, proposed that in order to save time the draft resolution should be approved.

2.4 The delegate of Syria, after pointing out that the draft resolution could have been approved without difficulty at an earlier stage since paragraph 4 of the **resolves** section left the financial limits to be set by Committee 7, supported the proposal by the delegate of Saudi Arabia.

2.5 The delegate of Russia stated that although the progress recorded in the draft resolution was purely symbolic, he too could support the Saudi Arabian proposal.

2.6 The delegate of China said that after taking part in the discussions in the ad hoc group and Committee 7, he considered that the time was now ripe to adopt the draft resolution, which he supported.

2.7 The delegates of Lebanon, Egypt and Tunisia endorsed the views of the previous speakers.

2.8 The draft resolution in Annex 1 to Document 237 was approved.

2.9 In response to a comment by the Chairman of Committee 8, the Chairman said that the square brackets in **resolves 2** and **instructs the Secretary-General** should be deleted, while those in **resolves 4** would be considered when the Chairman of Committee 7 presented his report.

3 Telecommunication facilities in the Republic of Cyprus (Document 57 and Addenda 1, 2 and 3)

3.1 The Chairman said that Document 57 and its addenda were submitted to the Plenary Meeting for information only, to be noted without discussion.

3.2 The delegate of Cyprus made the statement reproduced in Annex 1.

3.3 The delegate of Turkey, responding to the allegations of the Greek Cypriot delegation, pointed out that the Union was a specialized technical agency which devoted its energies and resources to the development of telecommunications throughout the world in the interests of all mankind. The Cyprus question involved a complex political issue: in Cyprus there were two communities with separate identities, namely, the Turkish Cypriot and the Greek Cypriot communities. At the present time the United Nations Secretary-General was deploying efforts for the establishment of an environment of confidence in the island. Turkey and the Turkish Cypriot side had actively supported, and continued to support, that confidence-building process. Turkey strongly believed that the ITU should not be put in the position of intervening in that process as a result of hearing only one side of the issue, since the Turkish Cypriots were not represented at the Conference. He therefore requested the Chairman not to allow an interference of that nature to take place, since it would not be in the interests of the Union and would constitute a disservice to the efforts of the United Nations Secretary-General at a time when he was making contacts with both sides for the resumption of talks.

3.4 The delegate of Greece made the following statement:

"We agree and share the positions of the delegation of the Republic of Cyprus on this issue as they have been presented by them.

In particular, we would like to stress that the integration of the occupied part of Cyprus in the national numbering plan of Turkey constitutes an unacceptable and illegal act, contrary to the relevant provisions of the Constitution and the Convention of the ITU.

It also promotes division among the people of Cyprus and prevents the Government of the Republic of Cyprus from exercising effectively its sovereign right to regulate its telecommunications over the whole of its territory."

3.5 The delegate of Russia said he was deeply convinced that any approach to a solution of the issue must be based on the provisions of the ITU Constitution and Security Council resolution 939, paragraph 2 of which he read out. Observation by all parties of the letter and the spirit of that resolution would contribute to a settlement of the problem and he appealed to them in their own interests, the interests of the Union and those of world society as a whole to respect its provisions.

3.6 Document 57 and Addenda 1, 2 and 3 were noted.

4 Seventh series of texts submitted by the Editorial Committee for first reading (B.7) (continued) (Document 265)

Resolution COM4/4 - Establishment of a Forum to Discuss Strategies and Policies in the Changing Telecommunication Environment (continued)

4.1 The Chairman recalled that when the subject had first come up, several delegations had called for a study of its financial implications. He therefore invited the Chairman of Committee 7 to comment.

4.2 The Chairman of Committee 7 indicated that the draft financial plan for 1995-1999 included a line for the policy forum without any specific allocation, although a footnote indicated that minimal costs could be absorbed in the normal work of the Union. In that connection, it should be noted that **resolves 9** of the draft resolution referred to means of minimizing the impact on the budget.

4.3 Resolution COM4/4 was approved.

Resolution COM4/9 - Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector (continued)

4.4 In reply to the delegate of Germany, who observed that Resolution 2 (Geneva, 1992) on the allocation of work between the Radiocommunication Sector and the Telecommunication Standardization Sector had been maintained and updated but that the new version appeared in neither the seventh nor the eighth series of texts submitted by the Editorial Committee, the Chairman of Committee 4 said that APP-92 Resolution 2 had been superseded by Resolution COM4/9.

4.5 Following comments by the delegates of Sweden and the United States, the Chairman suggested that informal consultations should be held to resolve the matter.

4.6 Following the informal consultations, the delegate of Germany said it had been unanimously agreed that Resolution 2 (Geneva, 1992) need not be maintained, but that since a number of elements covered by it had not been carried over into Resolution COM4/9, **resolves 1** of the latter should be amended to read: "that the current process, in conformity with Resolution 2 of the APP (Geneva, 1992), providing for ongoing review of new and existing work and its allocation to ITU-R and ITU-T, shall be maintained". The Legal Adviser, who had been consulted, saw no legal objection to that amendment.

4.7 The Chairman noted that there was no objection to the amendment.

4.8 Resolution COM4/9, as amended, was approved.

4.9 The seventh series of texts submitted by the Editorial Committee (B.7) as a whole, as amended, was approved on first reading.

5 Eighth series of texts submitted by the Editorial Committee for first reading (B.8) (Document 273)

5.1 The Chairman of Committee 8, introducing Document 273, said that it presented few difficulties, with the exception of Resolution COM4/26, the whole of which remained in square brackets and to which he would suggest amendments at the appropriate time.

Resolution COM4/18 - World and Regional Telecommunication Exhibitions and Forums

5.2 The delegate of Spain suggested that the words "publication practices" in noting c) should be replaced by "publication rules". The Chairman of Committee 8 said that note had been taken of that suggestion.

5.3 In reply to a question by the delegate of Bahrain, the Chairman of Committee 4 said that "the city of the seat of the Union" in **resolves 1** meant Geneva.

5.4 Resolution COM4/18 was approved.

Resolution COM4/19 - Procedure for Defining a Region for the Purpose of Convening a Regional Radiocommunication Conference

5.5 Approved.

Resolution COM4/20 - Role of the International Telecommunication Union in the Development of World Telecommunications

5.6 Approved.

Resolution COM4/21 - Improvement of the Union's Capabilities for Providing Technical Assistance and Advice to Developing Countries

5.7 Approved.

Resolution COM4/22 - Special Voluntary Programme for Technical Cooperation

5.8 Approved.

Resolution COM4/23 - International Programme for the Development of Communication

5.9 Approved.

Resolution COM4/24 - Telecommunication Infrastructure and Socio-Economic and Cultural Development

5.10 Approved.

Resolution COM4/26 - Establishment of Advisory Groups for the Radiocommunication and Telecommunication Standardization Sectors

5.11 The Chairman of Committee 8 suggested three amendments which, without changing the substance, took account of the fact that the Advisory Groups already existed: in the title, the words "Establishment of" should be deleted; at the end of the **considering** paragraph, the following phrase should be added: "and the fact that the Radiocommunication and Standardization Advisory Groups have been established for that purpose"; in the **instructs** paragraph, the phrase "organize further the respective advisory groups" should be replaced by "continue to support the activities of the respective advisory groups".

5.12 It was so agreed.

5.13 The Chairman of Committee 4 said that the reason why Resolution COM4/26 had been placed in square brackets was because Committee 4 had been unable to decide whether it should be deleted in view of the fact that the advisory groups had now been set up, or whether it should be retained as the only legal basis for their existence.

5.14 The Chairman recalled that the two advisory groups had been established by resolution at the Additional Plenipotentiary Conference and were not referred to in either the Constitution or the Convention.

5.15 The delegate of the United Kingdom, recalling that he had favoured the deletion of Resolution COM4/26 in Committee 4, said that after re-examining it as amended by the Chairman of Committee 8, he now considered that it was needed in order to give the ongoing authority for the two advisory groups and to impose on the Directors of the two Bureaux the requirement to report on the groups' activities.

5.16 The delegate of Spain, supported by the delegates of the Republic of Korea, France, Italy and Indonesia, agreed that Resolution COM4/26 should be maintained with the amendments proposed by the Chairman of Committee 8, and suggested that in order to provide an adequate legal basis for the advisory groups to continue their work after the radiocommunication assemblies and world telecommunication standardization conferences to be held in the period up to the 1998 Plenipotentiary Conference, the following text should be added to the opening lines of the **resolves**

section: "... that the telecommunication standardization conference and radiocommunication assemblies should maintain the advisory groups ...". The delegate of Morocco also supported that amendment, but suggested that the verb form "shall" should be used.

5.17 It was so agreed.

5.18 The delegate of Russia pointed out that when the **resolves** section of the resolution had been drafted on the basis of APP-92 Resolution 3, no account had been taken of the "review" element reflected in the **resolves** section of Resolution 3, with the result that the advisory groups' role was reduced merely to providing advice. The original text of Resolution 3 should be reinstated, with the amendments just agreed to by the Plenary Meeting. The Chairman of Committee 4 fully endorsed those comments, and the Chairman of Committee 8 confirmed that the **resolves** section would be redrafted accordingly.

5.19 The delegate of Syria, supported by the delegates of Italy and Saudi Arabia, proposed that in the **instructs** paragraph the words "of the three Sectors" should be inserted after "the representatives of the study groups", since it was customary for each advisory group to invite representatives from the other two Sectors to attend its meetings, in order to ensure the flow of information from one Sector to another.

5.20 The Chairman said that as he understood it the paragraph referred only to the ITU-R and ITU-T study groups.

5.21 The Chairman of Committee 4 observed that Resolution 3 had been discussed at considerable length prior to its adoption at the Additional Plenipotentiary Conference, and that the need for cooperation between the three Sectors was covered by the Convention. He therefore suggested that the text should be left unchanged, with the minutes making it clear that the Directors of the BR and the TSB should invite representatives of the BDT to attend the meetings of their respective advisory groups.

5.22 The delegate of France, supported by the delegate of the United States, said that the legitimate concerns expressed by the Syrian delegate were covered by the resolution as it stood, in particular the fourth indent of the **resolves** section. The intention of the **instructs** section was to ensure that the ITU-R and ITU-T advisory group meetings were attended by the representatives of the respective study groups, and the text should therefore be left unchanged.

5.23 The delegate of Syria reluctantly agreed to withdraw his proposal, which should nevertheless be noted and taken into account by the Directors of the BR and the TSB when they convened meetings of their respective advisory groups, in order to ensure that the meetings were attended not only by representatives of the BDT Secretariat, as was the present practice, but also by other representatives of the ITU-D Sector.

5.24 Resolution COM4/26, as amended, was approved.

Resolution COM4/27 - Improved Use of the Technical and Data Storage/Dissemination Facilities of the Radiocommunication Bureau

5.25 Approved.

Recommendation COM4/A - Favourable Treatment for Developing Countries

5.26 Approved.

5.27 The eighth series of texts submitted by the Editorial Committee (B.8) as a whole, as amended, was approved on first reading.

**6 Ninth series of texts submitted by the Editorial Committee for first reading (B.9)
(Document 279)**

6.1 The Chairman of Committee 8 introduced Document 279, the first part of which contained texts relating to the Constitution and Convention which would only be carried over into a pink document once the Conference had taken its final decision on the question of amending the basic instruments. The titles of Article [Z] (CS) and Article [Z] (CV) should be amended to read, respectively: "Article [Z] of the Instrument Amending the Constitution: Date of Entry into Force"; and: "Article [Z] of the Instrument Amending the Convention: Date of Entry into Force".

6.2 The Chairman said that Articles [Z] (CS) and [Z] (CV) would be left aside for the time being.

Article 23 (CV) - Invitation and Admission to Plenipotentiary Conferences when There is an Inviting Government

6.3 MOD 258, ADD 262bis and (MOD) 269 were approved.

Article 24 (CV) - Invitation and Admission to Radiocommunication Conferences when There is an Inviting Government

6.4 MOD 271 was approved.

Annex (CV) - Definition of Certain Terms used in this Convention and the Administrative Regulations of the International Telecommunication Union

6.5 MOD 1002 was approved.

Resolution COM5/4 - Observer Status at Council Meetings for Members of the Union which are not Members of the Council

6.6 The Chairman of Committee 8 informed the meeting that the delegates of Burkina Faso, Benin, China and Uruguay had expressed reservations on Resolution COM5/4.

6.7 The delegate of Uruguay said that his objections in respect of the resolution related to paragraph 2 of the **resolves** section. He welcomed the decision to allow Members of the Union which were not Members of the Council to attend Council meetings as observers, and considered that such observers should receive documents in advance of the session in order to be able to prepare for it. Ideally, the documents ought to be despatched free of charge by the General Secretariat to those Members who had announced their intention to send observers; however, he would be willing to agree to arrangements whereby the documents were made available in advance of the meetings at ITU headquarters in Geneva, again free of charge. His second objection related to the rather harsh stipulation that observers would not be entitled to address meetings; however, he would not press that point if his demands with regard to documentation were met.

6.8 The delegate of Burkina Faso considered that the constructive proposal made by his delegation and others had not been given sufficient consideration by Committee 5, and he was therefore obliged to revert to it in the Plenary. He wished the record to make it clear that Burkina Faso's proposal was for participation by observers on a basis wide enough to permit conclusions to be drawn after an experimental period. Unfortunately, Resolution COM5/4 did not guarantee proper participation by Members in the experimental process. Moreover, the status of observer as defined in that resolution only partly met the concern for greater transparency and participation in the management of the Union that had prompted his delegation's proposal. He reserved the right to return to the matter at a later stage.

6.9 The delegate of Greece proposed to amend paragraph 2 of the **resolves** section as follows: "that an observer may receive documents before and/or during a meeting but shall not have the right to vote or address the meeting, save in exceptional circumstances and where the Chair agrees otherwise."

6.10 The delegate of Benin said that the issue raised by the previous speaker had been discussed at length by Committee 5 and that the concerns expressed by some delegations, including his own, subsisted. Most countries in favour of observership considered that the expense involved if all Members were to take advantage of the possibility would be far too high. However, he was prepared to withdraw his reservation if his position was made clear in the minutes.

6.11 The delegate of China said that his delegation agreed in principle with the current text of the resolution. Its only remaining doubt concerned the **instructs the Council** paragraph, for it considered that caution should be exercised and the Rules of Procedure amended only after the experimental period, if appropriate, i.e. after the 1998 Plenipotentiary Conference. However, if the majority of the delegations supported the text as it now stood, China would withdraw its reservation.

6.12 The Chairman of Committee 5, referring to the comments by the delegate of Burkina Faso, said that the Committee had discussed the issue at length and that sufficient time had been allowed for the purpose. A vote had been taken on the objections raised by Burkina Faso under a point of order, and the majority had been in favour of the text now before the Plenary. The reservations of other delegations had similarly been decided by a vote in accordance with the provisions of the Convention, and the **resolves** section had been taken up paragraph by paragraph. Resolution COM5/4 had thus been adopted by a large majority of the delegations having participated in the meetings of Committee 5.

6.13 The Chairman said that although he was reluctant to reopen the discussion he would give the floor to those delegations that had requested it.

6.14 The delegate of Lebanon, after stating that he had been unable to attend the relevant meeting of Committee 5 owing to commitments in other committees, expressed surprise that, under the text as it now stood, observers of Members would not have the right to address Council meetings. That was in contradiction with the text just adopted for No. 1002 which contained no such restriction. Since non-Member observers would have the right to speak, his delegation could not accept the present wording of paragraph 2 under **resolves** and therefore supported the proposal of Greece.

6.15 The delegates of Tunisia and the Islamic Republic of Iran also supported the Greek proposal.

6.16 The delegate of Mexico said that his delegation was in favour of observership on an experimental basis without budgetary implications for the Union. He was concerned that the Greek proposal would re-open the debate and could not support it. He could, however, support the Uruguayan proposal to make documentation available to observers at ITU headquarters.

6.17 The delegate of New Zealand considered that the wording of the resolution represented a well-balanced and acceptable compromise. However, the Editorial Committee should review the **considering** paragraph, to ensure that it was consistent with the wording of No. 50A of the Convention adopted by the Plenary the previous day.

6.18 The delegate of Portugal agreed that Resolution COM5/4 was a reasonable compromise and that the debate should not be reopened.

6.19 The delegate of Canada said that he could support the Uruguayan proposal but would prefer the Greek amendment, the second part of which should, however, be rephrased to read: "... but should not have the right to vote or, save in exceptional circumstances, to address the meeting". There had been much frustration for a number of years among administrations that wished to serve on the Council but had not had the chance to do so. The Plenipotentiary Conference should therefore, in a spirit of openness, approve the Greek amendment.

6.20 The delegate of the United Kingdom said that his delegation could accept the text as it stood but could also accept the Uruguayan proposal, which would involve no additional expense for the Union. However, the Greek amendment would reopen the question of the right to speak, which had already been discussed at length by Committee 5. It was not the intention of the resolution that observers should be surrogate Members of the Council. In his view, however, the fact that an observer did not have the right to address in a meeting did not mean that he would not have the possibility to say something relevant to his administration's interests at the express invitation of the Chairman. The delegate of Cameroon endorsed those views.

6.21 The delegate of Tanzania too agreed with the delegate of the United Kingdom and also supported the Chinese position with respect to the amendment of the Rules of Procedure. If it was not possible to amend the resolution, he would ask for his reservation on that point to be recorded.

6.22 The Chairman noted that the delegates of Burkina Faso, Benin and China were prepared to withdraw their reservations. Having called for a show of cards, he noted that the majority was in favour of the text of the resolution as it stood.

6.23 Resolution COM5/4 was approved.

6.24 The delegate of Syria said that there were many decisions which would be reviewed by the Council, and that the results of that review would affect the proposals to be submitted by administrations to the next Plenipotentiary Conference. In view of the time limits and conditions laid down in Article 30 of the Convention for the submission of proposals and reports, he expressed the hope that the Council would be able to examine most of those issues in 1997, rather than 1998.

6.25 The delegate of Uruguay having requested a show of cards on his delegation's proposed amendment to Resolution COM5/4, the Chairman pointed out that the Plenary had taken a decision and could not return to it.

6.26 The delegate of Lebanon agreed with the delegate of Uruguay. In accordance with No. 436 of the Convention, he would have had liked a vote to be taken on the Greek amendment, which was the proposal furthest removed from the original text. He would not press the point but wished his comments to be placed on record.

6.27 The Chairman observed that there was a difference between a show of cards and the formal procedure of voting on amendments governed by the Rules of Procedure. The majority of delegations had supported Resolution COM5/4 as it stood, and the related issues had been discussed at length in Committee 5 with the participation of many delegations. In that connection he expressed his gratitude to the Chairman of Committee 5.

Resolution COM5/5 - Provisional Application of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) by Members of the Union Which Have Not Yet Become States Parties to Those Instruments

6.28 The Chairman of Committee 8 said that the delegations of Japan, Portugal and the United States had reserved the right to return to the draft resolution in the Plenary.

6.29 The Chairman enquired whether those three delegations were willing to withdraw their reservations.

6.30 The delegate of Japan said that the necessary procedures were already underway in the Japanese National Diet to approve the Geneva instruments. To bind Members, however, the process of ratification was indispensable and without such ratification Japan could not agree to apply the provisions of the instruments. His delegation understood that the purpose of the resolution was to appeal to Members to apply the instruments provisionally, not to force them to do so, and that it was for each Member to decide whether it accepted the instruments on a provisional basis or not. On that understanding, his delegation would not stand in the way of acceptance of the resolution, but wished its position to be placed on record.

6.31 The delegate of Spain said that Resolution COM5/5 had been adopted in haste. In his view, the words "and to confirm that the provisions of No. 210 of the said Constitution shall continue to apply until such time of deposit" at the end of the **resolves** paragraph contradicted that very provision, which stated that from the end of a period of two years from the date of entry into force of the Constitution and Convention, a signatory Member that had not deposited an instrument of ratification, acceptance or approval would no longer be entitled to vote. Moreover, the Spanish text established no link between those words and the appeal in the first part of the paragraph, so that there was a risk of misunderstanding. He therefore proposed to delete them altogether.

6.32 The delegate of the United States said that his Government intended to apply the provisions of the Geneva instruments provisionally, to the extent consistent with its domestic law, until such time as the United States had ratified those instruments. Moreover, a resolution similar to Resolution COM5/5 would be appropriate in order to provide for the provisional application of any amendments adopted at Kyoto. Since the **resolves** paragraph merely constituted an appeal, he was prepared to withdraw his reservation.

6.33 The delegate of Portugal said that his delegation too interpreted the word "appeal" as an encouragement and not as binding upon the Members of the Union. On that assumption, his delegation could accept the resolution.

6.34 The Chairman having noted that there was support for the Spanish proposal, the delegate of the Philippines said that she could not agree to it, for the possibility that a country might lose its right to vote was a very persuasive argument in favour of ratifying the instruments.

6.35 At the request of the delegates of Zaire and Benin, the Legal Adviser confirmed that there was no conflict between No. 210 of the Geneva Constitution and the text of the proposed resolution. In adopting this resolution, the Plenipotentiary Conference, in addition to its appeal for continued provisional application of the Geneva instruments by the Members concerned as defined, therein would only be resolving to confirm that the provisions of No. 210 of the Geneva Constitution would continue to apply until the time of deposit by each such Member of the respective instrument of consent to be bound by the 1992 Geneva Constitution and Convention.

6.36 The Chairman suggested that an informal working group be set up to discuss the Spanish proposal.

6.37 It was so agreed.

The meeting rose at 1235 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI

Annex: 1

ANNEX 1

Statement by the delegate of Cyprus

Mr. Chairman,

The situation pertaining to the "Telecommunication Facilities in the Republic of Cyprus" has already been fully explained to this Conference by the Government of the Republic of Cyprus in the Documents contained in Document 57 (Annexes 1 (Annexes 1 & 3) and 4 and Addenda 1 and 2). It is an objective and accurate account based on the pronouncement of the international community as expressed in its many Resolutions and Reports on Cyprus. Therefore I will try to be as brief as possible.

The issue of the illegal telecommunication integration by Turkey of the occupied area of Cyprus has been brought to the attention of this forum because it constitutes a direct violation of the Constitution of ITU. The Constitution, inter alia, recognizes the sovereign right of each Member State to regulate its telecommunications and provides, among its purposes, for the promotion of the use of telecommunication services with the objective of facilitating peaceful relations and the maintenance and extension of international cooperation between all the Members of the Union for the improvement and rational use of telecommunication of all kinds.

It is this sovereign right to regulate its telecommunication that the Republic of Cyprus, a Member State of ITU, has been prevented, by the use of force, from effectively exercising over the entire of its territory.

In fact the Republic has been prevented since 1974 to provide telecommunication services and apply its telecommunication policy to the whole of its territory for the benefit of all its inhabitants and to promote optimum development and utilisation of the telecommunication resources and potential.

Mr. Chairman,

One of the consequences of the Turkish invasion of Cyprus in 1974 and the continued military occupation of 37% of its territory was the illegal deprivation from the Cyprus Telecommunications Authority of one third of its network resources and facilities. Turkey has ever since been illegally using and exploiting these facilities. Turkey has also allocated to the occupied area of Cyprus its own country code "90" and an area code "392" thus integrating it to its own telecommunication network. Therefore the Cyprus Telecommunications Authority, the sole legal entity authorised under the Cyprus Law to provide national and international telecommunication services in Cyprus, has been refused access and hindered to continue providing such services to the general public within the occupied part of the Republic of Cyprus.

The above actions also constitute a violation of the norms of international law, the UN Charter and the mandatory UN Resolutions on Cyprus (541/83, 550/84, 37/253(83)) which inter alia

- (i) call for the respect of the sovereignty, territorial integrity and unity of the Republic of Cyprus
- (ii) call upon all states not to facilitate or in any way assist the illegal entity set up in the occupied area of Cyprus, and
- (iii) call upon them to support and help the Government of the Republic of Cyprus to exercise its affirmed rights over the entire territory of Cyprus and its natural and other resources.

Mr. Chairman

Despite the lack of access, the Cyprus Telecommunication Authority has continued for the past 20 years, by allocating and reserving resources, to design its telecommunications infrastructure, its National Numbering Plan and its National Routing Plan in such a way so as to be able to provide telecommunications services throughout the territory of Cyprus.

This proves the willingness and readiness of the Cyprus Telecommunications Authority to provide telecommunications services throughout the territory of the Republic, thus allowing communication among all its people, and promoting the extension of the benefits of the new telecommunication technologies to all Cypriots. The aim is to encourage and promote the rapprochement between Greek-Cypriots and Turkish-Cypriots who have been separated by the use of force since 1974.

Mr. Chairman

The policy of the Government of the Republic of Cyprus is to safeguard the sovereignty, territorial integrity and unity of Cyprus and promote the well being of all Cypriots irrespective of ethnic origin. It is for this reason that we have raised the issue of the illegal telecommunications connection between Turkey and the Turkish occupied area, and we appeal upon all Member States of ITU to respect the sovereign right of the Republic of Cyprus to regulate its telecommunications and to avoid any action that might jeopardise the exercise of this right.

Thank you Mr. Chairman.



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

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KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

SUMMARY RECORD

OF THE

TWENTIETH PLENARY MEETING

Wednesday, 12 October 1994, at 1440 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

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7	Amendment of Article 54 of the Constitution: proposal MRC/31/12	31 + Corr. 1
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**1 Ninth series of texts submitted by the Editorial Committee for first reading (B.9)
(continued) (Document 279)**

Resolution COM5/5 - Provisional Application of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) by Members of the Union Which Have Not Yet Become States Parties to Those Instruments (continued)

1.1 The Chairman invited the delegate of Spain to submit to the Plenary Meeting the compromise text drawn up by the informal group.

1.2 The delegate of Spain said that the members of the group had been unable to reach a consensus on the text. His proposal was to move the last part of the **resolves**, after "by the two treaties", making it a second paragraph of the **recalling**, and thus maintaining the desired legal form of the **resolves**. The **resolves** paragraph would then end with "by the two treaties", and paragraph 2 of the **recalling** would read as follows: "the validity of the provisions of No. 210 of the Constitution with regard to loss of the right to vote."

1.3 Following a comment by the Secretary of the Plenary Meeting concerning the English interpretation of the text, the Chairman proposed to defer consideration of the amendment until a written proposal was available in the various languages.

1.4 The delegate of Spain said that he was concerned not to delay the work of the Plenary Meeting, and was ready to withdraw his proposal, but emphasized his delegation's view that the last part of the final sentence of the **resolves**, from the words "and to confirm that the provisions" to "until such time of deposit", did not correspond to the legal wording normally used in operative paragraphs.

1.5 The delegate of the Philippines recalled that it was absolutely essential that the Constitution and Convention of the Union should be uniformly applied by the Members. While she had no objection on legal grounds to the second part of the **resolves** being moved to the **recalling** section, she nevertheless considered it useful to remind Members that they should ratify instruments of the Union if they did not wish to run the risk of losing their right to vote and that governments had an obligation toward the Union. That was why, in the initial text, the wording in question appeared at the end of the **resolves**.

1.6 Taking into account the foregoing statements, Resolution COM5/5 was approved.

1.7 The ninth series of texts submitted by the Editorial Committee (B.9), as a whole, as amended, was approved on first reading.

2 Report of the Chairman of Committee 7 to the Plenary Meeting (Document 186)

2.1 The Chairman of Committee 7 gave a detailed introduction of the report of Committee 7 (Document 186), drawing particular attention to the fact that with regard to the expenditure limits for the financial period 1995-99, Committee 7 considered implementation of the Buenos Aires Action Plan (BAAP) to be a matter of priority and had noted that the Secretary-General and the Director-elect of the BDT had confirmed that the BAAP could be fully implemented if the level of resources of the Development Sector were increased by 5.5 million Swiss francs. He emphasized that the expenditure ceiling recommended for the period 1995-99 had been fixed at 750 million Swiss francs, representing a growth of 1.51%. That proposal had been approved by the majority of the members of the Committee. If the Committee had taken into account all the financial implications of the decisions adopted, the ceiling would have been set at 780 million Swiss francs, which would have represented a 5.75% increase in the budget. Seeking to draw the attention of the meeting more specifically to certain financial implications of the decisions taken, he pointed out in particular the increase in the volume of documentation for study group meetings and the reinstatement of staff expenditure, and noted that the additional expenditures relating to observer status within the Council

would be absorbed in the credits allocated to the Council. The minimal costs related to the Policy Forum could be incorporated in the credits allocated for the work of the Union and an additional amount of 4.075 million Swiss francs had been envisaged for the use of Arabic, Chinese and Russian. With regard to the BAAP, it had been possible to reduce the budget to 5.5 million Swiss francs, compared with 11.3 million Swiss francs. The Plan would be implemented according to the order of priority of activities which would be defined. The breakdown of the sums allocated could be reviewed by the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux, in accordance with the sound internal management principles of the Union. In conclusion, he invited delegations to approve the global ceiling of 750 million Swiss francs, recalling that a ceiling was likewise fixed for each year of the period concerned.

2.2 The Chairman, congratulating the Chairman of Committee 7 on his work, requested details from the General Secretariat concerning the activities which would be carried out under its responsibility, having regard to that ceiling.

2.3 The Secretary-General, warmly thanking the Chairman of Committee 7, said that the realistic draft Financial Plan submitted to the Plenary Meeting would enable him, in collaboration with the staff, the Members and the Council, to work effectively, and that it would have less damaging consequences than the global cuts decided at the Nairobi and Nice Conferences. Although not all of the expenditures had been reinstated, the difficulties could be surmounted with the collaboration of all the Sectors. In particular, he made a formal commitment to implement the BAAP in full, adding that he would make every effort to find the means to handle the increased workload of the General Secretariat and the BR in particular, perhaps by submitting new proposals to the Council. He emphasized that the Union would have to endeavour to find new resources, and recalled that everything would be done to apply the decisions of the present Conference within the limits established in the draft Financial Plan.

2.4 The Chairman, welcoming the Secretary-General's statement, asked delegations if they wished to approve the report of Committee 7.

2.5 The delegate of the United States recalled that his delegation reserved its position with regard to the ceiling established, which it would have wished to be 738.8 million Swiss francs, taking into account the BAAP, the use of Arabic, Russian and Chinese and the other decisions of the Conference. He indicated that, contrary to what was stated in Document 186, the United States had proposed an amount of 600 million Swiss francs as a starting point, and not 699.4 million Swiss francs, and he wished that figure to be corrected.

2.6 The delegate of Argentina said that the Spanish version of the text should be brought into line with the English and French versions.

2.7 The delegate of Lebanon welcomed the fact that it had been possible to find a compromise within Committee 7 with regard to the expenditure ceiling.

2.8 The delegate of Burkina Faso fully supported the proposed Financial Plan, but was concerned that as a result of the reduction in the credits allocated to the BAAP, the General Secretariat would only be able to meet its commitments to the detriment of other activities. He therefore hoped that the cut which had been decided would not harm development activities.

2.9 The delegate of Senegal recalled the reluctance he had expressed when it had been decided to reduce the budget for the implementation of the BAAP by more than half. However, noting the second footnote to the latter part of Annex 1 to Document 186 and the statement by the Secretary-General, who had undertaken to implement the Plan in full within the limits of the allocated ceiling, he withdrew the reservation which he had previously made. It was nevertheless important that when the results were evaluated, the activities and objectives carried out under the BAAP should correspond to the original intention.

2.10 The delegate of Thailand said that he was in favour of the proposed ceiling of 750 million Swiss francs. He confirmed the importance of the BAAP to all countries, noting that its implementation should not give rise to problems if it was strictly managed.

2.11 The delegate of Tanzania thanked the Secretary-General for the courage and determination he had shown in the interests of securing full implementation of the BAAP. He was sure that the Secretary-General would enjoy the collaboration of all Sectors in ensuring that the priorities of the Action Plan were applied.

2.12 The Chairman said that, in the interests of the work of the Conference, it was his duty to limit the number of speakers.

2.13 The delegate of India approved the proposed ceiling and expressed satisfaction at the assurances given by the Secretary-General with regard to the implementation in full of the BAAP with a budget of 5.5 million Swiss francs. At the same time, however, he wished to have further information on the financing of the remaining 6 million Swiss francs, underlining that the other activities of the Development Sector should not suffer on account of that budget reduction.

2.14 The delegate of Cameroon also wished for further information on the prospects for implementing the BAAP with a budget which had been reduced by half compared with the original estimates. While commending the Secretary-General for his courage and determination, he wished to know how he intended to achieve those results. Given that the BAAP was a single and unique priority, its implementation should not have negative consequences for the other activities of the Development Sector. While reiterating his confidence in the BDT team, he insisted that the Action Plan should be implemented as envisaged in Buenos Aires.

2.15 The delegate of the Netherlands said that he could accept the proposed ceiling of 750 million Swiss francs, even though his delegation, like many others, would have preferred zero real growth and considered that, bearing in mind the difficulties currently being experienced by countries, the Union should endeavour to pursue the aim of zero growth. The Council should in future pay particular attention to the level of expenditures so that Members could subsequently establish a comparison between the initial estimates of expenditures and proposed additions in order to keep the budget within realistic limits.

2.16 The delegate of Papua New Guinea, while approving the report of Committee 7, was afraid that, despite the assurances given by the Secretary-General and the strict management which he would certainly impose, it would be difficult to implement the BAAP in full. He wished to have further information from the Director of the BDT on the impact of the cut which had been decided.

2.17 The delegate of Tunisia approved the ceiling of 750 million Swiss francs, although he would have wished for a slightly higher amount. Speaking as Director-elect of the BDT, he said that the reduction from 11.5 to 5.5 million Swiss francs for implementation of the BAAP did not in fact mean a reduction of 50% of the necessary resources, but a reduction of 3%, since the resources of the BDT were wholly integrated with it. He welcomed the statement by the Secretary-General concerning the implementation of the Plan.

2.18 The delegate of Mali reiterated the concerns that he had expressed during the discussions, but said he accepted the amount of 750 million Swiss francs, while hoping that the BAAP would be implemented in full.

2.19 The delegate of France, approving unreservedly the report of Committee 7 and the global ceiling of 750 million Swiss francs, thought that the budget, which bore the stamp of common sense and realism, was the only one possible at that time. He noted the assurances given by the Secretary-General and the statement by the Director-elect of the BDT.

2.20 The delegate of Switzerland approved the amount of 750 million Swiss francs and the report as a whole which, thanks to its balance, managed to maintain full implementation of the BAAP while somewhat improving the budget for languages. He emphasized the need to carry out the study on the structure of the Union's expenditures with a view to gaining a better understanding of the reasons for the drift in costs noted during the previous few years.

2.21 The delegate of Pakistan noted with great satisfaction the Secretary-General's determination to implement the BAAP budget and said that he stood with other developing countries which wished to see full implementation. The very important decisions taken by the Conference would make it possible to associate the private sector and members still more closely with the activities of the Union and to find additional budgetary resources for the implementation of programmes.

2.22 The delegate of the United Kingdom recalled that he would have preferred a figure lower than 750 million Swiss francs, corresponding to zero real growth. He cited the Secretary-General of the United Nations who had even proposed a budget with negative real growth for United Nations bodies. However, in a spirit of compromise, his delegation nevertheless approved the final decisions of the Committee.

2.23 The report of the Chairman of Committee 7 (Document 186) was approved.

3 Second series of texts submitted by the Editorial Committee for second reading (R.2) (Document 275)

Resolution COM4/1 + Annex - Strategic Plan for the Union, 1995-1999

3.1 The Chairman of Committee 8 drew attention to the reintroduction of the title of section C.5 of the Strategic Plan, Development Sector actions, following information communicated by the Vice-Chairman of Committee 4 to the Editorial Committee. He also pointed out that paragraph 51 would be completed by an addendum once the figures were known, and that the missing number between square brackets in paragraph 52 would be communicated later.

3.2 The delegate of Syria having observed that the document contained a serious omission in that there was no reference to implementation of the BAAP, the Chairman of Committee 4 proposed that the problem could be solved by replacing, in the first indent of paragraph 41, the words "organization of training seminars/workshops ... Buenos Aires Action Plan" by "full implementation of the Buenos Aires Action Plan". It would also be appropriate, in Resolution COM4/1, to replace the year 2004 by 2003 in paragraph 2 of **instructs the Council**, since the Plenipotentiary Conference would take place in 2002 and the Action Plan would cover a period of four years.

3.3 It was so decided.

3.4 The second series of texts submitted by the Editorial Committee (R.2), as a whole, as amended, was approved on second reading.

4 Third series of texts submitted by the Editorial Committee for second reading (R.3) (Document 276)

Resolution PLEN/1 - Inaugural Meeting of the New Council and 1995 Session of the Council

4.1 Replying to the delegate of Norway, who had asked why it was necessary to retain the square brackets under **conscious of**, the Chairman said that it would be necessary to retain them for as long as all the amendments proposed to the Constitution and the Convention had not been approved.

Resolution PLEN/4 - Updating of Definitions

4.2 The delegate of Thailand pointed out that, in the English version, the date 1994 in the penultimate line of the resolution should be replaced by 1992.

4.3 It was so decided.

Resolution PLEN/8 - World Telecommunication Day

4.4 The delegate of Pakistan pointed out that the question mentioned between square brackets had been considered within a limited group and that the square brackets could now be deleted.

4.5 The third series of texts submitted by the Editorial Committee (R.3), as a whole, as amended, was approved on second reading.

5 Fourth series of texts submitted by the Editorial Committee for second reading (R.4) (Document 277)

Resolution COM4/3 - Review of the Rights and Obligations of all Members of the Sectors of the Union

5.1 The delegate of Saudi Arabia considered the English text to be lacking in clarity and asked for explanations concerning the first indent under **instructs the Secretary-General**. He wished it to be made clear that Members and members which were not on the Review Committee would be able to submit only written contributions to it. The Chairman of Committee 8 said that that had indeed been the intention of the drafters, and that the text of the paragraph would be modified if necessary. The delegate of the United Kingdom, expressing the view that by the second reading stage the text should be perfectly clear, said that he was satisfied with the English text and thought that no modification was necessary.

5.2 It was decided not to amend the text.

Resolution COM4/4 - Establishment of a Forum to Discuss Strategies and Policies in the Changing Telecommunication Environment

5.3 The Chairman pointed out that the square brackets around the text were no longer necessary.

Resolution COM4/8 - Strengthening of Relations with Regional Telecommunication Organizations

5.4 The Chairman of Committee 8 drew attention to the reference to the League of Arab States in paragraph b) of the **considering**, which it had not been possible to make more precise at the time of drafting.

The delegate of Saudi Arabia explained that what was in fact being referred to here was the Permanent Committee on Telecommunications, which was part of the League of Arab States.

5.5 The clarification was noted.

Resolution COM4/9 - Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector

5.6 The Chairman of Committee 8 pointed out that, as the result of a compromise, the words "in conformity with Resolution 2 of the APP (Geneva, 1992)" should be added after "that the current process" in paragraph 1 of the **resolves**. In response to a request by the delegate of Germany for clarification concerning the replacement of "should" by "shall" in the English version and to his question as to whether that would give rise to a corrigendum, he confirmed "should" would indeed be replaced by "shall", and asked the Chairman whether it would be necessary to issue a corrigendum. The Chairman said that such amendments were normally made by means of a white document.

5.7 The fourth series of texts submitted by the Editorial Committee (R.4), as a whole, as amended and having regard to the comments made, was approved on second reading.

**6 Fifth series of texts submitted by the Editorial Committee for second reading (R.5)
(Document 281)**

Decision COM7/1 - Procedure Concerning Choice of Contributory Class

6.1 In response to an observation by the delegate of Norway and the delegate of Germany, the Chairman of Committee 8 confirmed that the reference in paragraph 1 of the **resolves** to "(Kyoto, 1994)" was incorrect and should be replaced by "(Geneva, 1992)".

6.2 In reply to a question by the delegate of Syria on the need to retain the square brackets in paragraph 4 of the **decides**, the Chairman recalled that the square brackets in question could only be deleted once the Plenary Meeting had completed its consideration of all the proposed amendments to the Constitution and the Convention of the Union (Geneva, 1992).

Resolution COM6/3 - Recruitment of ITU Staff and Experts for Technical Assistance Missions

6.3 The Chairman of Committee 8 having recalled that on first reading delegations had expressed the wish, before taking a decision, to know the views of Committee 7 on the possible financial implications of paragraph 3 of **instructs the Secretary-General**, the Chairman of Committee 7 said that he did not recall Committee 7's having discussed that point, but that, upon reading the text, he saw no objection to deleting the square brackets, adding, in reply to a question by the delegate of Lebanon, that the provision had no financial implications since no post would be created.

6.4 It was decided to delete the square brackets around paragraph 3 in the section **instructs the Secretary-General**.

Resolution COM6/5 - Human Resources Management and Development

6.5 The Chairman of Committee 8 recalled that the section **instructs the Council** was in square brackets because the problem of substance had not been resolved on first reading.

6.6 Explaining that amounts had been reserved within the ceiling for the period 1995-99, the Chairman of Committee 7 referred the meeting to line 19 of the table in Annex 1 of his report (Document 186) and to the final footnote to the table, which read as follows: "a gradual increase of 0.05% in the salary bill corresponding to 59 000 Swiss francs is proposed from 1996". He wondered whether it was necessary to make a corresponding correction to the figures given in the draft Resolution.

6.7 The Chairman of Committee 6 pointed out that Committee 7 had unanimously approved the text, which had already been submitted to the Plenary Meeting as part of the report of the Chairman of Committee 7. His understanding was that the desired credits should amount to 1.2%, the objective being to reach a ceiling of 3% in the future. He recognized that the decision was a matter for the Plenary Meeting, but felt that the draft Resolution did not contradict the ceiling mentioned by the Chairman of Committee 7. He therefore proposed that the square brackets be deleted. The Chairman having proposed the text under consideration be amended to read "at least 1% and at most 3% in the future, by a gradual increase ...", he pointed out that the text did not imply that the objective should be achieved during the period 1995-99 and that he found the wording sufficiently clear.

6.8 The delegate of Syria asked the Chairman of Committee 7 to confirm that the desired credits would not be less than 1%.

6.9 The delegate of Lebanon asked whether the Council, in the event the square brackets were deleted, would be in a position to apply the provisions of the resolution.

6.10 The delegate of the United States, noting that the Council would have to allocate the credits which had been reserved in the budget which the Plenary had just approved, suggested that the matter be referred to the Council and, to that end, proposed replacing the text of the **instructs the Council** by the wording "to allocate the necessary credits for in-service training within the limits of available resources".

6.11 The Secretary-General, supported by the Chairman of Committee 7, pointed out that the credits foreseen in the budget did indeed amount to 1.2%, as a consequence of which the ceiling was raised by 0.05% per year, i.e. within the margin which lay between the 1% and the 3% referred to. The provision was thus fully in conformity with the decision taken by the Plenary Meeting concerning the budget. He further pointed out that the provision under consideration did not include any timetable, adding that the Council's general policy was to allocate the necessary credits within the limits of available resources. The text proposed by the delegation of the United States seemed to him to be less precise than the current provision, which reflected well the decision taken by Committee 6.

6.12 The delegate of Germany supported the text of the resolution and, noting that the Union's staff was the most important resource for the Members, emphasized the modest level of the increase in credits allocated to their training.

6.13 The delegate of France was in favour of maintaining the current text. Training was an objective which must be pursued and developed. If the Union was to operate with efficiency and dynamism, it had to be able to count on the services of a well-trained staff. It was important not to lose sight of that objective, which was not reflected in the text proposed by the delegate of the United States.

6.14 It was decided to delete the square brackets around the section **instructs the Council**.

6.15 The fifth series of texts submitted by the Editorial Committee (R.5), as a whole, as amended and having regard to the observations made, was approved on second reading.

7 Amendment of Article 54 of the Constitution: proposal MRC/31/12 (Document 31 and Corrigendum 1)

7.1 The Chairman said that the delegation of Morocco wished to take the floor to explain the reservation which it had made during the discussion in Committee 5 on the Administrative Regulations (Article 54 of the Constitution).

7.2 The delegate of Morocco, noting that proposal MRC/31/12 was still under consideration, asked if it would be possible for him to speak instead on the following day.

7.3 The Chairman replied that he had been instructed by the Steering Committee to conclude examination of all blue documents that very day, and that the request by the delegate of Morocco would, moreover, be an obstacle to concluding examination of the amendments to be made to the Convention and the Constitution. He therefore suggested that the delegate of Morocco present his delegation's proposal later that evening.

7.4 The delegate of Morocco said that it might be that, for lack of time, the Conference would not be able to amend the Constitution as proposed by his delegation, but that delegations might examine other possible solutions. He therefore reiterated his request.

7.5 The Chairman, granting the request, proposed that discussion of the matter be deferred until the beginning of the following day's meeting.

7.6 It was so decided.

8 Draft resolution on instructions for the continuation of the work on the Rules of Procedure of Conferences and Meetings of the Union (Document 272)

8.1 The Chairman of the informal Working Group of the Plenary introduced the draft resolution (Document 272), which had been prepared, as instructed by the Plenary Meeting, on the basis of Document 68 submitted by the delegation of Argentina and amended at the previous meeting of Committee 5.

8.2 The delegate of Syria supported the draft resolution, which his delegation considered to be very important, but suggested that when the Editorial Committee came to examine the **considering** section it should use a text more in accordance with normal practice and thus delete the part after "for its consideration".

8.3 The Chairman thanked the Chairman of the informal Working Group of the Plenary and the delegations which had participated in it for the quality of their text, and noted the absence of any objection to its approval.

8.4 The draft resolution was approved.

9 Resolutions for consideration (Documents 259, 271)

9.1 The Chairman of Committee 4 introduced the three resolutions contained in Document 259, which had been considered by Committee 4 solely from the point of view of the material they should contain. Committee 4 had decided on the general principles involved, and a small group under his chairmanship had subsequently prepared the text now before the Plenary Meeting.

Resolution [...] - Use of the United Nations Telecommunication Network for the Telecommunication Traffic of the Specialized Agencies

9.2 Approved.

Resolution [...] - Participation of the Union in the United Nations Development Programme (UNDP) in Other Programmes of the United Nations System, and in Other Funding Arrangements

9.3 Approved.

Resolution [...] - Support to Members Hosting United Nations Peacekeeping Forces

9.4 Approved, subject to a minor editorial amendment in the **resolves** section proposed by the delegate of Russia.

9.5 The Chairman invited the meeting to take up Document 271.

Resolution [...] - Membership, Rules of Procedure and Working Methods of the Telecommunication Development Advisory Board

9.6 The Chairman of Committee 4, introducing the text, said that possibilities for improving the work of the TDAB had been discussed at length; as it had proved impossible to reach agreement, Committee 4 had been obliged to propose two alternatives. Some shortcomings had been identified in the work carried out up to present by the TDAB, owing to excessive optimism with regard to its role, which was to consider the management aspects of the BDT's work as well as development-related topics. The management aspect was dealt with in the **noting** section of the resolution. With regard to the question of advising the Director of the BDT in all matters relating to development, there were two different schools of thought. The first approach was to maintain a TDAB of reasonable size, but dealing with only one or two topics; if matters calling for broader

treatment came up, the BDT would arrange a meeting with all the experts concerned. The second alternative was to make the TDAB open to all Members and "small-m" members, which would no doubt result in very large conferences involving increased expenditure. Speaking as the delegate of Morocco, he supported the first alternative.

9.7 The delegate of Germany said that there was a third alternative, which was to leave matters as they stood. That would be his preferred course of action. The TDAB's task was to advise the Director of the BDT on priorities and strategies, and it should be made up of experts. A resolution had been adopted in Buenos Aires to broaden its composition by providing *inter alia* for the participation of development agencies. The new Director of the BDT should be given an opportunity to make the best possible use of the existing arrangements as well as to decide on the number of high-ranking experts to be involved in the work of the TDAB.

9.8 The delegate of the United Kingdom said that his delegation had been one of those in favour of open membership for the TDAB. However, in the light of the discussions in Committee 4, he would be prepared to accept the resolution in Document 271 on certain conditions, namely, adoption of the first alternative with the number of experts increased from 20 to 40, and deletion of the second alternative with the exception of paragraph 4, which should be incorporated in the text of the first alternative as paragraph 4.

9.9 The delegate of Sweden agreed with the delegate of Germany on the desirability of maintaining the status quo. The second alternative was not appropriate, in view of the shortage of funds. The United Kingdom proposal would also be acceptable.

9.10 The delegate of the Republic of Korea preferred the second alternative but, as a compromise, would be willing to accept the first alternative subject to the addition of a phrase in **resolves** 3 to the effect that participation should be as wide as possible from the geographical standpoint.

9.11 The delegate of the Netherlands was also in favour of wider participation. Although his views differed slightly from those of the United Kingdom delegate, he would be prepared to accept the latter's proposal.

9.12 The delegate of Algeria said that the second alternative reflected the conclusions of the Buenos Aires Conference as well as his delegation's proposals in Documents 45 and 77. Although the TDAB required some extension on account of the new tasks assigned to the Development Sector, it should be kept relatively small but with the broadest possible representitivity in its composition. If its mandate were extended to take on studies, however, it might encroach upon that of the study groups. His delegation favoured the second alternative but could also accept the United Kingdom's proposal to increase the number of experts.

9.13 The delegate of Lebanon also supported the second alternative as best reflecting the decisions of the Buenos Aires Conference but was willing to accept the United Kingdom proposal.

9.14 The delegate of Liechtenstein, although preferring the German proposal, said that he too could support that of the United Kingdom.

9.15 The delegate of Belgium supported the United Kingdom proposal.

9.16 The Chairman summarized the previous discussions and said that four options were proposed so far. They were: first alternative, second alternative, maintaining the status quo, and modification of alternative 1 by increasing the number of experts from 20 to 40.

9.17 The Chairman of Committee 4 asked if there were any objections to the United Kingdom proposal.

9.18 The delegate of Germany said that since there were no provisions in the Convention for the number of experts in the TDAB, it would be possible to increase them in accordance with current practice.

9.19 Replying to a question by the delegate of Saudi Arabia, the delegate of the United Kingdom clarified that he had proposed not only to increase the number of experts from 20 to 40 but also to incorporate paragraph 4 of the second alternative in the text of the first alternative.

9.20 Having called for a show of cards, The Chairman noted that there was considerable support for the United Kingdom proposal.

9.21 The delegate of Kenya expressed concern over the proposal to limit the number of topics studied; given the Board's advisory capacity, that should not be necessary. He also considered that the experts should be appointed for two or three years rather than only one.

9.22 The Director-elect of the BDT, stressing the importance of the decision for the Bureau's future, said that it was essential to take sufficient time to establish the exact implementation and management structure required. He considered that No. 227 of the Convention was sufficiently flexible to permit implementation on a realistic basis, in the light of Buenos Aires Resolution 9 and taking into account the views of those delegations who were in favour of extending the composition of the TDAB. Regarding the **noting** paragraph of the draft resolution, the reference to management aspects should perhaps be deleted, as the TDAB was an advisory body. He could accept the proposal to increase the number of experts from 20 to 40 but wished the spirit of the Buenos Aires Conference to be reflected by enabling bodies interested in telecommunication development to be associated with the work of the BDT. All in all, he considered that the resolution required some refinement before it could be approved.

9.23 The delegate of Saudi Arabia shared the concerns expressed by the delegate of Kenya and supported the Director elect of BDT in his emphasis on the need for flexibility.

9.24 The delegate of Russia considered that the text could not be adopted as it stood, for it contained too many contradictions. There was a general feeling that certain specific changes were required in the working of the TDAB and, in particular, that it should be made larger. He was not in favour of restricting its composition by citing specific numbers of experts. He therefore proposed that the Conference should simply note that certain changes were required, leaving them to be implemented by the new Director of the BDT.

9.25 The Chairman observed that it was not absolutely necessary to adopt a resolution on the subject, as the present arrangements could be maintained.

9.26 The delegates of New Zealand, Kenya and Japan supported the Russian proposal, on the grounds that the new Director's hands should not be tied unduly and that he should be allowed the latitude to act on the basis of the present arrangements.

9.27 On that understanding, it was decided not to adopt a resolution on the membership, rules of procedure and working methods of the Telecommunication Development Advisory Board.

The meeting rose at 1830 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

**Document 313-E
14 November 1994
Original: French**

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

TWENTY-FIRST PLENARY MEETING

Thursday, 13 October 1994, at 0935 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

Documents

- | | | |
|----------|---|----------------|
| 1 | Oral report by the Chairman of Committee 2 | - |
| 2 | Amendment of Article 54 of the Constitution:
proposal MRC/31/12 (continued) | 31+Corr.1 |
| 3 | Tenth series of texts submitted by the Editorial Committee
for first reading (B.10) | 283, 289 |
| 4 | Draft resolution on premises at the seat of the Union:
construction of the "Montbrillant Building" | 76 |
| 5 | Amendment of instruments | 286, 292 |
| 6 | Technical assistance for the development of telecommunications
for the Palestinian Authority | 52, 290+Corr.1 |

● For reasons of economy, this document is printed in a limited number of copies. Participants are therefore kindly asked to bring ●
their copies to the meeting since no others can be made available.

1 Oral report by the Chairman of Committee 2

1.1 The Chairman of Committee 2 reported that delegations from Bolivia and Libya had registered on 13 October. Bolivia's credentials had been verified and found to be in order. Libya had not yet deposited its credentials. A corrigendum to Document 229 would be issued to reflect the new situation.

2 Amendment of Article 54 of the Constitution: proposal MRC/31/12 (continued) (Document 31 and Corrigendum 1)

2.1 The delegate of Morocco said that his country's proposal had not been approved by Committee 5 on the grounds that it was necessary to limit amendments to the Constitution as far as possible. In his view, that was not a valid reason in that particular case, because, *inter alia*, it meant that the exact status of provisions governing the common resources of the spectrum and the orbit was not clear. He made the statement reproduced in Annex 1.

2.2 The delegate of the United Kingdom, supported by the delegate of the United States, did not agree that the Moroccan proposal had been rejected simply on the grounds that it was necessary to reduce the number of amendments to the Constitution as far as possible. The summary record of the seventh meeting of Committee 5 clearly indicated that the proposal also posed problems of substance.

3 Tenth series of texts submitted by the Editorial Committee for first reading (B.10) (Documents 283, 289)

3.1 The Chairman said that Document 283, submitted by the informal working group of the Plenary, had happened to be transferred from this group to Committee 8 which had already finished its work and that the result was contained in Document 289. He proposed to discuss Document 289 in order to expedite the work.

3.2 The Chairman of Committee 7 said that, further to the decisions taken the previous day in the Plenary Meeting, the following figures were to be inserted between the square brackets: "150.6", "296.8" and "302.6", in that order, in **resolves** 1.1 of Decision COM7/2; "22 500 000" and "1995 to 1999" in **resolves** 1.3 and "750" in § 51 of Resolution COM4/1.

Decision COM7/2 - Expenditure of the Union for the Period 1995 to 1999

3.3 Approved.

Resolution COM7/6 - Contributory Shares in Union Expenditure

3.4 Approved.

Resolution COM7/7 - Strengthening the Financial Base of the International Telecommunication Union

3.5 Approved.

Resolution COM7/8 - Funding Arrangements for Telecommunication Programmes

3.6 Approved, with an editorial amendment proposed by the delegate of Barbados.

Resolution COM4/1 - Strategic Plan of the Union, 1995-1999

3.7 Approved.

3.8 The tenth series of texts submitted by the Editorial Committee for first reading (B.10), as a whole, as amended, was approved on first reading.

4 Draft resolution on premises at the seat of the Union: construction of the "Montbrillant Building" (Document 76)

4.1 The Deputy Secretary-General, introducing the draft resolution in annex to Document 76, said that the future Montbrillant Building would equip the ITU with good facilities to hold medium-sized meetings, which were increasing in number. Nice Resolution 57 and the relevant decisions taken by the Council in 1992 and 1993 had been applied and negotiations were taking place with the Swiss body responsible for financing the construction of buildings for international organizations. The cost of the operation in no way altered the budgetary ceiling which the Conference had just approved.

4.2 The Chief of the Finance Department confirmed that the Montbrillant project did not fall within the financial plan for 1995-1999. Negotiations were to begin with the host country with a view to settling the terms of a loan similar to those taken out by other international organizations located in Geneva. The first repayments of the loan would not be made in the financial period 1995-1999.

4.3 The Chairman of Committee 8 indicated that some editorial amendments had been made to the draft resolution under consideration. However, the final section, entitled "**authorizes the Council ...**", required rather more substantial alterations in order to eliminate various inconsistencies. He suggested that it be worded as follows:

"instructs the Council

to make all the administrative and financial arrangements and take the decisions necessary to facilitate the implementation of this Resolution, in the light of the annual reports submitted to it by the Secretary-General.

4.4 The draft resolution, as amended, was approved.

4.5 The delegate of Switzerland said that his country was pleased to be able to assist the ITU in obtaining better premises, and confirmed that the terms of the loan were under discussion.

5 Amendment of instruments (Documents 286, 292)

5.1 The Chairman said that he had wanted to facilitate the work of the Plenary Meeting by providing in Document 286 a list of the amendments which were given in Document 292 in order to see the whole picture of amendments. It indicated the relevant provision of the Constitution or Convention, the substance of the proposed amendment and the source document. He opened the floor for general discussion on the amendment of the Constitution and the Convention.

5.2 The delegate of the United Kingdom held the view that the amendments to the Convention were important and necessary and that an amending instrument was required in the circumstances. With respect to the Constitution, the proposed amendments were neither essential, nor fundamental, nor urgent. He therefore suggested that no changes be made at that juncture to the Constitution, which had only recently entered into force and had only been ratified by just under half of the Members.

5.3 The delegate of Norway shared the views of the delegate of the United Kingdom and added that whereas a simple majority was sufficient for the Convention, the qualified majority required for amendments to the Constitution was supposed to give it greater stability.

5.4 The delegate of Japan considered that restricting the possibilities of amending the Constitution at the Plenipotentiary Conference was tantamount to limiting the powers of a body which was supposed to enjoy full authority and would impinge on the legitimate rights of many countries whose proposed amendments had been supported by a majority of Members. Furthermore, replacing the

amendments in question by a resolution, with less legal force, is unacceptable from the legal standpoint. In any case, the amending instruments proposed pertained to very specific provisions and did not in any way alter the Constitution or the Convention as a whole. Therefore, Japan was in favour of approving the amendments to the Constitution and the Convention and against their being presented in the form of a resolution.

5.5 The delegate of France, who shared the concern of the delegations of the United Kingdom and Norway to make the Constitution more stable, was in favour of adopting an instrument amending the Convention and a resolution covering all the proposed amendments to the Constitution, which the next Plenipotentiary Conference would no doubt take pains to improve still further.

5.6 The delegate of Morocco emphasized that the stability of the Constitution, on the one hand, and the ratification procedure for the Constitution and the Convention, on the other, were two completely separate issues. The ratification procedure varied from country to country and it was up to each country to resolve any problems ratification might pose in accordance with its internal law. Morocco would have to go through the entire procedure again even if no more than a single comma was added to the text of one of the two instruments, since they had been ratified as a single instrument. The Moroccan delegation had become aware of this problem only very recently. In the final analysis, the only real question for the Conference was whether the Constitution needed amending. Unlike the delegations of the United Kingdom, Norway and France, the Moroccan delegation believed that some of the proposed amendments were essential, particularly amendments MOD 62 and MOD 63 concerning the conditions for the submission of candidacies of elected officials and amendment MOD 163 concerning the date of application of new classes of contribution.

5.7 The delegate of Spain, while not disputing the need for the Constitution to be as stable as possible, recalled that the instrument contained provisions concerning its amendment and that it was specifically up to the plenipotentiary conferences to make such amendments. Few amendments had been proposed at the present Conference and if they were to be adopted Spain, like Morocco, would have to ratify the Constitution and the Convention all over again. However, he would find it incomprehensible if after so much hard work, the delegations departed without having amended the Constitution. That would clearly be a failure.

5.8 The delegate of the Netherlands believed that the Constitution should only be amended in exceptional circumstances, which was clearly not the case.

5.9 The delegate of Portugal said that if the Constitution were amended, his country would have to repeat the whole ratification process. However, he shared the views expressed by the delegates of Japan, Spain and Morocco.

5.10 The delegate of Germany shared the views of the preceding speaker, and expressed surprise that the proposed amendments were not being considered.

5.11 The delegate of Sweden fully endorsed the French delegate's proposal to include the draft amendments to the Constitution in a resolution which would be submitted to the next Plenipotentiary Conference.

5.12 The delegate of Lebanon endorsed the views expressed by the delegates of Morocco, Spain and Germany. The majority of the members of Committee 5 had approved the texts contained in Document 292 and hoped that the document would be adopted by the Plenary Meeting. He proposed that the date of entry into force for the amendments given in the document should be 1 May 1996.

5.13 The Chairman sought the opinion of the Secretary-General on the matters which had just been debated.

5.14 The Secretary-General said that, since the arguments of both sides in the debate were legally valid, it seemed difficult to find a compromise solution; it was therefore up to the Plenary to decide.

5.15 The Chairman suggested that, in view of the large number of delegates on the list of speakers, he should give the floor to delegates from regions whose concerns had not yet been voiced. The delegate of New Zealand, speaking on a point of order, said that, in accordance with the Convention, the floor should be given to delegates in the order in which they appeared on the list of speakers. Noting that comment, the Chairman suggested limiting the time allowed to each speaker to one minute. The delegate of Russia, speaking on a point of order, recalled that, in accordance with No. 400 of the Convention, limiting the duration of speeches was the prerogative of the Plenary Meeting. He suggested setting a limit of three minutes.

5.16 It was so agreed.

5.17 The delegate of the Philippines, speaking on a point of order, suggested that priority be given to those delegates who had not yet taken the floor.

5.18 It was so agreed.

5.19 The delegate of Uganda said that if the Constitution were amended, his country would have to begin the entire ratification process again. If the Conference deemed it genuinely necessary to amend the Constitution, such amendment should, in his opinion, be left to the next Plenipotentiary Conference.

5.20 The delegate of Greece, considering that it was necessary to confer some stability on the Constitution and that it was premature to amend that instrument, associated himself with the views expressed by the delegates of the United Kingdom, Norway and France.

5.21 The delegate of New Zealand fully supported the views expressed by the delegates of the United Kingdom and Norway. In a spirit of compromise, he could go along with France's proposal to include the proposed amendments to the Constitution in a resolution. The delegations, ministries and parliaments of all countries were already very busy and it would be unwise to add to their workload by introducing amendments to the Constitution which did not appear to benefit the ITU to any great extent, in terms of telecommunication development, the activities of the different Sectors of the Union, or the organization of conferences and meetings to be held before 1998.

5.22 The delegate of Switzerland said that it was necessary to forge ahead and approve the amendments given in Document 292; otherwise, if that were not done until 1998, the amendments would not enter into force until 1999 or the year 2000.

5.23 The delegate of the Philippines shared the ideas expressed by delegates who were opposed to amending the Constitution. In her opinion, there was no problem that could not be resolved under the present Constitution. It would be wiser to await the next Plenipotentiary Conference before amending the Constitution, if necessary.

5.24 The delegate of the United States endorsed the views expressed by the delegates of the United Kingdom and Norway. Nevertheless, in a spirit of compromise, he could go along with France's proposal. He recalled that under the provisions of No. 227 of the Constitution, any proposed amendment to the Constitution must be approved by at least two-thirds of the delegations.

5.25 The delegate of Kenya said that if the Conference amended the Convention, it should also amend the Constitution. For his part, he preferred that neither of the two instruments be amended since his country had only just ratified them.

5.26 The delegate of Russia shared Kenya's view. Nevertheless, he proposed the adoption of a resolution, to contain only essential amendments, which would be applied on a provisional basis until the next Plenipotentiary Conference.

5.27 The delegate of Denmark said that even if the Constitution were not amended, the ratification process would be the same. He added that he could support the proposal by the delegates of the United Kingdom and France.

5.28 The delegate of Singapore said that if the Convention were amended, the Constitution should be, too. An amendment which might appear insignificant to one country might be of great importance to another. In any event, it was up to the Plenary Meeting to decide.

5.29 The delegate of Bahrain also thought that both instruments should be amended.

5.30 The delegate of Brazil expressed surprise that questions of substance were still being discussed when the amendments in question had been approved by a large majority in committee.

5.31 The delegate of Peru shared the view of the delegate of Japan and urged that the meeting should move on to the consideration of Document 292.

5.32 The delegate of Uruguay supported the ideas expressed by the delegates of Brazil, Peru, Spain and Morocco, and urged that the Plenary Meeting should approve Document 292 without amendment.

5.33 The delegate of Saudi Arabia agreed fully with the ideas expressed by a number of delegations, notably those of Morocco, Bahrain, Brazil, Japan and Switzerland. The Constitution and the Convention should both be amended, and he could not accept any compromise in that respect.

5.34 The delegate of the United Arab Emirates agreed with the preceding speaker. Consideration of proposed amendments to the Constitution and the Convention was covered in the agenda of the Conference, which no delegation had requested be modified.

5.35 The delegates of Pakistan, Oman, Republic of Korea, Egypt and Mexico associated themselves with the ideas expressed by the delegates who favoured adopting the proposed amendments to the Convention and the Constitution. Concerning the lengthy ratification process, the delegate of Mexico emphasized that delegations should take such decisions as they deemed necessary even when that might result in increasing the burden of work on their respective administrations and parliaments.

5.36 The delegate of Japan said that the proposed amendments were necessary. For example, if Article 28 of the Constitution concerning the finances of the Union was amended by a resolution, it would create a problem for Japan in defraying its contribution.

5.37 The Chairman said that out of 32 delegations which had spoken, he understood that 21 were in favour of amending the Constitution and the Convention and 11 were opposed. He proposed to follow the majority's view.

5.38 The delegate of Russia, speaking on a point of order, asked that No. 227 of the Constitution should be applied. The delegate of the United States supported that view. The Chairman said that No. 227 of the Constitution would be applied when the amendment of each article of the Constitution was considered on second reading. Adding that the majority was in favour of amending the Constitution and the Convention, he proposed that the matter be sent for second reading. The delegate of Morocco, speaking on a point of order, said that the Plenary Meeting must rule not on the document before it, which had already been approved without objection on first reading, but on the proposal made by the United Kingdom at the beginning of the meeting. If a vote had to be taken, it should be on the question of whether the amendments should be adopted by the present Plenipotentiary Conference or by the next one. The Chairman said that that interpretation was in line with his own and proposed to go on to the next step of second reading.

5.39 The delegate of the United Kingdom wished the Chairman to ascertain, by an indicative vote of a show of hands, that there was indeed a clear majority of delegates in favour of adopting amendments to the Convention and the Constitution.

5.40 Having thus consulted the participants, the Chairman noted that 70 delegations were in favour of adopting amendments to the Convention and the Constitution and 28 delegations were opposed to such a procedure. He said that the consideration of proposed amendments submitted for second reading would be made later on.

5.41 It was so agreed.

5.42 The delegate of Russia, speaking on a point of order, asked what the implications of the Plenary Meeting's decision concerning amendment of the Constitution and the Convention would be taking into account No. 210 of the Constitution. He would like the opinion of the Secretary-General or the Legal Adviser on that point.

5.43 The Secretary-General said that the decision just taken by the Plenary Meeting had nothing to do with No. 210 of the Constitution. The effects of the amendment of various provisions of the Constitution and the Convention would emerge from the consideration of the texts submitted for second reading.

6 Technical assistance for the development of telecommunications for the Palestinian Authority (Documents 52, 290 and Corrigendum 1)

6.1 The Secretary-General said that Document 52 concerned the implementation of Resolution 64 of the Nice Conference and reported on the relevant activities of the Council and the General Secretariat during the preceding months and years.

6.2 The delegate of the United States, on behalf of several delegations, introduced the draft resolution concerning technical assistance for the development of telecommunications for the Palestinian Authority (Document 290). After reading the draft resolution, he said that the Plenipotentiary Conference was witnessing an historic moment. For the first time in a body of the United Nations, the fruits of the Middle East peace process were reflected in a joint draft resolution concerning technical assistance for the Palestinian Authority. It testified to the substantial progress which could be made when persons of goodwill worked with determination to achieve the common goal of world peace. He paid tribute to the courage and vision of all those who had advanced the cause of peace in the Middle East, notably the representatives of Egypt, Jordan, Israel and the Palestinian Authority. In the conviction that technological progress contributed to improving understanding between peoples, he hoped that the Palestinian people would soon enjoy a fully developed telecommunication infrastructure. In conclusion, he expressed the wish that Israelis and Palestinians would in future live in peace and harmony.

6.3 The delegate of Norway, co-author of the draft resolution, associated herself fully with the statement by the delegate of the United States and urged all delegations to approve the draft resolution before them.

6.4 The delegate of Saudi Arabia said how very happy he was to speak on the occasion of consideration of the draft resolution on technical assistance for the development of telecommunications for the Palestinian Authority, which constituted a milestone in the history of the ITU. He thanked all the delegations who had spared no effort to arrive at a text which, in its present state, was satisfactory and represented a glimmer of hope for the situation of Palestinians with regard to telecommunications. Saudi Arabia was not a co-author of the draft resolution, in particular for reasons of protocol, but could not fail to approve a decision which was designed to study the needs of the Palestinian Authority in order to improve its telecommunication infrastructure, even if what was proposed was the minimum necessary to assist the Palestinians. The question of the rights of the Palestinian people had been taken up in many meetings and conferences of the ITU. Saudi Arabia had unremittingly, particularly within the Council, worked in defence of those rights and in favour of technical assistance in the field of telecommunications. The Saudi Arabian delegation was among those which had insisted, at each session of the Council, that Resolution 64 of the Nice Conference condemning Israel's practices in the occupied territories should be applied; that was a resolution of capital importance in condemning Israel's repressive practices in the occupied Arab territories and highlighting the assistance that needed to be provided to the Palestinian people in

order to improve the status of telecommunications within the occupied territories. In conclusion, he once again thanked those who had recognized the need to bring technical assistance to the Palestinian Authority and hoped that before too long the State of Palestine would participate in a Plenipotentiary Conference of the ITU.

6.5 The delegate of Israel said he was also extremely happy with the draft resolution before the meeting which, as had been stated, was the first of its kind in a United Nations body co-sponsored by Israel and its Arab neighbours. He particularly wished to thank the head of the United States delegation for his efforts and urged the Plenipotentiary Conference to give the text before its unanimous approval.

6.6 The observer for Palestine, after expressing satisfaction at participating in the Plenipotentiary Conference of the ITU, thanked the delegation of the United States, and in particular the head of the delegation, as well as all those who had spent many long hours helping to prepare the draft resolution. It was a compromise text which represented the minimum necessary and should be considered as a starting point with a view to restoring Palestinian rights in the field of telecommunications. He emphasized that although the draft resolution concerned Palestinians living under the Palestinian Authority, Palestinians in countries such as Jordan should not be forgotten, for it was the Palestinian people as a whole which must live in peace. Nor should Resolution 64 of the Nice Conference be forgotten. The draft resolution before the meeting must be one of many foundations of peace in Palestine. With regard to the restoration of Palestinian rights, tangible progress could be noted in many fields, but in practical and material terms things were not moving very fast. The reconstruction of the Palestinian economy faced enormous difficulties, including in the field of telecommunications. In that area, Palestine needed technical assistance which was in the interests of all the peoples of the Middle East and future generations. Any aid, however small, would be appreciated, for "small streams made big rivers". Palestinians would not forget the generosity of countries and organizations which helped them.

6.7 The delegate of Spain wished to express his unreserved support for the draft resolution before the meeting, of which his country had not been a co-sponsor solely for logistical reasons. He recalled with satisfaction that his country had hosted the first conference in the Middle East peace process, in Madrid.

6.8 The delegate of Germany thanked all the delegations who had made it possible to prepare the draft resolution and wished the Secretary-General every success in implementing it.

6.9 The delegate of Syria said that, in his country, the situation remained as it had stood when Resolution 64 of the Nice Plenipotentiary Conference had been adopted. The Golan Heights were still occupied and the people of the region still had many difficulties in communicating with their families in Syria. He hoped that the situation would change and asked the head of the United States delegation to use his good offices so that the Golan territories would be restored to Syria and the people of the region would regain their rights.

6.10 The delegate of Lebanon associated himself with the statements made by the delegates of Saudi Arabia and Syria. He recalled that the southern part of Lebanon was still occupied and that the people of the region had difficulties in communicating with their families living in the rest of the country. He expressed the wish that the head of the United States delegation in particular and in general the delegations of all countries friendly to Lebanon in general should do everything possible to bring about peace in the Middle East.

6.11 The delegate of the Islamic Republic of Iran said that, in a spirit of cooperation, his delegation would accept the draft resolution as a whole but expressed a reservation on the parts concerning the peace process.

6.12 The Chairman of Committee 8 said that the text of the draft resolution contained in Document 290 was perfectly correct in the three languages. Accordingly, and in order to expedite the preparation of the Final Acts, he proposed that the Plenary Meeting should immediately examine the text on first and second readings.

6.13 The draft resolution concerning technical assistance for the development of telecommunications for the Palestinian Authority was approved on first and second readings.

The meeting rose at 1245 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI

Annex: 1

ANNEX 1

Statement by the delegate of Morocco

The Kingdom of Morocco formulated the proposal contained in MRC/31/12 and its Corrigendum in order to rectify an anomaly in the Constitution which makes the Administrative Regulations non-binding instruments, since any Member may decide, for one reason or another, not to apply successive revisions thereof. This will be the case for the Radio Regulations which will be entirely revised in 1995. We are referring to the Administrative Regulations mentioned in Nos. 29, 30 and 31 of the Constitution as amended by the competent conferences which met after the Additional Plenipotentiary Conference, (Geneva 1992). We submitted proposals to this Conference to affirm the binding nature of the revised Administrative Regulations. However, those proposals were not adopted by the competent committee solely in order to limit the number of amendments that the Conference might make to the Constitution. During the discussion on the proposals, the "international treaty" aspect binding all Members who had signed the successive revisions was not questioned.

It is likewise recognized that any reservations on the part of a Member to the effect that the Member concerned will not apply all or part of the revision of a regulation, and any declarations to the same effect during the period following the competent conference which has revised a regulation, are not in accordance with the provisions of the Vienna Convention on the Law of Treaties which provides, in its Article 27, that "a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty".

The Conference recognized that there is a legal loophole with regard to Members who declare, during the period following the competent conference which revised a regulation, that they do not agree to be bound by revisions of the Administrative Regulations.

Bearing in mind the foregoing and considering that the World Radiocommunication Conference to be held in 1995 is to review the entire Radio Regulations, we reiterate our sovereign right, shared by all Members of the ITU, over the common resources represented by the radio-frequency spectrum and geostationary-satellite orbit. Our participation in the 1995 World Radiocommunication Conference and our acceptance of its decisions will be based on the principle that the international Regulations as revised by that Conference constitute a treaty binding all Members which sign it.

We have prepared a statement to this effect to be included as a declaration in the Final Acts of this Conference. Some 20 delegations have joined us in this declaration to safeguard their interests in the management of our common resources. Other delegations may join us if they so wish by contacting our delegation.



PLENIPOTENTIARY CONFERENCE (PP-94)

Document 314-E
September 1994
Original: English

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

TWENTY-SECOND PLENARY MEETING

Thursday, 13 October 1994, at 1435 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed	Documents
1 Draft resolution on assistance to Bosnia and Herzegovina (continued)	287
2 Draft resolution on assistance to Liberia, Somalia and Rwanda	280+Corr.1
3 Draft resolution on the apportionment of revenues in providing international telecommunication services	284
4 Draft resolution on future conferences of the Union	282
5 Eleventh series of texts submitted by the Editorial Committee for first reading (B.11)	294
6 Twelfth series of texts submitted by the Editorial Committee for first reading (B.12)	298
7 Sixth series of texts submitted by the Editorial Committee for second reading (R.6)	292
8 Seventh series of texts submitted by the Editorial Committee for second reading (R.7)	293
9 Eighth series of texts submitted by the Editorial Committee for second reading (R.8)	297+Corr.1
10 Deadline for the submission of declarations	-

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their copies to the meeting since no others can be made available.

1 Draft resolution on assistance to Bosnia and Herzegovina (continued) (Document 287)

1.1 The delegate of Bosnia and Herzegovina explained that Document 287 contained the revised version of the draft resolution originally submitted in Document 196, which had been introduced at an earlier Plenary Meeting. It incorporated the amendments proposed during that meeting by his delegation as well as the delegations of the United Kingdom and Norway. He urged the meeting to approve the draft resolution, which was similar in intent to the one adopted that morning on technical assistance to the Palestinian authority for the development of telecommunications.

1.2 The Chairman said that since the draft resolution had been discussed extensively at the eighteenth Plenary Meeting during which delegates had had the opportunity to express their views, he would take it that the text was acceptable to delegations.

1.3 It was so agreed.

1.4 The Chairman of Committee 8 said that since no substantive changes had been made to the draft resolution by the Editorial Committee, the text could perhaps be considered immediately on first and second readings.

1.5 The draft resolution in Document 287 was approved on first and second readings.

2 Draft resolution on assistance to Liberia, Somalia and Rwanda (Document 280 and Corrigendum 1)

2.1 The delegate of Tunisia introduced the draft resolution in Document 280 on behalf of the sponsors listed as well as a large number of other African countries which had subsequently expressed support for it. Its aim was to provide technical assistance to the Republics of Liberia, Somalia and Rwanda with a view to the rehabilitation of their telecommunication networks, which had been badly damaged during the wars in those countries, and it called upon the ITU and the Development Sector in particular to take special action along those lines. The delegate of Kenya associated himself with those remarks and expressed his support for the draft resolution.

2.2 The delegate of France asked whether the three countries concerned had addressed specific requests for assistance to the Conference, particularly since only one of them was actually present in Kyoto. If such requests had been received he would have no difficulty in agreeing to the draft resolution. If, however, that was not the case, some clarification should perhaps be sought from the Legal Adviser.

2.3 The delegate of Angola said that on numerous occasions in the past his country had sought the BDT's advice and assistance in connection with the rehabilitation of its telecommunication infrastructure, and was optimistic that with the approval of the draft resolution under discussion the BDT would finally accede to its request. He could support the text subject to the inclusion of a second indent under **instructs the Council**, along the following lines: "to extend, if necessary, the action mentioned under **resolves** above to other Member countries suffering similar calamities and which might make the same request". The delegate of Portugal expressed support for that amendment.

2.4 The delegate of Italy said that he could agree to the draft resolution, as amended by the Angolan delegate, subject to completion of the **resolves** paragraph by the following phrase: "when the conditions of order and security sought by United Nations resolutions have been achieved".

2.5 The delegate of Tunisia, referring to the French delegate's remarks, said that the African region was in very great need of assistance due to the ever widening gap in the field of telecommunications between the developing and the industrialized countries, as highlighted by an African deputy minister of telecommunications in one of the general policy statements made earlier in the Conference. In that

connection, the group of African countries participating in the Conference, aware of the serious deterioration of the network in certain African countries, had decided to approach the ITU on their behalf to remedy the situation. In conclusion, he expressed support on behalf of the sponsors for the amendment proposed by the Angolan delegate.

2.6 The delegate of Uganda said that his country had sponsored the draft resolution because it knew only too well how telecommunications could be adversely affected by such situations. In his view, there was no need for the ITU to wait for the situation to stabilize in the countries concerned before taking initial action. Indeed, the first indent under **instructs the Secretary-General** merely required countries to report on the current status of their telecommunication networks through the relevant existing channels. Likewise, he saw no reason not to launch the activities referred to in the second indent, so that the ITU would be ready for action by the time the situation in the countries had improved.

2.7 The delegate of the United Kingdom said that although he did not object to the draft resolution as such, he shared the French delegate's concern regarding the status of the countries for which the assistance was being requested. As he understood the situation, there was currently no government in at least one of those countries, and he would welcome clarification from the Legal Adviser in that connection.

2.8 The delegate of Burundi endorsed the Ugandan delegate's remarks. Burundi was all too familiar with the problems in the neighbouring country of Rwanda: its population was made up of the same ethnic groups, but more importantly it had recently given shelter to some 300 000 Rwandan refugees. Prior to the outbreak of the conflict Rwanda had enjoyed relatively good telecommunication facilities, which were now no longer operational. Burundi would especially welcome action by the ITU in Rwanda, since telecommunications had played a vital role in averting any extension of the Rwandan conflict to Burundi. As to the concerns expressed by the delegates of France and the United Kingdom, the results of the diplomatic efforts to avert the crisis in Rwanda itself bore witness to the disadvantages of delaying action too long.

2.9 The delegate of Cape Verde expressed support for the draft resolution, as amended by the Angolan delegate.

2.10 At the invitation of the Chairman, the Legal Adviser referred the delegates of France and the United Kingdom to the Rules of Procedure of conferences and other meetings, as set forth in Article 32 of the Geneva Convention. It was clear from No. 382 that the question of whether the countries concerned had actually themselves requested the Union's assistance was immaterial, since the proposal made by the delegate of Cameroon, during the discussion of the draft resolution on assistance to Bosnia and Herzegovina, to provide also similar assistance services to the Republics of Liberia, Somalia and Rwanda had been "supported by at least one other delegation". Such a support was sufficient for discussing such a proposal at the meeting.

2.11 The Chairman, noting the broad support for the draft resolution, as amended by the delegates of Angola and Italy, suggested that the delegations concerned should hold consultations with a view to preparing a suitable text for submission to Committee 8.

2.12 The Chairman of Committee 8 said that the draft resolution could perhaps be approved on first and second reading during the present Plenary Meeting, if the proposed amendments were read out again in the original languages. The only task remaining for Committee 8 would be to align the text in the three languages.

2.13 In the ensuing discussion, the delegate of the United Kingdom sought assurances that the wording of the draft resolution would be aligned with that of the resolution on assistance to Bosnia and Herzegovina (Document 287). The Chairman of Committee 8 confirmed that the texts had already been aligned by the Committee. The delegate of Cameroon saw no need, in the light of the

United Kingdom delegate's remarks, to make any change to the **resolves** paragraph, the original wording of which matched that of the resolution on Bosnia and Herzegovina. The Chairman noted, following an indicative show of hands, that while three delegations shared the Cameroonian delegate's view, there was broader support for the Italian amendment to the **resolves** paragraph.

2.14 The delegate of Tunisia, speaking on a point of order, queried the procedure followed by the Chairman, who had failed to call for a show of hands to ascertain how many delegations objected to the Italian amendment.

2.15 The Chairman, responding to a request by the delegate of Bahrain, regretted that at the present juncture it would not be possible to circulate the texts of the proposed amendments in writing before taking a decision. However, given the numerous expressions of support, he took it that the meeting was in favour of the amendment proposed by the Angolan delegate.

2.16 It was so agreed.

2.17 The Secretary of the Plenary Meeting having read out the text of the Italian amendment, the Chairman, responding to requests made, invited the meeting to indicate its views on that amendment by a show of hands. He noted that a clear majority was in favour of the amendment.

2.18 The draft resolution in Document 287, as amended, was approved on first and second readings.

2.19 The delegate of the United Kingdom reiterated his request for the wording of the resolution to be brought into line with that of the resolution on Bosnia and Herzegovina. In particular, the words "a special initiative shall be initiated by the Telecommunication Development Sector of the Union" in the **resolves** section should be changed to "special action shall be initiated in the framework of the activities of the Telecommunication Development Sector of the Union". Moreover, in the **instructs the Council** section, the words "initiate the implementation stage of the said initiative" should be changed to "initiate the action". The Chairman of Committee 8 again confirmed that the wording had been aligned on the basis of the Bosnia and Herzegovina resolution. The differences were only in the English-language version and were not of a substantive nature.

2.20 The delegate of Cameroon said that although the text of the **resolves** section might be aligned with the Bosnia and Herzegovina resolution in respect of the words "action" or "initiative", since the conditions of order and security were the same in Bosnia and Herzegovina as in Liberia, Somalia and Rwanda, the course of action outlined under **instructs the Secretary-General** should be followed notwithstanding the Italian amendment. If requests for assistance were made they must be met. The delegate of Kenya endorsed that view and suggested that the wording added to the resolution on Liberia, Somalia and Rwanda should be inserted in the one on Bosnia and Herzegovina as well.

2.21 The delegate of Russia expressed the hope that no changes of substance would be made to the text by Committee 8.

2.22 The delegate of Morocco having enquired how it would be ascertained that conditions of order and safety had been restored in the countries concerned, the Secretary-General explained that United Nations Headquarters in New York and United Nations staff in the regions concerned had a well-established mechanism to evaluate levels of security, which would ensure that ITU activities would start at the right time in the areas concerned.

3 Draft resolution on the apportionment of revenues in providing international telecommunication services (Document 284)

3.1 The Chairman of Committee 4 said that Committee 4, having considered the draft resolutions in proposal IND/67/9 and Document 99 submitted by a group of countries, had left it to him to consult with the parties concerned. It had been agreed to amalgamate the two texts and he had circulated a first draft to the interested delegations. The resulting text was now submitted to the Plenary in Document 284 for approval.

3.2 The delegate of India supported the text in Document 284. Referring to the **instructs the Telecommunication Standardization Sector** paragraph, he said that his delegation wished the studies in question to be completed in time for the World Telecommunication Standardization Conference in October 1996, for the resulting recommendation on accounting rates would help the developing countries to take a small step in bridging the "missing link".

3.3 The delegates of Lebanon and Pakistan supported the draft resolution and the comments by India.

3.4 The delegate of the United Kingdom said that, as he understood the situation, the wording of the **instructs the Telecommunication Standardization Sector** paragraph did not reflect what was actually happening. He therefore proposed to amend that paragraph to read: "to accelerate current studies relating to accounting rates and relating to the completion of relevant recommendations for the Director of TSB to report to the Council so that the Council can prepare a report on the subject of this Resolution to the next Plenipotentiary Conference". Finally, he would have no objection to the Indian suggestion that the work should be completed by 1996 if the Director of the TSB could confirm that that was possible.

3.5 The Director of the TSB said that the wording proposed by the United Kingdom delegate reflected more accurately the work of ITU-T Study Group 3. As far as the cost elements were concerned, the relevant annex was ready but the guidelines for the bilateral negotiation of accounting rates and accounting rate shares were still to be finalized: they were on the agenda of the December 1994 meeting of Study Group 3. If the current rate of progress was maintained, the 1996 WTSC would provide a suitable opportunity for discussing the issue, although the final outcome would of course depend on the administrations contributing to the studies.

3.6 The delegate of Syria proposed to amend the **resolves** paragraph to read: "that in cases other than on a 50/50 basis to the advantage of the developing countries concerned, the latter should be able to use the resulting additional revenues for the improvement of their telecommunications". The United Kingdom proposal was somewhat confusing and he asked for assurance from the Director of the TSB that the idea of studying the cost of providing telecommunication services in each country depending on its level of development would be maintained; if that were the case, he would be able to accept the amendment.

3.7 The delegate of New Zealand having said that he wished to propose some amendments, the Chairman invited interested delegations and the Chairman of Committee 4 to hold informal consultations with a view to producing a compromise text.

3.8 The Chairman of Committee 4, reporting on the results of the informal discussions, said that despite the large number of countries involved - probably over 20 - the group had managed to come up with a solution. It had considered amendments proposed by the delegates of the United Kingdom, Syria and New Zealand. The latter had proposed a new text for the **recognizing** section and an amendment to **resolves**; the first proposal had not been accepted and had been withdrawn by the New Zealand delegation, whereas the second had been accepted.

3.9 The Secretary of Committee 4 read out the proposed amendments to the draft resolution.

3.10 The delegate of New Zealand said that his country appreciated that it was not appropriate to include the proposed new **recognizing** section in the resolution, but felt that it should not be lost sight of. He therefore wished to state formally that New Zealand had noted that in a number of countries accounting rates and divisions were decided bilaterally between carriers on a commercial basis and not by administrations.

3.11 The delegates of the Netherlands, the United Kingdom, Finland, Russia, Sweden, Switzerland, Denmark and Norway associated themselves with the statement by the delegate of New Zealand. The Chairman having invited any other delegations wishing to associate themselves with the statement to indicate the fact, the delegates of Australia, Austria, Barbados, Canada, Estonia, the United States, France, Ghana, Hungary, Ireland, Israel, Italy, Japan, Latvia, The Former Yugoslav Republic of Macedonia, Mexico, Papua New Guinea, the Philippines, Portugal, Singapore, Swaziland, Turkey and Uruguay raised their cards.

3.12 The draft resolution in Document 284, as amended, was approved on first and second readings.

4 Draft resolution on future conferences of the Union (Document 282)

4.1 The Chairman of the ad hoc Group of the Plenary set up to consider the schedule of future conferences of the Union introduced the draft resolution in Document 282. Referring to the **resolves** section, he announced on behalf of his Administration that Lebanon offered to host the autumn 1996 RTDC mentioned in § 1.4 in Beirut. With respect to § 1.9, PP-98 was scheduled for October/November, but the United States delegation had requested that the wording "second half of 1998" be used, in order to provide some margin. No date was suggested for the second RTDC to be held in the four-year period following PP-98 but the Group had considered that, when the time came, either 2000 or 2001 might be contemplated by PP-98 or the Council, as appropriate.

4.2 The delegate of Ecuador, supported by the delegate of Kenya, suggested that it would be more appropriate in the schedule of future conferences to refer to quarters or months rather than to seasons, which were not the same in all parts of the world. The Chairman suggested that the Editorial Committee should make the necessary changes.

4.3 The delegate of Saudi Arabia supported the draft resolution subject to the amendment suggested by Ecuador, and was happy to accept Lebanon's invitation to host the RTDC in autumn 1996. He stressed the need for the priorities of the regions themselves to be taken into account when planning regional conferences.

4.4 The delegate of Syria expressed the hope that the Council would pay close attention to the timing of conferences which might affect the work of the Plenipotentiary Conference, particularly in so far as the amendment of the basic instruments might be concerned. He thanked the Chairman of the ad hoc Group for his country's offer to host the 1996 RTDC. He proposed to add the words "and PP-98" at the end of § 2.3 of the **resolves** section. The delegate of Sweden pointed out that it was not possible to take into account the results of PP-98 since the 1998 Council should establish the agenda for WRC-99.

4.5 The delegate of Uganda suggested that when the ITU arranged regional conferences, it should work as closely as possible with the regional telecommunication organizations concerned.

4.6 The delegate of Tunisia, having recalled that his delegation had sponsored a draft resolution in Document 43 calling for priority to be given to regional telecommunication development conferences in the Arab Region, supported the comments by the delegate of Saudi Arabia. However, he pointed out that Africa needed special attention because of the gap between it and the other Regions, and requested that the African Region be given priority for the next RTDC. The delegate of Chad supported that request, which was also endorsed by the delegate of Saudi Arabia.

4.7 The Secretary-General having observed that logistical difficulties would be created for the Secretariat if PP-98 were to be held as early as July or August, the delegate of United States agreed to replace "second half of 1998" by "between September and December" in § 2.9 of the draft resolution.

4.8 The Chairman suggested that the text between square brackets in §§ 1.3, 1.4 and 1.10 should be deleted; the Council would take the relevant decisions in due course and the Editorial Committee would make any further changes required.

4.9 On that understanding, the draft resolution in Document 282, as amended, was approved on first and second readings.

**5 Eleventh series of texts submitted by the Editorial Committee for first reading (B.11)
(Document 294)**

Resolution PLEN/11 - Interim Limitations in the Use of Official and Working Languages of the Union

5.1 Approved subject to deletion of the square brackets in paragraph 4 under **resolves**.

Resolution PLEN/12 - Study of the Languages in the Union

5.2 Approved.

Resolution PLEN/13 - Instructions for the Continuation of Work on the Rules of Procedure of Conferences and Meetings of the International Telecommunication Union

5.3 The Chairman of Committee 8 said that the Editorial Committee had mistakenly used the present tense in paragraph 2 under **instructs the Council** in referring to Geneva Resolution 12. It has been advised on legal grounds to restore the original past tense, which it would do.

5.4 On that understanding, Resolution PLEN/13 was approved.

Resolution COM4/25 - Use of the United Nations Telecommunication Network for the Telecommunication Traffic of the Specialized Agencies

5.5 Approved.

Resolution COM4/28 - Participation of the Union in the United Nations Development Programme, in Other Programmes of the United Nations System and in Other Funding Arrangements

5.6 Approved.

Resolution COM4/29 - Support to Members Hosting United Nations Peacekeeping Forces

5.7 Approved.

5.8 The eleventh series of texts submitted by the Editorial Committee (B.11), as a whole, as amended, was approved on first and second readings.

**6 Twelfth series of texts submitted by the Editorial Committee for first reading (B.12)
(Document 298)**

Resolution PLEN/14 - Premises at the Seat of the Union: Construction of the "Montbrillant Building"

6.1 The delegate of Senegal questioned the need to refer not only to document numbers but also to specific sections of those documents.

6.2 The Chairman of Committee 8 suggested that the references to specific paragraphs should be deleted.

6.3 On that understanding, Resolution PLEN/14 was approved.

6.4 The twelfth series of texts submitted by the Editorial Committee (B.12), as a whole, as amended, was approved on first and second readings.

**7 Sixth series of texts submitted by the Editorial Committee for second reading (R.6)
(Document 292)**

Instruments amending the Constitution and the Convention

7.1 The Chairman proposed the deletion of the square brackets in Parts I and II of both instruments. He then invited comments on whether the amendments to the Constitution and Convention should enter into force on 1 January 1996 or 1997.

7.2 The delegate of Russia expressed his preference for 1997.

7.3 The delegate of Lebanon repeated his earlier proposal that the date should be May 1996, since that would be eighteen months after the end of the Plenipotentiary Conference.

7.4 The delegate of Australia, supported by the delegate of Morocco, favoured 1 January 1996, while the delegate of Greece preferred 1 July 1996.

7.5 The Chairman called for a show of hands, from which he concluded that a large majority was in favour of 1 January 1996.

7.6 It was so decided.

7.7 The delegate of Russia was concerned about how the date that had been decided might affect No. 210 of the Constitution. He was anxious that there should be no ambiguity. What would happen if an administration ratified the Geneva Convention but not the amendments, or ratified neither the Convention nor the amendments, within two years?

7.8 The Secretary-General said that all kinds of behaviour could be imagined in theory, but that such a situation had never arisen in practice. The Union could live with the decisions taken by the Conference without further clarification. If any difficulties should arise, legal means to deal with them could be found.

7.9 The sixth series of texts submitted by the Editorial Committee (R.6), as a whole, as amended, was approved on second reading.

**8 Seventh series of texts submitted by the Editorial Committee for second reading (R.7)
(Document 293)**

8.1 The Chairman of Committee 8 said that amendments arising from the first reading had been inserted and invited the Conference to approve the texts.

8.2 The delegate of the United Kingdom said that, just as draft Resolution COM5/5 referred to the provisional application of the Constitution and the Convention, there should be a parallel resolution relating to the provisional application of the amending instruments just adopted. He understood that a document for that purpose was being prepared.

8.3 The seventh series of texts submitted by the Editorial Committee (R.7), as a whole, was approved on second reading.

**9 Eighth series of texts submitted by the Editorial Committee for second reading (R.8)
(Document 297 and Corrigendum 1)**

9.1 The eighth series of texts submitted by the Editorial Committee (R.8), as a whole, was approved on second reading.

9.2 The Chairman of Committee 8 proposed that, in accordance with No. 461 of the Geneva Convention, the final numbering of the Decisions, Resolutions and Recommendations approved at this Conference be entrusted to the Secretary-General.

It was so agreed.

10 Deadline for the submission of declarations

10.1 The Secretary of the Plenary Meeting said that the deadline for the submission of declarations had been set at 1930 hours that day.

The meeting rose at 1740 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

Document 315-E
25 October 1994
Original: English

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

TWENTY-THIRD PLENARY MEETING

Friday, 14 October 1994, at 1100 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

Document

1	Statement by the delegate of Sweden	-
2	Credentials	-
3	Declarations and reservations	299
4	Deadline for the submission of additional declarations	-
5	Tribute to the Administrative Secretary of the Conference	-

● For reasons of economy, this document is printed in a limited number of copies. Participants are therefore kindly asked to bring ●
their copies to the meeting since no others can be made available.

1 Statement by the delegate of Sweden

1.1 The delegate of Sweden, after commending the Chairman and the Japanese Administration for a highly successful conference, wished in particular to convey his congratulations to the Japanese nation as a whole on the award of the 1994 Nobel prize for literature to Kenzaburo Oe.

(Applause)

1.2 The Chairman thanked the delegate of Sweden for his kind words.

2 Credentials

2.1 The Chairman of Committee 2 reported that the delegation of the Socialist People's Libyan Arab Jamahiriya had presented its credentials, which had been examined and found to be in order.

3 Declarations and reservations (Document 299)

3.1 The Chairman invited delegates to take note of the declarations and reservations which had been submitted within the stipulated deadline and were reproduced in Document 299.

3.2 The delegate of Burundi said that his delegation's reservation No. 3 had been duplicated in No. 77, which was therefore redundant.

3.3 The delegate of Ghana requested to be allowed to read his delegation's declaration, which he had not been able to submit in time.

3.4 The Chairman regretted that, under ITU practice, he was unable to grant the request.

3.5 The delegate of Pakistan said that the phrase "on the Annexes" in the English-language version of Reservation No. 31 should read "or the Annexes".

3.6 The delegate of Mauritania said that the last lines of paragraph 1 of Reservation No. 38 should read "... in accordance with its chief concern, namely to operate its telecommunication network...".

3.7 The delegate of the Republic of Korea said that the word "provisions" in Reservation No. 43 should read "amendments".

3.8 The delegate of Italy said that in Reservation No. 63, after the words "Constitution and the Convention of the International Telecommunication Union (Geneva, 1992)" the phrase "as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994)" should be inserted.

3.9 The delegate of the Philippines said that the word "and" should be inserted in the penultimate line of the English-language version of Reservation No. 64, before "its amendments thereto".

3.10 The delegate of Greece, referring to Declaration No. 73, said that, for the sake of clarity, the phrase "provisions of these Final Acts" in paragraph 1a) should be replaced by "provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Final Acts of this Conference".

3.11 The delegate of Turkey, referring to Reservation No. 71, requested the insertion of the word "that" after "action" in the second line. Furthermore, the fourth and fifth lines should read "... or the Annexes or Protocols thereto, should any reservation...".

3.12 The delegate of Kenya said that in Reservation No. 72 the words "in Kyoto, 1994" should be replaced by the phrase "by the Plenipotentiary Conference (Kyoto, 1994)".

3.13 The delegate of Egypt said that in Reservation No. 88, "the 1994" should be inserted before "Kyoto instrument".

3.14 The Secretary of the Plenary Meeting said that the Secretariat had observed that a number of declarations and reservations referred to the Constitution and Convention of Kyoto 1994, which did not exist. He requested permission to replace such references with "the Final Acts of the Plenipotentiary Conference (Kyoto, 1994)" if the delegates so wished.

3.15 The delegate of France said that it would be useful to hear the Legal Adviser's comments on that point.

3.16 The Legal Adviser drew the attention of delegations to the fact that it was legally incorrect to refer to "the provisions of the Constitution and Convention (Kyoto 1994)"; the correct reference was to "the provisions in the instruments amending the Constitution and Convention (Geneva, 1992)". It might be useful to clarify that point, so that the incorrect terminology would not be repeated in any additional declarations. As far as the declarations and reservations themselves in Document 299 were concerned, the Conference might be agreeable for the minutes to reflect that there was an understanding that references in declarations and reservations to "the Constitution and the Convention (Kyoto, 1994)" would actually mean, and should be read as "the provisions of the instruments amending the Constitution and Convention (Geneva, 1992)". That would have the effect of adjusting the declarations and reservations of sovereign States without any editing by the Secretariat and, if the Conference agreed, would provide a simple solution to a minor error.

3.17 The Chairman doubted that such a statement in the minutes could have the effect of changing a declaration or reservation of a sovereign state. If a delegation so wished, it could inform the Secretariat accordingly.

3.18 With those comments, Document 299 was noted.

4 Deadline for the submission of additional declarations

4.1 The Secretary of the Plenary Meeting said that the deadline for submission of additional declarations had been set at 1230 hours that day.

5 Tribute to the Administrative Secretary of the Conference

5.1 The delegate of Canada said that he had been requested by the former Chairman of the High Level Committee to pay tribute to the long and dedicated service of the Administrative Secretary, for whom the present Conference would be the last. In the words of the song which he had pleasure in playing for the Conference, "Algo se muere del alma cuando un amigo se va".

(Applause)

5.2 The Administrative Secretary said that it was unusual for an official to receive so great an honour, which he would treasure in his heart. He himself was but a tiny grain of sand in the ITU as a whole, and the tribute was a tribute to all his colleagues in the ITU, both in Geneva and around the world.

The meeting rose at 1145 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI



**PLENIPOTENTIARY
CONFERENCE (PP-94)**

Document 316-E
27 October 1994
Original: English

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

PLENARY MEETING

MINUTES

OF THE

TWENTY-FOURTH AND LAST PLENARY MEETING

Friday, 14 October 1994, at 1600 hours

Chairman: Mr. Y. UTSUMI (Japan)

Subjects discussed

Documents

1	Additional declarations	300
2	Signing of the Final Acts	296
3	Closure of the Conference	-

1 Additional declarations (Document 300)

1.1 The Chairman invited delegates to take note of Document 300, containing the additional declarations.

1.2 The delegate of Germany said that in Declaration No. 93 the phrase "its/their Government" should read "their Governments". In Declaration No. 94, "(s)" should be deleted after the word "note" in the seventh line.

1.3 The delegate of Ghana said that in the first paragraph of Declaration No. 101, the phrase "for the Government of the Republic of Ghana" should be inserted after the words "reserves the right".

1.4 With those comments, Document 300 was noted.

2 Signing of the Final Acts (Document 296)

2.1 The Secretary of the Plenary Meeting, after drawing the attention of delegates to Document 296 containing information on the procedure to be followed for the signing ceremony, called the roll of those delegations whose credentials had been found to be in order.

2.2 The Final Acts were signed by the following delegations:

Algeria (People's Democratic Republic of), Germany (Federal Republic of), Andorra (Principality of), Angola (Republic of), Saudi Arabia (Kingdom of), Argentine Republic, Australia, Austria, Bahamas (Commonwealth of the), Bahrain (State of), Bangladesh (People's Republic of), Barbados, Belarus (Republic of), Belgium, Benin (Republic of), Bhutan (Kingdom of), Bolivia (Republic of), Bosnia and Herzegovina (Republic of), Botswana (Republic of), Brazil (Federative Republic of), Brunei Darussalam, Bulgaria (Republic of), Burkina Faso, Burundi (Republic of), Cambodia (Kingdom of), Cameroon (Republic of), Canada, Cape Verde (Republic of), Central African Republic, Chile, China (People's Republic of), Cyprus (Republic of), Vatican City State, Colombia (Republic of), Comoros (Islamic Federal Republic of the), Korea (Republic of), Costa Rica, Côte d'Ivoire (Republic of), Croatia (Republic of), Cuba, Denmark, Djibouti (Republic of), Egypt (Arab Republic of), El Salvador (Republic of), United Arab Emirates, Ecuador, Spain, Estonia (Republic of), United States of America, Ethiopia, Fiji (Republic of), Finland, France, Gabonese Republic, Gambia (Republic of the), Georgia (Republic of), Ghana, Greece, Guinea (Republic of), Guyana, Hungary (Republic of), India (Republic of), Indonesia (Republic of), Iran (Islamic Republic of), Ireland, Iceland, Israel (State of), Italy, Jamaica, Japan, Jordan (Hashemite Kingdom of), Kazakhstan (Republic of), Kenya (Republic of), Kuwait (State of), Lao People's Democratic Republic, Lesotho (Kingdom of), Latvia (Republic of), The Former Yugoslav Republic of Macedonia, Lebanon, Libya (Socialist People's Libyan Arab Jamahiriya), Liechtenstein (Principality of), Luxembourg, Madagascar (Republic of), Malaysia, Malawi, Maldives (Republic of), Mali (Republic of), Malta, Morocco (Kingdom of), Mauritius (Republic of), Mauritania (Islamic Republic of), Mexico, Moldova (Republic of), Monaco (Principality of), Mongolia, Mozambique (Republic of), Namibia (Republic of), Nepal, Niger (Republic of the), Nigeria (Federal Republic of), Norway, New Zealand, Oman (Sultanate of), Uganda (Republic of), Uzbekistan (Republic of), Pakistan (Islamic Republic of), Papua New Guinea, Paraguay (Republic of), Netherlands (Kingdom of the), Peru, Philippines (Republic of the), Poland (Republic of), Portugal, Qatar (State of), Syrian Arab Republic, Kyrgyz Republic, Slovak Republic, Czech Republic, Romania, United Kingdom of Great Britain and Northern Ireland, Russian Federation, San Marino (Republic of), Saint Vincent and the Grenadines, Western Samoa (Independent State of), Senegal (Republic of), Singapore (Republic of), Slovenia (Republic of), Sudan (Republic of the), South Africa (Republic of), Sweden, Switzerland (Confederation of), Suriname (Republic of), Swaziland (Kingdom of), Tajikistan (Republic of), Tanzania (United Republic of), Chad (Republic of), Thailand, Togolese Republic, Tonga (Kingdom of), Tunisia, Turkmenistan, Turkey, Ukraine, Uruguay (Eastern Republic of), Venezuela (Republic of), Viet Nam (Socialist Republic of), Yemen (Republic of), Zambia (Republic of), Zimbabwe (Republic of).

2.3 The Secretary of the Plenary Meeting announced that 149 delegations had signed the Final Acts of the Plenipotentiary Conference.

3 Closure of the Conference

3.1 The Secretary-General delivered the address reproduced in Annex 1.

3.2 The delegate of Russia said that the Conference now drawing to a close was a historic one, not only because it was the first Plenipotentiary Conference of the new ITU, but because it had been the first where there had been no night or Sunday meetings. Despite the efforts which delegates had made to revive such traditions, the Chairman's clock had worked impeccably and it was the first Conference in his long experience of the ITU to finish on time. After congratulating the Chairman most cordially, he observed that the Buenos Aires Action Plan was already a household name and that the Kyoto Conference would perhaps come to be referred to as the Utsumi Conference. He also expressed gratitude to the Secretary-General and the Secretariat as well as to the Japanese delegation and Administration for their excellent organization and hospitality. He concluded by wishing all friends, old and new, a pleasant journey home.

3.3 The delegate of Tunisia, speaking on behalf of the African Group, addressed heartfelt thanks to the Japanese authorities for their welcome and hospitality. He commended the Chairman for his firmness and efficiency thanks to which, despite cyclones and earthquakes, the work had been successfully completed on time. He paid tribute to the authorities of Kyoto, a city which synthesized 1200 years of tradition and technical innovation. The Conference had been a landmark in the history of the Union, and the spirit of Kyoto would continue to provide inspiration for many years to come, particularly in relation to technical cooperation and development. For him personally the Kyoto Conference had meant a great deal and he again expressed deep appreciation to Kyoto, Japan and the Japanese people.

3.4 The delegate of the Philippines, speaking on behalf of the members of ASEAN, expressed her gratitude for the warm hospitality extended to participants and for the excellent organization of the Conference, which had attained its goals thanks to the Chairman's distinguished leadership. She commended to the newly elected officials their great responsibilities in ensuring that the ITU continued to be a relevant global institution, and she expressed her gratitude to the outgoing officials, especially the outgoing Director of the BDT who had headed that Bureau at a critical stage of its development. She also conveyed thanks to friends old and new, the Government of Japan, and the Secretariat.

3.5 The delegate of Germany praised the excellent organization of the Conference, which was attributable to the efforts of the Chairman, his Ministry of Posts and Telecommunications and his fellow countrymen. It had been an enriching experience to live in Kyoto for four weeks to get to know the people of Japan, and he hoped to be able to return the hospitality at some future date.

3.6 The delegate of Tonga said that, as the representative of a Kingdom, he had felt particularly honoured that the Conference had been opened by His Imperial Highness the Crown Prince of Japan; that was a memory which he would cherish. He paid a special tribute to the Chairmen of the various Committees, in particular the Chairman of Committee 4, for their diligent work and guidance, and also thanked the Chairman of the Conference for his courage and wisdom.

3.7 The delegate of Saudi Arabia, speaking on behalf of the Arab Group and Islamic administrations, joined all previous speakers in thanking the Japanese Government for its hospitality. He was indebted to the Chairman for a historic Conference characterized by clear decisions, discipline and meetings which had ended punctually. He hoped to have an opportunity to welcome the Chairman to his country in order to strengthen their acquaintance.

3.8 The delegate of India expressed satisfaction at the cooperation of all delegates in ensuring that the Conference reached a successful and punctual conclusion. The efficient, firm and friendly chairmanship had been instrumental in bringing about that achievement, and he commended the use of the Chairman's clock. The Asia-Pacific region could be proud of both the ancient civilization and the technological prowess of Japan. The award of the Nobel Prize for Literature to a Japanese author was one more chapter in that nation's glorious history. He thanked the organizers of the Conference for the generous hospitality received and paid a tribute to the Secretariat as well as to the outgoing officials of the Union. He welcomed the new elected officials, who were entrusted with the task of filling the missing link through the provision of a global information infrastructure at an affordable price.

3.9 The delegate of the United States made the statement reproduced in Annex 2.

3.10 The Chairman delivered the speech reproduced in Annex 3.

3.11 After wishing all participants a safe and pleasant journey home, the Chairman declared the Plenipotentiary Conference of the International Telecommunication Union, Kyoto 1994 closed.

The meeting rose at 1740 hours.

The Secretary-General:
Pekka TARJANNE

The Chairman:
Y. UTSUMI

Annexes: 3

ANNEX 1

Address by the Secretary-General

Mr. Chairman
Distinguished Plenipotentiaries
Dear Friends,

Just over two weeks ago, I had the honour to be re-elected as Secretary-General of our Union. In my acceptance speech, I listed the five key tasks facing this Conference, as I saw them. What has now been achieved?

First, you have adopted a strategic plan for the next four years. For the first time, we have a single document setting out the strategies and priorities of the Union. No plan is, of course, perfect. The Council will have to adjust this plan to adapt to the ever-changing telecommunications environment. However, the plan is, and will remain, an invaluable tool. It will help me and my colleagues on the Coordination Committee to manage the affairs of the Union. And it will help us to convey the ITU message more effectively - to all our "members", to the other organizations that make up the United Nations family, and to the international telecommunications community.

Secondly, as I said in my opening speech to the Conference, I believe that the role of "members" is the single most important strategic issue facing the Union. You seem to agree. Many of you spoke of the need to send a clear and strong signal to the private sector, a signal showing that our doors, which have been ajar for years, are and will be more and more widely open to all those wishing to contribute to our manifold activities. I am very pleased that you have decided to send this signal.

Another key strategic issue was the creation of a new forum for the ITU. Before the Conference, opinions on this question were divided. Some favoured creating such a policy forum, others doubted it was needed. Even those who favoured this new forum had different ideas about how to organize it. In the spirit of cooperation and compromise which is part of the ITU tradition, the Conference adopted an approach which was satisfactory to all.

The development challenge was the fourth issue I highlighted. By agreeing to fund the Buenos Aires Action Plan, to implement it fully, as our top development priority, you have given the BDT the tools we need to help avoid an irreparable widening of the development gap.

My fifth and final issue was the financial ceiling. The discussions around this question were difficult, as always. In the current environment, many of you are being asked at home to do more with less. I am therefore very grateful to you, because the Conference decided - not only that the Union should do more - but also that slightly more resources should be allocated to these new priorities. I promise that my colleagues and I will continue to manage your resources with utmost prudence and efficiency, and that members of the Union will receive value for their money.

In addition to these five successful issues, where you have met the goals set, there were other important developments. The elections took place smoothly and efficiently, with minimal disruption to the work of the Conference, particularly given the Guinness Book of Records pace at which they were conducted. Important decisions were taken concerning the management and development of the Union's human resources. And the Constitution and Convention were fine-tuned.

All of this was done with a degree of efficiency which is new for ITU conferences. Both the preparations of this Conference and the way it has been run were impeccable. Only my own performance was pekkable. I apologize again to our good interpreters. I know that you perform in an impeccable way in spite of my pekkable interventions. Anyway, the Conference has set new standards that others should try to match in the years to come. I am prepared, when the proper time comes, to suggest an even shorter Plenipotentiary Conference, e.g. three weeks and two days in 1998. So who is to be thanked for this additional efficiency? All of you, of course, but in particular, Utsumi-san. I will try to pay tribute to our Chairman in Japanese!

[In Japanese:]

Mr. Chairman, Dear Utsumi-san,

Your chairmanship and your leadership at this Kyoto Plenipotentiary Conference have raised the ITU to a new much higher level of efficiency. We have taken a much needed important step forward and upward. You have been tough and stubborn, but combined with your smile and charming sense of humour, the result was the most efficient Plenipotentiary Conference ever.

On behalf of all of us, delegates as well as staff, I thank you most heartily and present to you as a token of our gratitude the ITU silver medal - a great tradition to honour great Chairmen. As a special souvenir, we have also prepared a special gavel - a symbol of chairmanship, leadership and efficiency. A special plate is fixed on this gavel, please do not hit it strongly, Mr. Chairman.

Thank you very much. Otsukare sama deshita.

ANNEX 2

Statement by the delegate of the United States

On behalf of the United States of America, I am most pleased to submit a formal invitation from our country to host the 1998 Plenipotentiary Conference of the ITU.

As Vice-President Gore stated in his earlier address to this Conference, "it would be a great privilege and honour to host you in our nation".

Dr. Tarjanne, the 1994 Plenipotentiary in Kyoto has been a tremendous success for you and the entire ITU community. Japan has been a most gracious and superlative host, and it will be a challenge to live up to the high standards they have set. We look forward to working with you and the staff of the ITU in attempting to meet the challenge.

We are very certain that in the next four years the technological advancements will greatly improve all of our lives.

We hope that the achievements we have seen in human understanding during this Plenipotentiary Conference will continue to flourish over the next four years. We hope that when we meet again the family of ITU will be even further strengthened by bonds of friendship, common commitment and peace.

For those nations that were unable to join us in Kyoto because of misfortune, we hope that they will be able to take their rightful place with us in the United States in 1998. In the spirit of global peace and harmony, we look forward to seeing the entire ITU family in our country in four years.

Mr. Chairman,

In our continuing effort to foster a better understanding between the United States and Japan, we have sought to have a more complete knowledge of your language. Because of your inspired leadership of this Conference we have decided to begin with an English translation of your name.

Mr. Utsumi, as you know, your name contains one of the most sacred principles in American life ... sue me.

In addition, we have uncovered three ancient American translations of your full name Yoshio Utsumi:

- 1) Man who will not work nights and weekends.
- 2) Man who reaches consensus very quickly.
- 3) Man who has red and yellow lights above his head.

However, the United States has now found an even more ancient and meaningful translation to the name Yoshio Utsumi:

- 4) Man who runs a brilliant Plenipotentiary Conference and who brings honour to his country and the entire ITU.

Thank you for a productive and successful Conference.

ANNEX 3

Closing remarks by the Chairman of the Conference

1 Having concluded our entire proceedings, we are now about to close this Kyoto Plenipotentiary Conference.

2 First of all, I would like to thank the delegates from each country and all the other participants for your warm support, which has enabled me to fulfil successfully this honoured position as the Chairman of the Conference.

3 I would also like to express my profound gratitude and respect to the Chairmen and Vice-Chairmen of the committees, working groups and many drafting groups for their dedicated efforts in helping to prepare the conclusions adopted by this Conference.

4 I would like to extend my deep and personal appreciation, in particular, to the members of the Japanese Secretariat. They truly devoted themselves, day and night, to arranging the environment of the Conference in perfect conditions. I would also like to say that I could not have fulfilled my responsibility as Chairman without the enduring support of the Japanese staff for the Chairman.

5 I would like to express our appreciation to Dr. Pekka Tarjanne and to the staff of the ITU Secretariat for their efforts in preparing for and conducting this Plenipotentiary Conference.

6 I also thank the interpreters for accurately translating the discussions throughout the many hours of the Conference.

7 Thanks to everyone's serious participation in the discussions, I believe that this Conference marks the first step towards a new age in which the ITU will come to grips with its changing environment.

8 I would like to briefly go over the accomplishments which I think are most important.

9 Firstly, for the first time in the history of the ITU, we have put together a strategic plan for the Union's activities. I expect all those concerned to take positive actions for achieving our common objectives laid down in this strategic plan.

10 Secondly, we have determined two very important and new directions in the activities of the Union. They are "strengthening the Union's policy functions" and "enhancing participation of private sectors".

The establishment of the World Telecommunication Policy Forum is a clear message to the world of our firm determination to promote the global development of telecommunications.

11 Thirdly, we have unanimously set a ceiling for the budget of the ITU. The Secretary-General has pledged himself to carry out his full responsibility under this ceiling. As you are all aware, the role expected of the ITU continues to expand. Accordingly, it is becoming increasingly important how we utilize the financial resources of the Union effectively. In this regard, his pledge deserves special praise.

12 Fourthly, we are very fortunate to have with us newly elected Directors and Council members. All of them are best qualified to lead respective sectors in meeting such new challenges. On behalf of the entire Conference, I would like to offer once again our congratulations to these persons on their election, and convey our earnest expectations toward their contribution to the Union.

13 As I said in my opening remarks, I was concerned whether the relatively short duration of the Conference might somehow hinder the Conference from proceeding smoothly. The special measures, such as the yellow and red lamps, and the disciplined conduct of proceeding, must have made some delegates uncomfortable. Thanks to your kind cooperation, however, we have managed to work quite efficiently.

14 Some of you may have met my family at the receptions. What surprised them most was to have seen how seriously and strictly I was carrying out my job. Because they had only known me as a gentle, kind and lazy father at home. After seeing me in the Conference, I wish they would become more obedient to me.

15 As I mentioned once during a meeting, when I visited a temple over the weekend, Buddha said to me, "Heaven helps those who work hard and punctually". His words came true. I hope the "Spirit of Kyoto" will be passed on as a message from Kyoto to the future ITU conferences and meetings and prevail as a tradition of the ITU.

I would like to present the clock which was used in this Conference to the ITU as a symbol of the "Spirit of Kyoto".

16 Finally, on behalf of Japan, I would like to express our deep appreciation to everyone for coming all the way to Kyoto to attend this Plenipotentiary Conference.

Thank you very much.



PLENIPOTENTIARY CONFERENCE (PP-94)

Document 317-E
16 November 1994
Original: French

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

REPORT BY COMMITTEE 8 (EDITORIAL COMMITTEE)

After its formal opening meeting, the summary record of which is contained in Document 123, Committee 8 held numerous working meetings between Wednesday, 28 September at 1400 hours and Thursday, 13 October 1994, at 2000 hours.

Committee 8 examined, with a view to improving their form without changing the substance:

- texts transmitted by the Plenary Meeting and its Working Group PL/A and by Committees 3 to 7, for submission to the Plenary Meeting for approval on first reading (Blue Documents B.1 to B.12);
- amendments introduced by the Plenary Meeting on first reading, for submission for second reading (Pink Documents R.1 to R.8);
- amendments introduced by the Plenary Meeting on second reading, for preparation of the "proof" of the Final Acts to be signed at the end of the Conference.

At the twenty-second Plenary Meeting, the Chairman of Committee 8 proposed that, under No. 461 of the Convention (Geneva, 1992), the final numbering of the decisions, resolutions and recommendations adopted by the Conference should also be entrusted to the Secretary-General.

The Chairman and two Vice-Chairmen of Committee 8 will, of course, remain at the Secretary-General's disposal should he require any assistance in this task or on any other editorial matter.



**CONFERENCE DE
PLENIPOTENTIAIRES (PP-94)**

**Document 318-F/E/S
27 October 1994**

KYOTO, 19 SEPTEMBRE - 14 OCTOBRE 1994

**LISTE FINALE DES PARTICIPANTS
FINAL LIST OF PARTICIPANTS
LISTA FINAL DE PARTICIPANTES**

Cette liste comprend les sections suivantes - This list includes the following sections - Esta lista comprende las secciones siguientes:

- I. Administrations - Administrations - Administraciones
- II.1 Nations Unies et ses institutions spécialisées - United Nations and its Specialized Agencies - Naciones Unidas y sus organismos especializados
- II.2 Organisations régionales de télécommunications - Regional Telecommunication Organizations - Organizaciones Regionales de Telecomunicaciones
- II.3 Organisations intergouvernementales exploitant des systèmes à satellites - Intergovernmental organizations operating satellite systems - Organizaciones intergubernamentales que explotan sistemas de satélite
- III. Autres - Others - Otros
- IV. Fonctionnaires élus - Elected Officials - Funcionarios de elección
- V. Secrétariat de la Conférence - Secretariat of the Conference - Secretaría de la Conferencia
- VI. Secrétariat général et Secteurs - General Secretariat and Sectors - Secretaría General y Sectores
- VII. Services de la Conférence - Services of the Conference - Servicios de la Conferencia
- VIII. Autre personnel de l'UIT - Other ITU personnel - Otro personal de la UIT
- IX. Personnel du Japon - Personnel from Japan - Personal de Japón

Symboles utilisés - Symbols used - Símbolos utilizados

- C : Chef de délégation - Head of delegation - Jefe de delegación
- CA : Chef adjoint - Deputy Head - Subjefe
- D : Délégué - Delegate - Delegado
- A : Conseiller - Adviser - Asesor
- O : Observateur - Observer - Observador

LISTE FINALE - FINAL LIST - LISTA FINAL

I. ADMINISTRATIONS - ADMINISTRATIONS - ADMINISTRACIONES

ALG Algérie (République algérienne démocratique et populaire) - Algeria (People's Democratic Republic of) - Argelia (República Argelina Democrática y Popular)

- | | |
|--|--|
| <p>C M. ALLAN Tahar
Ministre des postes et
des télécommunications
Ministère des postes et
des télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 731300/540482
Fax: +213 2 719257</p> | <p>CA S.E. M. DEBAGHA Tahar
Ambassadeur d'Algérie
Ambassade d'Algérie au Japon
2-10-67 Mita 2-Chome
Meguro-ku
153 TOKYO
Tel: +81 3 37112661
Fax: +81 3 37106534</p> |
| <p>CA M. HAMZA Ali
Secrétaire général
Comité interministériel
des télécommunications
Ministère des postes et
des télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 734590/711220
Tlx: 0408 67020
Fax: +213 2 615864</p> | <p>D M. BOUHAFS Tahar
Ministère des postes et des
télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 711515
Fax: +213 2 719257</p> |
| <p>D M. GUEDRA Kerredine
Directeur
Postes et télécommunications
Ministère des postes et des
télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 711220
Fax: +213 2 719257</p> | <p>D M. HOUYOU Abdelmalek
Directeur, Communication
audiovisuelle
Ministère de la communication
Palais de la culture
ALGER
Tel: +213 2 789705
Fax: +213 2 692021</p> |
| <p>D M. IBROUCHENE Saddek
Ministre-Conseiller
Ambassade d'Algérie au Japon
2-10-67 Mita 2-Chome
Meguro-ku
153 TOKYO
Tel: +81 3 37112661
Fax: +81 3 37106534</p> | <p>D M. KARA Slimane
Ministère des postes
et télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 711515
Fax: +213 2 719257</p> |
| <p>D M. KEHILI Ahmed
Conseiller
Cabinet du Ministre
Ministère des postes et
des télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 711220
Fax: +213 2 719210</p> | <p>D M. KICHOU Cherif
Chef de Bureau
Direction des transmissions
nationales
Ministère des postes et
des télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 614642
Fax: +213 2 719257</p> |

ALG Algérie (République algérienne démocratique et populaire) - Algeria (People's Democratic Republic of) - Argelia (República Argelina Democrática y Popular)

D M. ZIOU Djillali
Directeur
Ministère des postes et des
télécommunications
4, Boulevard Belkacem KRIM
16000 ALGER
Tel: +213 2 711220
Fax: +213 2 719257

D Allemagne (République fédérale d') - Germany (Federal Republic of) - Alemania (República Federal de)

C M. PFEFFERMANN Gerhard O.
State Secretary
Federal Ministry of Posts
and Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 145550
Fax: +49 228 146555

CA M. GEORGE Eberhard
Head of Section
Federal Ministry of Posts
and Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 143130
Fax: +49 228 146313

CA M. MOHR Ulrich
Commissioner
International Relations
Federal Ministry of Posts
and Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 142000
Fax: +49 228 146201

D M. ELIAS Dietrich
State Secretary Retired
President of DETECON GmbH
Deutsche Telepost
Consulting GmbH
Subsidiary of the Deutsche
Bundespost Telekom
P.O. Box 260101
D-53153 BONN
Tel: +49 228 817309
Fax: +49 228 817199

D M. GRAF VON WESTPHALEN G.
Head of Section
Federal Ministry of Finance
P.O. Box 1308
D-53003 BONN
Tel: +49 228 6820
Fax: +49 228 6821272

D Mme HOEHN Johanna
Interpreter
Federal Ministry of Posts and
Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 140
Fax: +49 228 146110

D M. LIESER Eckart
Expert
Federal Ministry of Posts and
Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 142011
Fax: +49 228 146201

D M. MÜLLER Karl-Ulrich
Counsellor
Foreign Office
P.O. Box 1148
D-53001 BONN
Tel: +49 228 173755
Fax: +49 228 173785/4202

D M. PLESSE Dietmar
Expert
Federal Ministry of Posts and
Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 142023
Fax: +49 228 146202

D Mme ROTH Heike
Expert
Federal Ministry of Posts and
Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 142015
Fax: +49 228 146201

D Allemagne (République fédérale d') - Germany (Federal Republic of) - Alemania (República Federal de)

D M. STAUDINGER Wilhelm
Head of Department
Deutsche Bundespost TELEKOM
Forschungs/Technologiezentrum
P.O. Box 100003
D-64276 DARMSTADT
Tel: +49 6151 834800
Fax: +49 6151 835800

D Mme TEUFERT-LORENZ Gabriele
Expert
Federal Ministry of Posts and
Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 149162
Fax: +49 228 146110

D M. VOSS Peter
Assistant Head of Section
Federal Ministry of Posts and
Telecommunications
P.O. Box 8001
D-53105 BONN
Tel: +49 228 142038
Fax: +49 228 146203

D M. WICHARDS Friedrich-Heinz
Director
Management Division
Deutsche Bundespost TELEKOM
Generaldirektion
P.O. Box 2000
D-53105 BONN
Tel: +49 228 1819200
Fax: +49 228 1819292

A M. BURMANJER Robert
Administrator
European Commission, DG XIII
200, rue de la Loi
B-1049 BRUXELLES
Tel: +32 2 2968944
Fax: +32 2 2968970

AND Andorre (Principauté d') - Andorra (Principality of) - Andorra (Principado de)

C M. PLA Ramón
Directeur général
Servei de Telecomunicacions
d'Andorra
Av. Meritxell 112
ANDORRA LA VELLA
Tel: +33 628 21021
Tlx: 0510 299 mtg and
Fax: +33 628 60600

C M. RODRIGO Ricard
Responsable des relations
internationales
Servei de Telecomunicacions
d'Andorra
Av. Meritxell 112
ANDORRA LA VELLA
Tel: +33 628 21021
Tlx: 0590 299 mtg and
Fax: +33 628 60600

CA M. JIMENEZ Javier
Directeur technique
Servei de Telecomunicacions
d'Andorra
Av. Meritxell 112
ANDORRA LA VELLA
Tel: +33 628 21021
Tlx: 0590 299 mtg and
Fax: +33 628 60600

AGL Angola (République d') - Angola (Republic of) - Angola (República de)

C M. TAVARES RIBEIRO Licinio
Vice-Minister of
Communications
Ministry of Transport and
Communications (MINTEC)
Av. 4 de Fevereiro No. 42
Marginal
LUANDA
Tel: +244 2 337777
Tlx: 2146 mintrans
Fax: +244 2 337628

CA M. MARQUES DE FARIA Virgilio
Consellor
Ministry of Foreign Affairs
LUANDA
Tel: +244 2 320569/322430
Fax: +244 2 393082

AGL Angola (République d') - Angola (Republic of) - Angola (República de)

D M. BENGE Antonio P.
Head, International Relations
National Directorate of Posts
and Telecommunications
Rua Frederich Engels
No. 92 - 7 Andar
LUANDA
Tel: +244 2 338352
Tlx: 3385 mintec/an
Fax: +244 2 339356

D M. M'PETECO N'VOVI Antwala
Senior Technic
Ministry of Transport and
Communications (MINTEC)
Av. 4 de Fevereiro No. 42
Marginal
LUANDA
Tel: +2442337777/+33145015820
Tlx: 2146 mintrans
Fax: +244 2 337628

D M. PEDRO Joaquim
Public Relations
Ministry of Transports and
Communications (MINTEC)
Av. 4 de Fevereiro No.42
Marginal
LUANDA
Tel: +244 2 337777
Tlx: 2146 mintrans
Fax: +33 11 40070405

ARS Arabie saoudite (Royaume d') - Saudi Arabia (Kingdom of) - Arabia Saudita (Reino de)

C M. MULLA Mohamed J.
Deputy Minister
Telegraph Affairs
Ministry of Post, Telegraph
and Telephone
RIYADH 11112
Tel: +966 1 4637700
Tlx: 0495 401220 ptt sj
Fax: +966 1 4032048

C M. AL-BASHEER Sami S.
Director-General
International Relations
Ministry of Post, Telegraph
and Telephone
RIYADH 11112
Tel: +966 1 4637100/4057701
Tlx: 0495 401220 ptt sj
Fax: +966 1 4032048

D M. AL-SHANKITI Habeeb K.
Director General
Radio Frequency Spectrum
Ministry of Post, Telegraph
and Telephone
RIYADH 11112
Tel: +996 1 4531033/4550088
Tlx: 0495 408003 rspttr sj
Fax: +9961 4531399/4531289

ARG Argentine (République) - Argentine Republic - Argentina (República)

C M. COLOME Rinaldo A.
Subsecretario
Subsecretaría de
Comunicaciones
Perú 103, Piso 19
BUENOS AIRES
Tel: +54 1 7434970/4129645
Fax: +54 1 3433182

CA M. KILLIAN Carlos
Director
Comisión Nacional
de Telecomunicaciones
Perú 103
BUENOS AIRES
Tel: +54 1 3430075/3439219
Fax: +54 1 3344935

ARG Argentine (République) - Argentine Republic - Argentina (República)

D · Mme CORDOBA Paula
Jefe, Departamento Relaciones
Internacionales
Comisión Nacional de
Telecomunicaciones
Perú 103, Piso 9
BUENOS AIRES
Tel: +54 1 3340048
Fax: +54 1 3346204

D Mme GONZALEZ DE SHIN Alba
Secretario de Embajada
Embajada de Argentina en Japón
2-14-14 Moto Azabu
Minato-ku
106 TOKYO
Tel: +81 3 54207101/05
Fax: +81 3 54207109

D M. NAZAR Guillermo E.
Asesor de Gabinete
Subsecretaría de
Comunicaciones
Perú 103, Piso 19
BUENOS AIRES
Tel: +54 1 7434970
Fax: +54 1 3433182

A Mme BEIN Liliana N.
Experta Legal en
Telecomunicaciones
Arbitration Tribunal of
INTELSAT
Samiento 643, 4º piso
Oficina 430/435
BUENOS AIRES
Tel: +54 1 4129645/5845548
Fax: +54 1 3180184/3129210

A M. GABELLONI Eduardo
Gerente
Telefónica de Argentina S.A.
701, Avenida de Mayo
Piso 23
1083 BUENOS AIRES
Tel: +54 1 5534478/3287741
Fax: +54 1 3262821

A M. MARTINEZ Oscar A.
Diputado
Cámara de Diputados
4 de enero y Gral Lopez
SANTA FE
Tel: +54 1 9035153/4265021

D M. GONZALEZ Oscar M.
Secretario General
Adjunto
Comisión Nacional de
Telecomunicaciones
Perú 103, Piso 5
C.P. 1127
BUENOS AIRES
Tel: +54 1 3121934/0623
Fax: +54 1 3316857

D M. KATSUDA Eduardo A.
Asesor de Gabinete
Subsecretaría de
Comunicaciones
Perú 103, Piso 19
BUENOS AIRES
Tel: +54 1 3144020/3139661
Fax: +54 1 3433182

D M. VON KESSELSTATT Maximiliano M.
Asesor Asuntos Internacionales
Subsecretaría de
Comunicaciones
Perú 103, Piso 19
BUENOS AIRES
Tel: +54 1 694932
Fax: +54 1 3433182

A M. FERNANDEZ Eugenio
Especialista Coordinación
Organismos Internacionales
Telecom Argentina
498, avenida del Libertador
Piso 25
1001 BUENOS AIRES
Tel: +54 1 8232209
Fax: +54 1 9684272

A M. KUSTRA Ruben O.
Telecom Argentina
498, avenida del Libertador
Piso 27
1001 BUENOS AIRES
Tel: +54 1 361 8871
Fax: +54 1 9633595

AUS Australie - Australia - Australia

C M. HUTCHINSON Michael J.
Deputy Secretary
Communications
Department of Communications
and the Arts
GPO Box 2154
CANBERRA A.C.T. 2601
Tel: +61 6 2791872/1542/1894
Fax: +61 6 2791850

CA M. HENDERSON William James
Counsellor
Transport and Communications
Australian Embassy
1601, Massachusetts Area N.W.
WASHINGTON DC 20036
Tel: +61 6 2791894/1872/1542
Fax: +61 6 2791850

D M. HOOD David R.
Executive Officer
United Nations Social Section
PARKES A.C.T. 2600
Tel: +61 6 2612896
Fax: +61 6 2612272

D M. SCOTT Robert D.
Assistant Director
Department of Communications
and the Arts
GPO Box 2154
CANBERRA A.C.T. 2601
Tel: +61 6 2791847/1894/1873
Fax: +61 6 2791850

CA Mme GOODE Christine M.
Spectrum Manager
Spectrum Management Agency
P.O. Box 78
BELCONNEN A.C.T. 2616
Tel: +61 6 2565220/5276
Fax: +61 6 2565200/5256

CA M. HORTON Bob
Member
Australian Telecommunications
Authority (AUSTEL)
P.O. Box 7443
St. Kilda Road
MELBOURNE VIC. 3004
Tel: +61 3 8287302
Fax: +61 3 8203021

D M. OLIVER Colin L.
Director
ITU Policy
Department of Communications
and the Arts
GPO Box 2154
CANBERRA A.C.T. 2601
Tel: +61 6 2791847/1894/1873
Fax: +61 6 2791850

A M. HUGHES John G.
Manager
Cable Arrangements and
International Organizations
Telstra Corporation Ltd
231, Elizabeth Street
SYDNEY N.S.W. 2000
Tel: +61 2 2875000
Tlx: 071 120591 aa
Fax: +61 2 2875617

AUT Autriche - Austria - Austria

C M. STRATIL Alfred
Director
Federal Ministry for Public
Economy and Transport
Section IV/JD
Kelsenstrasse 7
A-1103 WIEN
Tel: +43 1 79731/4100
Fax: +43 1 79731/4109

CA M. BAYER Josef
Ministerialrat
Federal Ministry for Public
Economy and Transport
Section III/25
Postgasse 8
A-1011 WIEN
Tel: +43 1 51551/2500
Tlx: 047 112300 gent a
Fax: +43 1 5337642

AUT Autriche - Austria - Austria

CA M. KUDRNA Walter
Director
Ministerialrat
Federal Ministry for Public
Economy and Transport
Section III/24
Postgasse 8
A-1011 WIEN
Tel: +43 1 51551/2400
Tlx: 047 112300 gent a
Fax: +43 1 5355757

D S.E. M. SCHMID Erich M.
Ambassador of Austria
Embassy of Austria in Japan
1-1-20 Moto Azabu
Minato-ku
106 TOKYO
Tel: +81 3 34518281/2
Fax: +81 3 34518282

D M. GÜNTHER Harold
First Secretary
Embassy of Austria in Japan
1-1-20 Moto Azabu
Minato-ku
106 TOKYO
Tel: +81 3 34518281/2
Tlx: 47/1371
Fax: +81 3 34518383

BAH Bahamas (Commonwealth des) - Bahamas (Commonwealth of the) - Bahamas (Commonwealth de las)

C M. RUSSELL Barrett A.
General Manager
Bahamas Telecommunications
Corporation
P.O. Box 3048
NASSAU
Tel: +1 809 3234911
Tlx: 0297 20135 batelco
Fax: +1 809 3267474

D M. ALBURY Keith
Corporate Board Member
Bahamas Telecommunications
Corporation
P.O. Box 3048
NASSAU
Tel: +1 809 3223032
Tlx: 0297 20135 batelco
Fax: +1 809 3267474

CA M. BETHEL Leander A.
Assistant General Manager
Network Services
Bahamas Telecommunications
Corporation
P.O. Box 3048
NASSAU
Tel: +1 809 3257107/3234911
Tlx: 0297 20135 batelco
Fax: +1 809 3267474

D M. HALKITIS J. Andrew
Staff Engineer
Bahamas Telecommunications
Corporation
P.O. Box 3048
NASSAU
Tel: +1 809 3235799
Tlx: 0297 20135 batelco
Fax: +1 809 3267474

BHR Bahreïn (Etat de) - Bahrain (State of) - Bahrein (Estado de)

C M. AL-KHALIFA Ali B.K.
Minister of Transportation
Ministry of Transportation
P.O. Box 10325
MANAMA
Tel: +973 535200
Tlx: 0490 8989
Fax: +973 537537

C M. AL-SATEEH Abdul S.
Head, Telecommunications
Engineering
Telecommunications Office
Ministry of Transportation
P.O. Box 11170
MANAMA
Tel: +973412412/681212/403351
Tlx: 0490 7184 cotcom bn
Fax: +973 533544

BHR Bahrein (Etat de) - Bahrain (State of) - Bahrein (Estado de)

- | | |
|---|---|
| <p>C M. ASHOOR Rasheed J.
Chief
Telecommunications Office
Ministry of Transportation
P.O. Box 11170
MANAMA
Tel: +973 631631 / 631106
Tlx: 0490 7184 cotcom bn
Fax: +973 533544</p> <p>D M. AL-SABBAGH Ghassan E.
Manager
Minister's Office
Ministry of Transportation
P.O. Box 10325
MANAMA
Tel: +973 535200/631631
Tlx: 0490 8989
Fax: +973 537537</p> | <p>CA M. GHAZWAN Jameel J.
Telecommunications Engineer
Telecommunications Office
Ministry of Transportation
P.O. Box 11170
MANAMA
Tel: +973 641903 /700074
Tlx: 0490 7184 cotcom bn
Fax: +973 533544</p> <p>D M. MAJED Sayed H.M.
Development Engineer
Telecommunications Office
Ministry of Transportation
P.O. Box 11170
MANAMA
Tel: +973 642474 / 884447
Tlx: 0490 7184 cotcom bn
Fax: +973 884004</p> |
|---|---|

BGD Bangladesh (République populaire du) - Bangladesh (People's Republic of) - Bangladesh (República Popular de)

- | | |
|--|--|
| <p>C M. AMM Shawkat Ali
Permanent Secretary
Ministry of Posts &
Telecommunications
DHAKA
Tel: +880 2 862800
Fax: +880 2 862800</p> <p>D M. HANNAN Mazhar-Ul
Director
Bangladesh Telegraph and
Telephone Board
36/1 Mymensingh Road
1000 DHAKA
Tel: +880 2 832266
Tlx: 0780 632020
Fax: +880 2 866602</p> <p>D M. QADER Akramul
Director General
Ministry of Foreign Affairs
DHAKA
Tel: +880 2 867003
Fax: +880 2 863364</p> | <p>CA S.E. M. AHMED Rashed
Ambassador of Bangladesh
Embassy of Bangladesh in Japan
2-7-45 Shirogane
Minato-ku
108 TOKYO
Tel: +81 3 34421501/2</p> <p>D M. MUSTAKIM S.A.L.M.
Minister
Embassy of Bangladesh in Japan
2-7-45 Shirogane
Minato-ku
108 TOKYO
Tel: +81 3 34421501/2
Fax: +81 3 34473676</p> <p>D M. RAHMAN Fazlur
Chairman
Bangladesh Telegraph and
Telephone Board
36/1 Mymensingh Road
1000 DHAKA
Tel: +880 2 831500
Tlx: 0780 642020 bttb bj
Fax: +880 2 832577</p> |
|--|--|

BRB Barbade - Barbados - Barbados

- C M. GODDARD Phillip C.
Minister of Foreign Affairs
International Business and
Foreign Trade
Ministry of Foreign Affairs
1 Culloden Road
ST. MICHAEL
Tel: +1 809 4362990
Tlx: 0392 2222 foreign wb
Fax: +1 809 4373794
- A M. YEARWOOD Vince
General Manager
Barbados External
Telecommunications
ST. MICHAEL
Tel: +1 809 4316200
Fax: +1 809 4292309

- CA Mlle WILTSHIRE-FORD Jacqueline
Senior Administrative Officer
International Business and
Foreign Trade
Ministry of Foreign Affairs
1 Culloden Road
ST. MICHAEL
Tel: +1 809 4367477
Tlx: 0392 2222 foreign wb
Fax: +1 809 4373794

BLR Bélarus (République du) - Belarus (Republic of) - Belarús (República de)

- C M. VALASHCHUK Vasil
First Deputy Minister
Ministry of Posts,
Telecommunications and
Informatics
10, F. Skarina Avenue
220050 MINSK
Tel: +7 0172 260004
Fax: +7 0172 260848
- D M. GARSHYN Igar
Head, International
Relations Department
Ministry of Posts,
Telecommunications and
Informatics
10, F. Skarina Avenue
220050 MINSK
Tel: +7 0172 273162
Tlx: 252964 ptb by
Fax: +7 0172 260848
- D M. BARUSHKA Rygor
Attaché
Ministry of Foreign Affairs
19, Lenina Street
220030 MINSK
Tel: +7 0172 768705
Fax: +7 0172 274521
- D M. MOLOTCHKO Mikhail
Deputy Head of Department
Cabinet of Ministers
Government Building
220010 MINSK
Tel: +7 0172 296784
Fax: +7 0172 260848

BEL Belgique - Belgium - Bélgica

- C M. DENEFF Georges
Directeur général
Institut belge des services
postaux et des
télécommunications
14, avenue de l'Astronomie B21
B-1030 BRUXELLES
Tel: +32 2 2077777
Fax: +32 2 2077888
- C M. VAN HEESVELDE Eric
Administrateur général
Institut belge des services
postaux et des
télécommunications
14, avenue de l'Astronomie B21
B-1030 BRUXELLES
Tel: +32 2 2077777
Fax: +32 2 2077888

BEL Belgique - Belgium - Bélgica

D M. GONY M.G.
Inspecteur-Conseiller général
BELGACOM
Affaires internationales
151, boulevard E. Jacqmain
B-1210 BRUXELLES
Tel: +32 2 2028343
Tlx: 046 29154 gentl b
Fax: +32 2 2188209

D M. POUILLON Guido
Conseiller
Institut belge des services
postaux et des
télécommunications
14, avenue de l'Astronomie B21
B-1030 BRUXELLES
Tel: +32 2 2077777
Fax: +32 2 2077888

D M. LAMBOTTE Jean-Paul
Ingénieur-Conseiller général
BELGACOM
151, boulevard E. Jacqmain
B-1210 BRUXELLES
Tel: +32 2 2028343
Tlx: 046 29154 gentl b
Fax: +32 2 2188209

D M. VAN GOMPEL Luc P.M.
General Manager
Betelcom
166, E. Jacqmainlaan
B-1210 BRUXELLES
Tel: +32 2 2183737
Tlx: 046 20950
Fax: +32 2 2230546

BLZ Belize - Belize - Belice

Représenté par le Guyana

BEN Bénin (République du) - Benin (Republic of) - Benin (República de)

C M. FRANCISCO Marius
Ministre de la culture
et des communications
Ministère de la culture
et des communications
B.P. 120
COTONOU
Tel: +229 315729
Fax: +229 315931

CA M. AGNAN Barthélémy
Directeur général
Office des postes et
des télécommunications (OPT)
B.P. 5959
COTONOU
Tel: +229 315566/312045
Tlx: 09725206 ofipostel ctnou
Fax: +229 313843

D M. VIGNON Honoré
Directeur général adjoint
Office des postes et
des télécommunications (OPT)
B.P. 5959
COTONOU
Tel: +229 300570/312045
Tlx: 09725206 ofipostel ctnou
Fax: +229 313843

C M. SEIDOU Amadou
Directeur
Politique des postes et
des télécommunications
Ministère de la culture et
des communications
B.P. 120
COTONOU
Tel: +229 312227/312045
Fax: +229 315931

CA M. BACHABI Flavien
Directeur
Télécommunications
Office des postes et
des télécommunications (OPT)
B.P. 5959
COTONOU
Tel: +229 314735/312045
Tlx: 09725206 ofipostel ctnou
Fax: +229 314942/313843

BTN Bhoutan (Royaume du) - Bhutan (Kingdom of) - Bhután (Reino de)

C M. DORJI Leki L.
Deputy Minister
Ministry of Communications
Tashichho Dzong
THIMPHU
Tel: +975 2 22218/24359/24360
Tlx: 233 mincomtphu bt
Fax: +975 2 23144

D M. DORJI Tshering
Director
Division of Telecommunications
Ministry of Communications
Tashichho Dzong
THIMPHU
Tel: +975 2 22678
Tlx: 890 200 tlx tpu bt
Fax: +975 2 23041

BOL Bolivie (République de) - Bolivia (Republic of) - Bolivia (República de)

C M. CAMPERO PAZ Raul J.
Director General de
Telecomunicaciones
Dirección General de
Telecomunicaciones
Av. Mcal Santa Cruz
Palacio de Comunicaciones
LA PAZ
Tel: +591 2 369674
Fax: +591 2 392924

BIH Bosnie-Herzégovine (République de) - Bosnia and Herzegovina (Republic of) - Bosnia y Herzegovina (República de)

C M. MUSIC Osman
First Secretary
Embassy of Bosnia and
Herzegovina in Pakistan
ISLAMABAD
Tel: +92 51 261003
Fax: +92 51 261004

BOT Botswana (République du) - Botswana (Republic of) - Botswana (República de)

C M. LIONJANGA Armando
Permanent Secretary
Ministry of Works, Transport
and Communications
Private Bag 007
GABORONE
Tel: +267 358504
Fax: +267 313303

CA M. GABORONE Olebile
Chief Executive
Botswana Telecommunic. Corp.
P.O. Box 700
GABORONE
Tel: +267 358304
Fax: +267 375195

B Brésil (République fédérative du) - Brazil (Federative Republic of) - Brasil (República Federativa del)

C M. CHEHAB Lourenço N.
Secretary of Frequency
Administration
Ministry of Communications
Esplanada dos Ministérios
Bloco R, Anexo B, Sala 300
70044-900 BRASILIA DF
Tel: +55 61 2244564
Fax: +55 61 2244749

C M. JARDIM FILHO Jorge M.
Executive Secretary
Ministry of Communications
Esplanada dos Ministérios
Bloco R, Anexo B, Sala 815
70044-900 BRASILIA DF
Tel: +55 61 2261820/2266846
Fax: +55 61 3210024

B Brésil (République fédérative du) - Brazil (Federative Republic of) - Brasil (República Federativa del)

- | | |
|---|---|
| <p>CA M. SA Ronaldo R.A.
Director
Frequency Management
Ministry of Communications
Esplanada dos Ministérios
Bloco R, Anexo B, Sala 303
70044-900 BRASILIA DF
Tel: +55 61 2186630
Fax: +55 61 2244749</p> <p>D Mme CARVALHO Maria-Luiza
Interpreter - Advisor
Ministry of Communications
Esplanada dos Ministérios
Bloco R, Anexo B
70044-900 BRASILIA DF
Tel: +55 61 2152120</p> <p>A M. JARDIM-NETO Jorge
Assistant
Ministry of Communications
Esplanada dos Ministérios
Bloco R, Anexo B
70044-900 BRASILIA DF
Tel: +55 61 2186310
Fax: +55 61 3210024</p> | <p>D M. ALBERNAZ Joao C.F.
Director
Spectrum Planning and
Engineering
Ministry of Communications
Esplanada dos Ministérios
Bloco R, Anexo B, Sala 301
70044-900 BRASILIA DF
Tel: +55 61 9835178
Fax: +55 61 2244749</p> <p>D M. SAPHA Flavio M.
Minister Counsellor
Ministry of Foreign Affairs
Tel: +55 61 3215277</p> <p>A M. MIRANDA Roberto
Vice-President
Telebras
Telecomunicações Brasileiras
S/A
SAS BI E - 9º Fl.
70313-900 BRASILIA DF
Tel: +55 61 2152265
Fax: +55 61 2152783</p> |
|---|---|

BRU Brunéi Darussalam - Brunei Darussalam - Brunei Darussalam

- | | |
|---|---|
| <p>C M. MALAI HJ OTHMAN Dato P.
Permanent Secretary
Ministry of Communications
2051, Old Airport Berakas
BANDAR SERI BEGAWAN
Tel: +673 2 242526
Tlx: 0809 jtbhq bu 2682
Fax: +673 2 239966</p> <p>CA M. OSMAN Buntar
Deputy Director
Jabatan Telekom Brunei (JTB)
Ministry of Communications
2051, Old Airport Berakas
BANDAR SERI BEGAWAN
Tel: +673 2 242324
Tlx: 0809 jtbhq bu 2277
Fax: +673 2 220445</p> <p>D Mme PG HJ ABD MOMIN Pg Hj M.
Special Duties Officer
Ministry of Communications
2051, Old Airport Berakas
BANDAR SERI BEGAWAN
Tel: +673 2 242526
Tlx: 0809 jtbhq bu 2682
Fax: +673 2 239966</p> | <p>CA M. HJ ISMAIL Hj Marsad
Senior Telecom Engineer
Jabatan Telekom Brunei (JTB)
Ministry of Communications
2051, Old Airport Berakas
BANDAR SERI BEGAWAN
Tel: +673 2 242324
Tlx: 0809 jtbhq bu 2080
Fax: +673 2 243300</p> <p>D M. HAJI MUSTAFA Haji R.
First Secretary
Embassy of Brunei Darussalam
6-5-2 Kita-Shinagawa,
Shinagawa-ku
141 TOKYO
Tel: +81 3 34437321/2</p> <p>D M. PG HJ ABD RAZAK Pg Hj Mohd Z.
Acting Senior Telecom Engineer
Jabatan Telekom Brunei (JTB)
Ministry of Communications
2051, Old Airport Berakas
BANDAR SERI BEGAWAN
Tel: +673 2 242324
Tlx: 0809 jtbhq bu 2277
Fax: +673 2 235585</p> |
|---|---|

BUL Bulgarie (République de) - Bulgaria (Republic of) - Bulgaria (República de)

C M. MARKOV Venko
Minister of Posts and
Telecommunications
President p.i.
Committee of Posts and
Telecommunications
6, Gourko Street
1000 SOFIA
Tel: +359 2 889705
Tlx: 067 22846 gentel bg
Fax: +359 2 803871

C M. MIRSKI Krastju
Vice-President
Committee of Posts and
Telecommunications
6, Gourko Street
1000 SOFIA
Tel: +359 2 889705
Tlx: 067 22846 gentel bg
Fax: +359 2 803871/876115

CA M. DICOV Nicolas
Head, International
Relations Department
Committee of Posts and
Telecommunications
6, Gourko Street
1000 SOFIA
Tel: +359 2 889705
Tlx: 067 22846 gentel bg
Fax: +359 2 803871/876115

D M. BORISSOV Kalin
First Secretary
Permanent Mission of Bulgaria
in Geneva
16, chemin des Crêts-de-Pregny
CH-1218 GRAND-SACONNEX
Tel: +41 22 7980300
Fax: +41 22 7980302

D Mlle DANOVSKA Lina
Senior Expert
Telecommunications Policy
Committee of Posts and
Telecommunications
6, Gourko Street
1000 SOFIA
Tel: +359 2 889705
Tlx: 067 22846 gentel bg
Fax: +359 2 803871/876115

BFA Burkina Faso - Burkina Faso - Burkina Faso

C M. SANOU Brahim
Directeur des études et
de la planification
Office national des
télécommunications (ONATEL)
B.P. 10000
01 OUAGADOUGOU
Tel: +226 311389/307608
Tlx: 0978 5200 bf
Fax: +226 310764

C M. THIOMBIANO T. Justin
Directeur général
Office national des
télécommunications (ONATEL)
B.P. 10000
01 OUAGADOUGOU
Tel: +226 336476
Tlx: 0978 5200 bf
Fax: +226 310331

CA M. BONKOUNGOU Zouli
Directeur de la production
Office national des
télécommunications (ONATEL)
B.P. 10000
01 OUAGADOUGOU
Tel: +226 307767
Tlx: 0978 5200 bf
Fax: +226 310764

CA S.E. M. OUEDRAOGO Raymond E.
Ambassadeur extraordinaire
et plénipotentiaire
Ambassade du Burkina Faso
pour le Japon
52, Dong 6 Jie,
San Li Tun
BEIJING
Tel: +86 1 5322550

BDI Burundi (République du) - Burundi (Republic of) - Burundi (República de)

- | | |
|---|--|
| <p>C S.E. M. NDIHOKUBWAYO Gabriel
Ambassadeur du Burundi
Ambassade du Burundi au Japon
6-5-3 Kitashinagawa,
Shinagawa-ku
141 TOKYO
Tel: +81 3 34437321/2</p> <p>D M. NIYOKINDI Fiacre
Conseiller du
Directeur général
Office national des
télécommunications (ONATEL)
B.P. 60
BUJUMBURA
Tel: +257 22 3196
Fax: +257 22 6900</p> | <p>CA M. NGENDABANKA Ferdinand
Directeur général
Office national des
télécommunications (ONATEL)
B.P. 60
BUJUMBURA
Tel: +257 22 3196/6143
Fax: +257 22 6917</p> |
|---|--|

CBG Cambodge (Royaume du) - Cambodia (Kingdom of) - Camboya (Reino de)

- C** M. KHUN So
Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
PHNOM PENH
Tel: +855 23 26993
Fax: +855 23 26692/26011

CME Cameroun (République du) - Cameroon (Republic of) - Camerún (República de)

- | | |
|--|---|
| <p>C M. DAISSALA Dakole
Ministre des postes et des
télécommunications
Ministère des postes et des
télécommunications
YAOUNDE
Tel: +237 230615
Tlx: 0970 minpostel 8582 kn
Fax: +237 233159</p> <p>CA M. DJOUAKA Henri
Directeur général adjoint
Société des télécommunications
internationales (INTELCAM)
B.P. 1571
YAOUNDE
Tel: +237 23 2292/3434/2726
Tlx: 0970 intelcam 8320 kn
Fax: +237 23 0303</p> <p>CA M. MBAYU Felix
Chargé d'Affaires
Ambassade du Cameroun au Japon
3-27-16 Nozawa
Setagaya-ku
150 TOKYO
Tel: +81 3 54304381</p> | <p>CA M. BISSECK Hervé G.
Directeur de l'exploitation
Société des télécommunications
internationales (INTELCAM)
B.P. 1571
YAOUNDE
Tel: +237 203960/234065
Tlx: 0970 intelcam 8320 kn
Fax: +237 230303</p> <p>CA M. KAMDEM-KAMGA Emmanuel
Inspecteur général des postes
et des télécommunications
Ministère des postes et des
télécommunications
YAOUNDE
Tel: +237 21 1453/3064
Fax: +237 23 2693</p> <p>D M. ANGOULA Dieudonné
Directeur adjoint des
télécommunications
Ministère des postes et des
télécommunications
YAOUNDE
Tel: +237 23 3981/21 1581
Fax: +237 23 4300</p> |
|--|---|

CME Cameroun (République du) - Cameroon (Republic of) - Camerún (República de)

D M. MAGA Richard
Directeur Centre d'études
des télécommunications
Ministère des postes et des
télécommunications
YAOUNDE
Tel: +237223944/313701/232063
Tlx: 0970 minpostel 8448 kn
Fax: +237 23 1663

D M. TALLAH William
Conseiller technique
Ministère des postes et des
télécommunications
YAOUNDE
Tel: +237 21 1400
Fax: +237 23 2693

A M. WANMI François
Directeur des
télécommunications
Ministère des
télécommunications
YAOUNDE
Tel: +237223550/230983/231416
Tlx: 0970 minpostel 8480 kn
Fax: +237 23 1510

CAN Canada - Canada - Canadá

C M. BINDER Michael
Assistant Deputy Minister
Spectrum Information,
Technologies and
Telecommunications
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904240
Tlx: 021 0533342 comtel
Fax: +1 613 9521231

C M. LYRETTE Jacques
Président, Comm. Research
Centre and Centre for Inform.
Technologies Innovation
Communications Research Centre
3701 Carling Avenue
OTTAWA, ONTARIO K2H 8S2

CA M. GAGNÉ Pierre
Director, International
Telecommunications
Policy Branch
Int'l Telecommunications
Division
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904240
Tlx: 021 0533342 comtel ott
Fax: +1 613 9984530

CA M. JONES Robert W.
Director General
Radio Regulatory Branch
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904240
Tlx: 021 0533342 comtel ott
Fax: +1 613 9521231

D M. CAMPBELL Edward R.
Director
Frequency Spectrum Management
Department of Defence
National Defence Headquarters
(DFSM)
MGen George R. Pearkes Bldg
OTTAWA, ONTARIO K1A 0K2

D Ms DORAN Janis
Head, Multilateral
Telecommunications
Telecommunications
Policy Branch
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904240
Tlx: 021 0533342 comtel ott
Fax: +1 613 9521231

CAN Canada - Canada - Canadá

D M. GRACIE Bruce A.
Head, International
Radiocommunications and
Standardization Activities
Telecommunications
Policy Branch
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904240
Tlx: 021 0533342 comtel ott
Fax: +1 613 9521231

D M. ZEITOUN Tony
Director
Technology Development
Canadian International
Development Agency (CIDA)
200 Promenade du Portage
HULL, QUEBEC KIA 0G4

A M. DEROME Pierre
Managing Director and
Chief Executive Officer
Telecommunications Executive
Management Institute
550, Sherbrooke St.
West Suite 471
MONTREAL, QUEBEC H3A 1B9

A M. WARREN Gabriel
Advisor
Former Chairman
ITU High Level Committee
Int'l Telecommunications
Division
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904240
Tlx: 021 0533342 comtel ott
Fax: +1 613 9521231

D Mlle SARSFIELD Mary
Branch Administrator
Radio Regulatory Branch
Industry Canada
300, Slater Street
OTTAWA, ONTARIO K1A 0C8
Tel: +1 613 9904817
Tlx: 021 0533342 comtel ott
Fax: +1 613 9521231

A M. BRETT Robert F.
Senior Consultant
Dept 6200/242CA
Bell-Northern Research
P.O. Box 3511, Station C
OTTAWA, ONTARIO K1Y 4H7
Tel: +1 613 7637580
Tlx: 021 0533175 bnr ott
Fax: +1 613 7632697

A M. ISRAEL Michael
Director
Multilateral Relations
Teleglobe Canada
1000, de la Gauchetière
Street West
MONTREAL, QUEBEC H3B 4X5
Tel: +1 514 8687000
Tlx: 021 9227 admmail ca
Fax: +1 514 8687002

CPV Cap-Vert (République du) - Cape Verde (Republic of) - Cabo Verde (República de)

C M. DE SOUSA LOBO Antonio P.
Directeur général
des communications
Direcção geral das
Comunicações
P.O. Box 7
PRAIA
Tel: +238 61 5451
Fax: +238 61 3069

D M. LEITE Carlos N.
Directeur régional
Empresa dos Correios e
Telecomunicações
P.O. Box 220
PRAIA
Tel: +238 61 3126
Tlx: 0993 6087 publico cv
Fax: +238 61 4226

CPV Cap-Vert (République du) - Cape Verde (Republic of) - Cabo Verde (República de)

D Mme SAGNA Margarida
Assistante
Empresa dos Correios e
Telecomunicações
P.O. Box 220
PRAIA
Tel: +238 61 3667
Fax: +238 61 3725

CAF Centrafricaine (République) - Central African Republic - Centrafricana (República)

C M. TCHENDO Joseph Vermond
Ministre de la Communication,
des postes et
télécommunications
Ministère de la Communication,
des postes et
télécommunications
BANGUI
Tel: +236 61 2766/7733
Fax: +236 61 5985

CA M. BOYKOTA-ZOUKETIA Joseph
Directeur général
Société centrafricaine de
télécommunications
(SOCATEL)
P.B. 939
BANGUI
Tel: +236 61 5050/4268
Fax: +236 61 7167

D M. MANGA MABADA Philippe
Directeur
Etudes, Planification et
Relations internationales
Société centrafricaine de
télécommunications
(SOCATEL)
B.P. 939
BANGUI
Tel: +236 61 5050/5940
Tlx: 0971 5245 rc
Fax: +236 61 7167/2522

CHL Chili - Chile - Chile

C Mlle CUEVAS M. Eliana
First Secretary
Embassy of Chile in Japan
Nihon Seinei Akabane-Bashi Bld
3-1-14 Shiba, Minato-ku
105 TOKYO
Tel: +81 3 34527562
Fax: +81 3 37694156

CHN Chine (République populaire de) - China (People's Republic of) - China (República Popular de)

C M. WU Jichuan
Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 6020540
Tlx: 085 222187 pt dex cn
Fax: +86 1 6011370

CA M. ZHAO Xintong
Director General,
Department of External Affairs
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 6020618/6011365
Tlx: 085 222187 pt dex cn
Fax: +86 1 6011370

CHN Chine (République populaire de) - China (People's Republic of) - China (República Popular de)

- | | |
|--|--|
| <p>D M. DAI Tao
Officer, Division of
Int'l Telecommunication
Organizations
Department of External Affairs
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 6014670/2029221
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011370</p> | <p>D M. HAN Songlin
Director, International
Telecommunications Division
Directorate-General of
Telecommunications
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 6017977/6013914
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011250</p> |
| <p>D M. QU Wenchu
Director, Division of
Int'l Telecommunication
Organizations
Department of External Affairs
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 6021330/8099456
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011370</p> | <p>D Mme WANG Yurong
Deputy Director, Division of
Int'l Telecommunication
Organizations
Department of External Affairs
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 8533663/5124384
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011370</p> |
| <p>D M. WANG Baochang
Division Chief
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 6037609/6073930
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011370</p> | <p>D M. XIE Weihong
Officer, Division of
Int'l Telecommunication
Organizations
Department of External Affairs
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 5132344
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011370</p> |
| <p>D M. XU Nanshan
Deputy Chief of Division
Foreign Exchange and External
Finance Department
Ministry of Finance
Shichang Shan Li He
BEIJING
Tel: +86 1 8523826</p> | <p>D M. YU Pengcheng
Councillor
Department of International
Organizations and Conferences
Ministry of Foreign Affairs
Shichang, Shan Li He
BEIJING
Tel: +86 1 5135566/6011122
Fax: +86 1 5130368</p> |
| <p>D M. ZHU Sanbao
Deputy Director-General
Radio Regulatory Department
Ministry of Posts and
Telecommunications
13, West Chang An Avenue
100804 BEIJING
Tel: +86 1 8531020/8531026
Tlx: 085 222187 ptdex cn
Fax: +86 1 6011250</p> | |

CYP Chypre (République de) - Cyprus (Republic of) - Chipre (República de)

- | | |
|---|---|
| <p>C M. ADAMIDES Adamos
Minister of Communications
and Works
Ministry of Communications
and Works
NICOSIA
Tel: +357 2 302199/474305
Tlx: 0605 3678 mincom cy
Fax: +357 2 441022/465462</p> | <p>CA M. CHRISTODOULIDES Kyriakos
Manager
Commercial Services
Cyprus Telecommunications
Authority
Telecommunications Street
P.O. Box 4929
142 NICOSIA
Tel: +357 2 310359
Tlx: 0605 3288 cyta adm cy
Fax: +357 2 494940</p> |
| <p>CA M. KRITIOTIS Adam
Assistant General Manager
Cyprus Telecommunications
Authority
Telecommunications Street
P.O. Box 4929
142 NICOSIA
Tel: +357 2 310660
Tlx: 0605 3288 cyta adm cy
Fax: +357 2 494940</p> | <p>CA M. SAVVIDES Lazaros S.
Senior Telecommunications
Officer
Ministry of Communications
and Works
NICOSIA
Tel: 3572302268/310296/310359
Tlx: 0605 3678 mincom cy
Fax: +357 2 360578/465462</p> |
| <p>CA M. ZIVANARIS Michalakis
Chairman of Board
Cyprus Telecommunications
Authority
Telecommunications Street
P.O. Box 4929
142 NICOSIA
Tel: +357 2 310200
Tlx: 0605 3288 cyta adm cy
Fax: +357 2 494940</p> | <p>D M. CHAPPAS Christos
Manager
Technical Services-Network
Development
Cyprus Telecommunications
Authority
Telecommunications Street
P.O. Box 4929
142 NICOSIA
Tel: +357 2 310351
Tlx: 0605 3288 cyta adm cy
Fax: +357 2 316969</p> |
| <p>D Mme CLEOPAS Myrna
Ambassador to China/Japan
Embassy of Cyprus
Chao Yang District
100600 BEIJING
Tel: +357 2 453444/462478
Fax: +357 2 369554/451881</p> | <p>D M. PAPAS Lambros
Vice-Chairman of Board
Cyprus Telecommunications
Authority
Telecommunications Street
P.O. Box 4929
142 NICOSIA
Tel: +357 5 344031
Tlx: 0605 3288 cyta adm cy
Fax: +357 2 494940</p> |
| <p>D M. VATILIOTIS Philippos
General Manager
Cyprus Telecommunications
Authority
Telecommunications Street
P.O. Box 4929
142 NICOSIA
Tel: +357 2 310202
Tlx: 0605 3288 cyta adm cy
Fax: +357 2 494940</p> | <p>D M. ZODIATES George
First Secretary
Ministry of Foreign Affairs
142 NICOSIA
Tel: +357 2 303209/302103
Fax: +357 2 451881</p> |

CVA Cité du Vatican (Etat de la) - Vatican City State - Ciudad del Vaticano (Estado de la)

C M. GIUDICI Pier V.
Technical Deputy Director
Vatican Radio
V-00120 VATICAN CITY
Tel: +39 6 69883551/69883137
Fax: +39 6 69885125

CA M. MAZZEI Luciano
Head, Office Telegraph-PTT
Administration PTT
V-00120 VATICAN CITY
Tel: +39 6 69883406
Fax: +39 6 69885378

CLM Colombie (République de) - Colombia (Republic of) - Colombia (República de)

C M. CASTRO ROJAS Felix
Jefe
Oficina Internacional
Ministerio de Comunicaciones
Edificio Murillo Toro
Carreras 7 y 8 - Calle 13
SANTAFE DE BOGOTA D.E. 1
Tel: +57 1 2866911/2826317
Fax: +5712861185/334406724

CA M. ARENAS Héctor
Segundo Secretario
Embajada de Colombia en Japón
141 TOKYO
Tel: +81 3 34406451

COM Comores (République fédérale islamique des) - Comoros (Islamic Federal Republic of the) - Comoras (República Federal Islámica de las)

C M. MSAIDIE Houmed
Ministre de l'information, de
la culture, de la jeunesse et
des sports
Min. de l'info., de la culture
de la jeunesse et des sports
chargé des P&T
MORONI
Tel: +269 730146
Tlx: 0994 250 snpt/dg ko
Fax: +269 744252

CA M. DAHALANI Said A.
Directeur général
Société nationale des postes
et télécommunications (SNPT)
B.P. 5000
MORONI
Tel: +269 744305
Tlx: 0994 250 snpt/dg ko
Fax: +269 731079

D M. YAHAYA Ahamed
Directeur
Télécommunications
Société nationale des postes
et télécommunications (SNPT)
B.P. 5000
MORONI
Tel: +269 730610
Tlx: 0994 250 snpt/dg ko
Fax: +269 731079

COG Congo (République du) - Congo (Republic of the) - Congo (República del)

CA M. OKOUO Jean-Pierre
Directeur général
Administration centrale des
postes et des télécom.
Ministère de la communication,
des postes et des
télécommunications
BRAZZAVILLE
Tel: +242 83 7707
Fax: +242 83 0794

D M. BOUNZEKI Albert
Directeur des
télécommunications
Office national des postes et
des télécommunications (ONPT)
BRAZZAVILLE
Tel: +242 83 0815/1518
Tlx: 0981 ofipostel 5208 kg
Fax: +242 83 7546

COG Congo (République du) - Congo (Republic of the) - Congo (República del)

D M. NGOULOU Jean Porte Latine
Chef, Bureau DERI
Office national des postes et
des télécommunications (ONPT)
BRAZZAVILLE
Tel: +242 83 1686/1371
Tlx: 0981 ofipostel 5208 kg
Fax: +242 83 7546

KOR Corée (République de) - Korea (Republic of) - Corea (República de)

C M. YOON Dong-Yoon
Minister of Communications
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502222
Fax: +82 2 7502755

CA M. LEE Jong-Soon
Director-General
International Cooperation
Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502070
Fax: +82 2 7502755

CA M. LEE Sung-Hae
Director-General
Radio Regulation Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502400
Fax: +82 2 7502755

CA M. PARK Sung-Deuk
Assistant Minister
Telecommunications Policy
Office
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502300
Fax: +82 2 7502755

CA M. RHEE Bong-Koo
Senior Research Officer
Ministry of Foreign Affairs
77, Sejong-ro
Chongro-ku
110 SEOUL
Tel: +82 2 7389601/5
Fax: +82 2 7233505

D Mlle CHO Hye-Jung
Assistant Director
International Organization
and Trade Division
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502753
Fax: +82 2 7502755

D M. CHOI Myung-Sun
Director
Frequency Division
Radio Regulation Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502440
Fax: +82 2 7502755

D M. CHOI Young-Ho
Assistant
Direction of Cooperation
Policy Division
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502753
Fax: +82 2 7502755

KOR Corée (République de) - Korea (Republic of) - Corea (República de)

- | | |
|---|--|
| <p>D M. KIM Moonhwan
Assistant Director
Economic Affairs Division
Ministry of Foreign Affairs
77, Sejong-ro
Chongro-ku
110 SEOUL
Tel: +82 2 7202336
Fax: +82 2 7380879</p> | <p>D M. LEE Hyo-Jin
Secretary to the Minister
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Fax: +82 2 7502755</p> |
| <p>D M. LEE Chang-Hee
Deputy Director
International Organizations
and Trade Division
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502753
Fax: +82 2 7502755</p> | <p>D M. LEE Dong-Hyung
Deputy Director
Technology Planning Division
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502341
Fax: +82 2 7502755</p> |
| <p>D M. LEE Sang-Yoon
Attaché
Embassy of Korea in U.S.A.
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502753
Fax: +82 2 7502755</p> | <p>D Mlle LEE Won-Ja
Chairman's Cabinet Member
UPU Seoul Congress
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502700
Fax: +82 2 7502755</p> |
| <p>D M. LEE Kyo-Yong
Director-General
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502270</p> | <p>D M. PARK Chang-Hwan
Director
Cooperation Policy Division
Int'l Cooperation Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502740
Fax: +82 2 7502755</p> |
| <p>D M. PARK Youn-Hyun
Deputy Director
Frequency Division
Radio Regulation Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502441
Fax: +82 2 7502755</p> | <p>D M. RHA Bong-Ha
Deputy-Director
Information and Communications
Promotion Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502663
Fax: +82 2 7502755</p> |
| <p>D M. RYOO Pill-Gye
Director
Information and Communications
Policy Office
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502320
Fax: +82 2 7502755</p> | <p>D M. SUH Young-Kil
Spokesman
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502800
Fax: +82 2 7502755</p> |

KOR Corée (République de) - Korea (Republic of) - Corea (República de)

D M. YOO Hae-Soo
Deputy-Director
Frequency Division
Radio Regulation Bureau
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7502443
Fax: +82 2 7502755

A M. CHO Byung-II
President of C.E.O.
Korea Mobile Telecom
16-49, 3-Ka, Hangang-ro
Yongsan-ku
SEOUL
Tel: +82 2 7050100
Fax: +82 2 7050121

A M. HAHN Won-Sic
Researcher
Systems Development Center
Korea Telecom Systems
Development Center
17 Woo Myun-dong
Seocho-ku
110 SEOUL
Tel: +82 2 5266163/6165
Fax: +82 2 5266298

A M. HWANG Jin-Soo
Director
Int'l Business and
Coordination Department
DACOM Corporation
65-228, 3-Ga
Hangang-ro, Yongsan-ku
110-140 SEOUL
Tel: +82 2 2205170/5181
Fax: +82 2 2207079

A Mlle KIM Mi-Li
Manager
International Business Section
International Business Div.
DACOM Corporation
65-228, 3-Ga
Hangang-ro, Yongsan-ku
110 SEOUL
Tel: +82 2 2205161/2
Fax: +82 2 7940199/2207079

D M. YOON Hae-Hong
Director
Ministry of Communications
100, Sejong-ro
Chongro-ku
110-777 SEOUL
Tel: +82 2 7503177
Fax: +82 2 7503176

A M. HA Won-Kyu
Principal Member of Technical
Staff
ETRI - Electronics and
Telecommunications Research
Institute
Leaders Building
1599-11 Seocho Dong, Seocho-ku
110 SEOUL
Tel: +82 2 5877001
Fax: +82 2 5887337

A M. HUH Sung-Ik
Senior Member
Engineering Staff
Protocol Engineering Center
ETRI - Electronics and
Telecommunications Research
Institute
Yusong, P.O. Box 106
305-600 TAEJON
Tel: +82 42 8606435
Fax: +82 42 8615404

A Mlle KIM Eun-Ju
Senior Research Fellow
Korea Information Society
Development Institute
966-5, Taechi-dong
Kangnam-ku
110 SEOUL
Tel: +82 2 7502777
Fax: +82 2 7502755

A M. KIM Moon-Hag
Manager
Overseas Cooperation
Department
Korea Telecom
100, Sejongno
Jongno-ku
110 SEOUL
Tel: +82 2 7503811
Fax: +82 2 7503830

KOR Corée (République de) - Korea (Republic of) - Corea (República de)

- | | |
|---|--|
| <p>A M. KIM Sang-Gook
Senior Executive
Vice-President
Korea Telecom
100, Sejongno
Jongno-ku
110 SEOUL
Tel: +82 2 7503030
Fax: +82 2 7503830</p> | <p>A M. KIM Sung-Un
Senior Member of
Technical Staff
Technical Standards Laboratory
Korea Telecom Research
Laboratories
17 Woo Myun-dong
Seocho-ku
110 SEOUL
Tel: +82 2 5265942
Fax: +82 2 5265567</p> |
| <p>A M. KIM Seung-Young
Head
Tokyo Branch Office
Korea Telecom
100, Sejongno
Jongno-ku
110 SEOUL
Tel: +81 33477750</p> | <p>A M. KIM Young-Chul
Executive Vice-President
DACOM Corporation
65-228, 3-Ga
Hangang-ro, Yongsan-ku
110 SEOUL
Tel: +82 2 2201120
Fax: +82 2 2200717</p> |
| <p>A M. KWON Tai-Young
Vice-President
Overseas Cooperation Group
Korea Telecom
100, Sejongno
Jongno-ku
110 SEOUL
Tel: +82 2 7503800/3810
Fax: +82 2 7503830</p> | <p>A Mlle LEE Eun-Joo
Officer, Service Development
Section, Int'l Telecom.
Business Division
DACOM Corporation
65-228, 3-Ga
Hangang-ro, Yongsan-ku
110 SEOUL
Tel: +82 2 2205144
Fax: +82 2 2207099</p> |
| <p>A M. LEE Hyon-Joong
Director
International Cooperation
Division
Telecommunications Technology
Association
13th Floor, Daewoo Bldg
199-1 Naesoo-Dong, Chongro-ku
110 SEOUL
Tel: +82 2 7237077
Fax: +82 2 7360384</p> | <p>A M. LIM Young-June
Director
Overseas Cooperation
Department
Korea Telecom
100, Sejongno
Jongno-ku
110 SEOUL
Tel: +82 2 7503800/3810/3816
Fax: +82 2 7503830</p> |
| <p>A M. MOK Jung-Le
Senior Executive
Vice-President
Korea Mobile Telecom
16-49, 3-ka, Hangang-ro
Yongsan-ku
110 SEOUL
Tel: +82 2 7502090</p> | <p>A M. MOON Young-Hwan
Secretary-General
Telecommunications Technology
Association
13th floor, Daewoo Bldg,
199-1 Naesoo-dong, Chongro-ku
110 SEOUL
Tel: +82 2 7229600
Fax: +82 2 7360384</p> |
| <p>A M. OH Sung-Baik
Senior Research Fellow
International Exposition
Organizing Committee
Korea Information Society
Development Institute
966-5, Taechi-dong
Kangnam-ku
110 SEOUL
Tel: +82 2 5314200
Fax: +82 2 5585722</p> | <p>A M. PARK Young-Hak
Head
Geneva Liaison Office
Korea Telecom
100, Sejongno
Jongno-ku
110 SEOUL
Tel: +41 22 7881083
Tlx: 0801 ktgech k41534
Fax: +41 22 7881089</p> |

KOR Corée (République de) - Korea (Republic of) - Corea (República de)

- | | | | |
|---|---|---|--|
| A | M. SEO Bo-Hyun
Senior Research Fellow
Korea Information Society
Development Institute
966-5, Taechi-dong
Kangnam-ku
110 SEOUL
Tel: +82 2 5585722
Fax: +82 2 5314179 | A | M. SON Ik-Soo
President, C.E.O
International Business and
Coordination Department
DACOM Corporation
65-228, 3-Ga
Hangang-ro, Yongsan-ku
110 SEOUL
Tel: +82 2 2201000/7968080
Fax: +82 2 2200701 |
| A | M. SONG Young-Wook
Assistant Strategic Planner
Strategy Planning Division
Korea Mobile Telecom
16-49, 3-Ka, Hangang-ro
Yongsan-ku
110 SEOUL
Tel: +82 2 7050269
Fax: +82 2 7050265 | A | M. SUH Jong-Yol
Director
Strategy Planning Division
Korea Mobile Telecom
16-49, 3-Ka, Hangang-ro
Yongsan-ku
110 SEOUL
Tel: +82 2 7050269
Fax: +82 2 7050265 |
| A | M. YANG Seung-Taik
President
ETRI - Electronics and
Telecommunications Research
Institute
Yunsong, P.O. Box 106
305-600 TAEJON
Tel: +82 42 8606000/6700
Fax: +82 42 8605002 | A | M. YIM Chu-Hwan
Vice-President
Switching Technology Division
ETRI - Electronics and
Telecommunications Research
Institute
Yusong, P.O. Box 106
305-600 TAEJON
Tel: +82 42 8606844
Fax: +82 42 8619392 |
| A | M. YOON Chang-Bun
Director
Planning and Coordination
Korea Information Society
Development Institute
966-5, Taechi-dong
Kangnam-ku
110 SEOUL
Tel: +82 2 5304020/4294242
Fax: +82 2 5585722 | A | Mlle YOON Jung-Kyoun
Assistant Manager
Int'l Business Division
Settlement Affairs
DACOM Corporation
65-228, 3-Ga, Hangang-ro
Yongsan-ku
110 SEOUL
Tel: +82 2 2205133
Fax: +82 2 7940199 |
| A | M. YOON Sok-Chon
Director
Training Section
Korea Mobile Telecom
16-49, 3-Ka, Hangang-ro
Yongsan-ku
110 SEOUL | | |

CTR Costa Rica - Costa Rica - Costa Rica

- C M. RODRIGUEZ Oscar E.
Subgerente
Operaciones-Telecomunicaciones
Instituto Costarricense de
Electricidad (ICE)
Apartado 10032
1000 SAN JOSE
Tel: +506 2252421
Fax: +506 2534196

CTI Côte d'Ivoire (République de) - Côte d'Ivoire (Republic of) - Côte d'Ivoire (República de)

- | | |
|---|--|
| <p>C M. YAO Kouakou J.-B.
Sous-Directeur du contrôle
des radiocommunications
Ministère de l'équipement, des
transports et des
télécommunications
B.P. 8635
ABIDJAN 1
Tel: +225 347367
Tlx: 0983 23550 minpt ci
Fax: +225 347368</p> <p>D M. KOFFI Yao Charles
Premier conseiller
Ambassade de la Côte d'Ivoire
au Japon
2-19-12 Uehara
Shibuya-ku
151 TOKYO
Tel: +81 3 54541401/2/3
Fax: +81 3 54541405</p> | <p>C M. AKOSSI Akossi
Directeur des politiques et
des affaires internationales
Ministère de l'équipement, des
transports et des
télécommunications
B.P. 8635
ABIDJAN 1
Tel: +225 347367
Tlx: 0983 23550 minpt ci
Fax: +225 347368</p> |
|---|--|

HRV Croatie (République de) - Croatia (Republic of) - Croacia (República de)

- | | |
|---|--|
| <p>C M. FILIPOVIC Dominik
Deputy Minister of
Communications
Ministry of Maritime Affairs,
Transport and Communications
14, Prisavlje
HR-41000 ZAGREB
Tel: +385 41 614004
Fax: +385 41 615015</p> | <p>CA S.E. M. SIMIC Anđelko
Ambassador
Embassy of the Republic of
Croatia
1-21-22, 3FA, Higashiyama
Meguro-ku
153 TOKYO
Tel: +81 3 37157246/37111400
Fax: +81 3 3715 7556</p> |
|---|--|

CUB Cuba - Cuba - Cuba

- | | |
|---|--|
| <p>C M. FERNANDEZ MAC-BEATH Hugo A.
Jefe, Departamento
Administración de Frecuencias
Dirección de Frecuencias
Radioeléctricas
Ministerio de Comunicaciones
Plaza de la Revolución
HABANA
Tel: +53 7 706932/36445
Fax: +53 7 335253</p> | <p>D M. RODRIGUEZ ACOSTA Francisco
Jefe, Departamento de
Tráfico
Dirección de Telefonía
Ministerio de Comunicaciones
Plaza de la Revolución
HABANA
Tel: +53 7 908147/900184
Tlx: 028 512243
Fax: +53 7 335193</p> |
|---|--|

DNK Danemark - Denmark - Dinamarca

- | | |
|---|---|
| <p>C M. MOELLMANN Erik
Deputy Permanent Secretary
Ministry for Communications
and Tourism
37, Tietgensgade
DK-1530 COPENHAGEN V
Tel: +45 33 932410
Tlx: 055 27277 gentel dk
Fax: +45 33 938403</p> | <p>CA Mme KONNER Mette J.
Head of International Section
National Telecom Agency
63, Holsteinsgade
DK-2100 COPENHAGEN O
Tel: +45 35 430333
Tlx: 055 31100 nta dk
Fax: +45 35 433910</p> |
|---|---|

DNK Danemark - Denmark - Dinamarca

- CA M. WÜRTZEN Hans
Managing Director CEO
Tele Danmark A/S
16, Kannikegade
DK-8000 AARHUS C
Tel: +45 89 337777
Tlx: 055 64444 tdk dk
Fax: +45 89 337719
- D M. JENSBY Joern
Head of Administration
Division
National Telecom Agency
63, Holsteinsgade
DK-2100 COPENHAGEN O
Tel: +45 35 430333
Tlx: 055 31100 nta dk
Fax: +45 35 433910
- D M. THORNDAL Ole
Director
Business Development
Tele Danmark International
2, Telegade
DK-2630 TAASTRUP
Tel: +45 42 529111 - 200
Tlx: 055 22999 telecom dk
Fax: +45 42 522870
- D M. TOFT Villy
Deputy Director
Tele Danmark A/S
International Relations
2, Telegade
DK-2630 TAASTRUP
Tel: +45 42 529111
Tlx: 055 22999 telecom dk
Fax: +45 42 521028
- D M. ERIKSEN Hans H.
Senior Advisor
Ministry for Communications
and Tourism
37, Tietgensgade
DK-1530 COPENHAGEN V
Tel: +45 33 920000
Tlx: 055 27277 gentel dk
Fax: +45 33 938403
- D M. PEDERSEN Joergen F.
Senior Counsellor
Ministry for Communications
and Tourism
37, Tietgensgade
DK-1530 COPENHAGEN V
Tel: +45 33 932410
Tlx: 055 27277 gentel dk
Fax: +45 33 937795
- D M. TOFT Ole
Director
Tele Danmark A/S
International Relations
2, Telegade
DK-2630 TAASTRUP
Tel: +45 42 529111
Tlx: 055 22999 telecom dk
Fax: +45 42 521028

DJI Djibouti (République de) - Djibouti (Republic of) - Djibouti (República de)

- C M. AHMED WABERI GUEDI Ahmed
Ministre des transports, des
télécommunications et du
tourisme
Ministère des transports, des
télécommunications et du
tourisme
DJIBOUTI
Tel: +253 350990
Fax: +253 355975
- CA M. FARAH MOUMIN YABEH Farah
Directeur général adjoint
Office des postes et des
télécommunications (OPT)
Boulevard de la République
DJIBOUTI
Tel: +253 350669/352501
Tlx: 0979 5808 dj/dion opt
Fax: +253 355757/350062
- D M. ABDOURAZAK ALI ABANEH A.
Chef du service d'étude et
de planification
Office des postes et des
télécommunications (OPT)
Boulevard de la République
DJIBOUTI
Tel: +253 350669/354872
Tlx: 0979 5808 dj/dion opt
Fax: +253 355757
- D M. MOHAMED OMAR MOUSSA M.
Chef de la division
du personnel
Office des postes et des
télécommunications (OPT)
Boulevard de la République
DJIBOUTI
Tel: +253 350669
Tlx: 0979 5808 dj/dion opt
Fax: +253 355757

EGY Egypte (République arabe d') - Egypt (Arab Republic of) - Egipto (República Árabe de)

C M. EL-SOURY Mahmoud M.
Chairman
Board of Directors
National Telecommunications
Organization (ARENTO)
P.O. Box 2271
11511 CAIRO
Tel: +202 3443866
Fax: +202 5744244

CA M. ALY Abdel F.
Vice-Chairman
Board of Directors
National Telecommunications
Organization (ARENTO)
P.O. Box 2271
11011 CAIRO
Tel: +202 2471010
Fax: +202 5744244

CA M. EL-NEMR Mahmoud M.
Vice-Chairman
Board of Directors
National Telecommunications
Organization (ARENTO)
P.O. Box 2271
11011 CAIRO
Tel: +202 3521317
Tlx: 091 22100
Fax: +202 771306/5744244

SLV El Salvador (République d') - El Salvador (Republic of) - El Salvador (República de)

Représenté par les Etats-Unis

UAE Emirats arabes unis - United Arab Emirates - Emiratos Arabes Unidos

C M. AL-MEHRIZI Abdulla
Assistant General Manager
Ministry of Communications
Etisalat Head Office
P.O. Box 3838
ABU DHABI
Tel: +971 2 283333
Tlx: 0893 22135 etcho em
Fax: +971 2 317000

D M. AL-KHALIFA Yahya A.
Senior Technician for wireless
equipment and frequencies
Ministry of Communications
P.O. Box 900
ABU DHABI
Tel: +971 2 662909/661869
Tlx: 0893 22138 mincom em
Fax: +971 2 651691

D M. NOOR Younis
Minister Counsellor
Ministry of Foreign Affairs
P.O. Box 1
ABU DHABI
Tel: +971 2 668595/652200
Fax: +971 2 654506

A M. CHAUDHURI Biswapati
Telecommunication Adviser
Ministry of Communications
P.O. Box 900
ABU DHABI
Tel: +971 2 651900
Tlx: 0893 22668 comsad em
Fax: +971 2 651691

EQA Equateur - Ecuador - Ecuador

C M. LOZA ARGÜELLO Adolfo
Superintendente de
Telecomunicaciones
Superintendencia de
Telecomunicaciones
9 de octubre 1645 y Berlín
QUITO
Tel: +593 2 222449/222448
Fax: +593 2 566688

CA M. VIVANCO ARIAS José
Director de Gestión
Internacional
Superintendencia de
Telecomunicaciones
9 de octubre 1645 y Berlín
QUITO
Tel: +593 2 221500/09449913
Fax: +593 2 566688/220786

EQA Equateur - Ecuador - Ecuador

D M. CASTRO MURILLO Manuel
Director de Asesoría
Jurídica
Superintendencia de
Telecomunicaciones
9 de octubre 1645 y Berlín
QUITO
Tel: +593 2 222449/223278
Fax: +593 2 566688

D M. ROLDAN REASCOS Milton
Subdirector de Planificación
Superintendencia de
Telecomunicaciones
9 de octubre 1645 y Berlín
QUITO
Tel: +593 2 222176/222175
Fax: +593 2 566688

E Espagne - Spain - España

C M. NADAL ARIÑO Javier
Director General
Dirección General de
Telecomunicaciones
Palacio de Comunicaciones
Plaza de Cibeles, s/n
28071 MADRID
Tel: +34 1 3461502
Fax: +34 1 3461577

CA M. MARTINEZ DEL BARRIO Ignacio
Secretario
Embajada de España en Japón
1-3-29 Roppongi
Minato-ku
106 TOKYO
Tel: +81 3 35838531/2

CA M. OSA BUENDIA Joaquín
Subdirector General de Redes
y Sistemas de Telecomunicación
Dirección General de
Telecomunicaciones
Palacio de Comunicaciones
Plaza de Cibeles, s/n
28071 MADRID
Tel: +341 3461549/5216500
Tlx: 052 44100 gentl e
Fax: +341 3461520/5322972

CA M. RUBIO CARRETON Vicente
Jefe, Relaciones
Internacionales
Dirección General de
Telecomunicaciones
Palacio de Comunicaciones
Plaza de Cibeles, s/n
28071 MADRID
Tel: +34 1 3461513/5216500
Fax: +34 1 3461567/5322972

D Mlle CIMAS HERNANDO Marta
Consejera Técnica
Dirección General de
Telecomunicaciones
Palacio de Comunicaciones
Plaza de Cibeles, s/n
28071 MADRID
Tel: +34 1 3962086
Fax: +34 1 3962831

D M. CRESPO MARTINEZ Carlos L.
Jefe, Servicio Régimen
Jurídico/Subdirección General
Concesiones y Gestión del
Espectro/Dirección General de
Telecomunicaciones/Palacio
de Comunicaciones
Plaza de Cibeles, s/n
28071 MADRID
Tel: +34 1 3461500/5216500
Fax: +34 1 3962229

D M. MORENO BORES Javier
Vocal Asesor
Secretaría General de
Comunicaciones
Palacio de Comunicaciones
50, c/ Alcalá
28071 MADRID
Tel: +34 1 3962750
Fax: +34 1 5312120

D M. PFOST MINGUEZ Pablo
Experto Organismos
Internacionales
Departamento de Relaciones
Internacionales
Telefónica de España, S.A.
3, Beatriz de Bobadilla
Planta 9
28040 MADRID
Tel: +34 1 5849571
Fax: +34 1 5347972

E Espagne - Spain - España

D M. SANCHEZ MORA Vicente
Experto
Departamento de Relaciones
Internacionales
Telefónica de España, S.A.
3, Beatriz de Bobadilla
Planta 9
28040 MADRID
Tel: +34 1 5849526/5353277
Fax: +34 1 5347972

EST Estonie (République d') - Estonia (Republic of) - Estonia (República de)

C M. MEISTER Andi
Minister of Transport and
Communication
Ministry of Transport and
Communication
9 Viru Str.
EE-0100 TALLINN
Tel: +372 63 97613
Fax: +372 63 97606

CA M. JÕEMA Jüri
Director General
Inspection of
Telecommunications
Ädala 4D
EE-0006 TALLINN
Tel: +372 63 99070/397666
Fax: +372 63 99055

D M. SOMERA Toomas
Director General
Estonian Telecom
16 Endla Street
EE-0001 TALLINN
Tel: +372 63 11212
Fax: +372 63 11224

D M. TAMMET Heinar
Chief Specialist
Estonian Telecom
16 Endla Street
EE-0001 TALLINN
Tel: +372 63 11212
Fax: +372 63 11224/2529911

D M. TOOMET Madis
Chief Specialist
Ministry of Transport and
Communication
9 Viru Street
EE-0100 TALLINN
Tel: +372 63 99051/97613
Fax: +372 63 97606

USA Etats-Unis d'Amérique - United States of America - Estados Unidos de América

C S.E. M. SMULYAN Jeffrey H.
Ambassador
Department of State
2201 C Street NW
WASHINGTON DC 20520
Tel: +1 317 6846530
Fax: +1 317 6313750

CA M. BEAIRD Richard C.
Senior Deputy US Coordinator
for CIP
Department of State
2201 C Street NW
Suite 6313
WASHINGTON DC 20520
Tel: +1 202 6475832
Fax: +1 202 6475957

CA M. DAVIS Douglas
Senior Attorney Advisor
Federal Communications
Commission
1919 M Street NW
Room 534
WASHINGTON DC 20554
Tel: +1 202 4181470
Fax: +1 202 6535402

CA M. KIMBALL Harold
Senior Engineer
Computer Sciences Corporation
45154 Underwood Lane
STERLING VA 20166-9514
Tel: +1 202 6475832
Fax: +1 202 6475957

USA Etats-Unis d'Amérique - United States of America - Estados Unidos de América

- | | |
|---|---|
| <p>CA M. PALMER Lawrence M.
Director, International
Regulation and Technology
Division
Department of Commerce (NTIA)
14th Street & Constitution
Avenue NW
WASHINGTON DC 20230
Tel: +1 202 4821890
Fax: +1 202 4821865</p> | <p>CA M. URBANY Francis S.
Executive Director
International Relations
BellSouth
1133-21st Street NW
WASHINGTON DC 20036
Tel: +1 202 4634110
Fax: +1 202 4634198</p> |
| <p>D M. ANDERSON Dexter A.
Telecommunications Manager
Information Agency/B/EOR
330 Independence Avenue SW
WASHINGTON DC 20547-0001
Tel: +1 202 6192597
Fax: +1 202 6191781</p> | <p>D M. CARROLL James
Program Director
SEA Incorporated
1401 McCormick Drive
LANDOVER MD 20785
Tel: +1 301 8395381
Fax: +1 301 8394995</p> |
| <p>D M. CHESTON T. Stephen
Director
International Government
Affairs
Iridium Incorporated
1401 I Street NW
WASHINGTON DC 20005
Tel: +1 202 3265674
Fax: +1 202 8420006</p> | <p>D Ms CHONG Rachelle S.
Commissioner
Federal Communications
Commission
1919 M Street NW
Room 844
WASHINGTON DC 20554</p> |
| <p>D Ms CRANE Rhonda
Director
Federal Government Affairs
American Telephone and
Telegraph (AT&T)
1120 20th Street NW
Suite 1000
WASHINGTON DC 20036
Tel: +1 202 4572402
Fax: +1 202 4572545</p> | <p>D M. CROWELL Raymond B.
Director
Industry and Government
Planning
COMSAT World Systems
6560 Rock Spring Drive
BETHESDA MD 20817
Tel: +1 301 2143466
Fax: +1 301 2147100</p> |
| <p>D Mme DARR Carol
Associate Administrator
Department of Commerce
Office of Int'l Affairs
National Telecom. and
Information Agency (NTIA)
14th St. and Constitution Ave
NW, Rm. 4898
WASHINGTON DC 20230
Tel: +1 202 4821304
Fax: +1 202 4821865</p> | <p>D M. FINE David
Assistant Vice-President
Government and International
Relations
Southwestern Bell Corporation
1401 I Street NW
WASHINGTON DC 20005
Tel: +1 202 3268870
Fax: +1 202 4084803</p> |
| <p>D M. FISHER Ben
Senior Partner
Fisher, Wayland, Cooper
and Leader
2001 Pennsylvania Avenue NW
WASHINGTON DC 20006-1851
Tel: +1 202 7753537
Fax: +1 202 2966518</p> | <p>D M. FONTES Brian F.
Senior Vice-President
Policy and Administration
Cellular Telecommunications
Industry Association
1250 Connecticut Avenue NW
Suite 200
WASHINGTON DC 20036
Tel: +1 202 7363216
Fax: +1 202 7850721</p> |

USA Etats-Unis d'Amérique - United States of America - Estados Unidos de América

- D M. FORCE Charles
Associate Administrator
Space Communications
National Aeronautics and
Space Administration
WASHINGTON DC 20546
- D M. FRANK Robin J.
Attorney Advisor
Department of State
2201 C Street NW
WASHINGTON DC 20520
Tel: +1 202 6477772
Fax: +1 202 7367115
- D Mme GARFIELD Diane
Electrical Engineer
Stanford Telecom
7501 Forbes Boulevard
Suite 105
SEABROOK MD 20706
Tel: +1 202 6475820
Fax: +1 202 6470158
- D M. HOLLEMAN Richard
Director
Telecommunications and
Standards Practices
International Business
Machines Corporations (IBM)
208 Harbor Drive
STAMFORD CT 06904
Tel: +1 914 7426249
Fax: +1 914 7426748
- D M. HUNDT Reed E.
Chairman
Federal Communications
Commission
1919 M Street NW
WASHINGTON DC 20554
- 1/D M. JAHN William H.
Director
Telecom Policy for Mexico
and Micronesia
Department of State
2201 C Street NW
Suite 2318
WASHINGTON DC 20520
Tel: +1 202 6472723
Fax: +1 202 6477407
1) Delegation Executive Director
- D Mme JILLSON Anne
Multilateral Affairs Officer
Bureau of International
Organization Affairs
Department of State
2201 C Street NW
Room 5336
WASHINGTON DC 20520
Tel: +1 202 6474196
Fax: +1 202 6478902
- D Mme KAUFMAN Anita
Senior Staff Specialist
MCI International Inc.
One International Drive
RYE BROOK NY 10573
Tel: +1 914 9346303
Fax: +1 914 9346912
- D M. KIRSCH William
Senior Legal Advisor
Federal Communications
Commission
1919 M Street NW
WASHINGTON DC 20554
Tel: +1 202 4182677
Fax: +1 202 4182818
- D M. KOLSKY Leonard S.
Vice-President and Director
Global Telecommunications
Relations
Motorola Inc.
1350 I Street NW
Suite 400
WASHINGTON DC 20005
Tel: +1 202 3716932
Fax: +1 202 8423548
- D M. LEVIN Lon
Vice-President and
Regulatory Counsel
American Mobile Satellite
Corporation
10802 Parkridge Boulevard
RESTON VA 22091
Tel: +1 703 7586150
Fax: +1 703 7586111
- D Mme MANNING Mary Jo
Senior Vice-President
Hill and Knowlton
901 31st Street NW
WASHINGTON DC 20007-3838
Tel: +1 202 9445109
Fax: +1 202 3374230

USA Etats-Unis d'Amérique - United States of America - Estados Unidos de América

- | | |
|--|--|
| <p>D M. MARSHALL Travis
Deputy to Chief Executive
Office for International
Telecommunications Relations
Motorola
1350 I Street NW
Suite 400
WASHINGTON DC 20005
Tel: +1 202 3716911
Fax: +1 202 8423578</p> | <p>D Mme MC CANN Vonya
Deputy Assistant Secretary and
Coordinator for CIP
Department of State
2201 C Street NW
Room 6313
WASHINGTON DC 20520
Tel: +1 202 6475832
Fax: +1 202 6475957</p> |
| <p>D M. ONSTAD Phillip
Manager
International Public Policy
International Communications
Association
333 Plainfield Road
EDISON NJ 08820
Tel: +1 908 5491633
Fax: +1 908 5496863</p> | <p>D M. PARLOW Richard D.
Associate Administrator
Office of Spectrum Management
Department of Commerce (NTIA)
14th Constitution Avenue NW
Room 4099
WASHINGTON DC 20230
Tel: +1 202 4821850
Fax: +1 202 4824396</p> |
| <p>D M. RINALDO Paul
Manager
Technical Relations
The American Radio
Relay League
1233 20th Street NW
Suite 204
WASHINGTON DC 20036
Tel: +1 202 2969107
Fax: +1 202 2931319</p> | <p>D M. RODRIGUEZ Raul
Leventhal, Senter & Lerman
2000 "K" Street, NW
Suite 600
WASHINGTON DC 20009
Tel: +1 202 4166760
Fax: +1 202 2937783</p> |
| <p>D M. SMITH Robert
Director
International Standards
Nynex
Science and Technology Inc.
38 Sidney Street
Suite 180
CAMBRIDGE MA 02139
Tel: +1 617 3748068
Fax: +1 617 3748005</p> | <p>D M. SULLIVAN Martin
Director
Standards Management
Bellcore
331 Newman Springs Road
RED BANK NJ 07701</p> |
| <p>D M. WRIGHT Richard
Associate Program Manager
Computer Sciences Corporation
45154 Underwood Lane
STERLING VA 20166-9514
Tel: +1 703 8345609
Fax: +1 703 4849401</p> | <p>A Mme CLIVER Margaret
Program Analyst
Department of State
2201 C Street NW
WASHINGTON DC 20520
Tel: +1 202 6476414
Fax: +1 202 7367320</p> |
| <p>A M. DAFFNER Gregg
Vice-President
PanAmSat
Onc Pickwick Plaza
GREENWICH CT 06830</p> | <p>A M. DAGGATT Russell W.
President
Teledesic Corporation
5220 Carillon Point
KIRKLAND WA 98033</p> |

USA Etats-Unis d'Amérique - United States of America - Estados Unidos de América

- | | |
|---|---|
| <p>A Mme DE LA TORRE Mindel
Senior Counsel
Department of Commerce
National Telecommunications &
Information Administration
14th Street & Constitution
Avenue NW - Room 4713
WASHINGTON DC 20230
Tel: +1 202 4821816
Fax: +1 202 4826173</p> | <p>A M. FISHMAN Gary
Director
Technical Standards
American Telephone and
Telegraph (AT&T)
900 Routes 202/206
Room C06-5A219
BEDMINSTER NJ 07921
Tel: +1 908 2343780
Fax: +1 908 2348681</p> |
| <p>A M. HOLLAND George R.
Executive Director
Government Relations
Southwestern Bell Telephone
1111 West Capitol
Room 1049
LITTLE ROCK ARKANSAS 72201</p> | <p>A M. LINDHORST Kenneth
Vice-President
International Services
American Telephone and
Telegraph (AT&T)
295 North Maple Avenue
Room 1137L3
BASKING RIDGE NJ 07920
Tel: +1 908 2214179
Fax: +1 908 2214593</p> |
| <p>A Mlle MARTIN Kathryn A.
Advisor for ITU Affairs
Department of State
2201 C Street NW
Room 2318
WASHINGTON DC 20520
Tel: +1 202 6470198
Fax: +1 202 6477407</p> | <p>A Mlle O'CONNOR Teresa
Manager, Global Telecom
Motorola
1350 I Street NW
Suite 400
WASHINGTON DC 20005
Tel: +1 202 3716930
Fax: +1 202 8423578</p> |
| <p>A M. O'NEILL Judith D.
International Telecom Partner
Reid and Priest
Attorneys
WASHINGTON DC
Tel: +1 202 5084020</p> | <p>A Mme RAIFORD Cindy
Deputy Director
Space and Nuclear C3
Department of Defense
OASD (C31), Room 3E194
6000 Defense Pentagon
WASHINGTON DC 20301-6000
Tel: +1 703 6971029
Fax: +1 703 6937013</p> |
| <p>A M. RICHARDS Warren G.
Chairman for CCIR National
Committee
Department of State
2201 C Street NW
Suite 2318
WASHINGTON DC 20520
Tel: +1 202 6470049
Fax: +1 202 6477407</p> | <p>A Mme ROSEMAN Walda
President
CompassRose International Inc.
1200 19th Street NW
WASHINGTON DC 20036</p> |
| <p>A M. SCHEIDEGGER Marcel
Executive Staff Member
MCI International
One International Drive
RYE BROOK NY 10573
Tel: +1 914 9346243
Fax: +1 914 9346507</p> | |

ETH Ethiopie - Ethiopia - Etiopía

C M. ASFAW Fikru
General Manager
Ethiopian Telecommunication
Authority
P.O. Box 1047
ADDIS ABABA
Tel: +251 1 158080/515700
Tlx: 0980 21000 gentel et
Fax: +251 1 515777

D M. GELANEH TAYE Gelaneh
Central Region Manager
Ethiopian Telecommunication
Authority
P.O. Box 1047
ADDIS ABABA
Tel: +251 1 513300
Tlx: 0980 21000 gentel et
Fax: +251 1 516292/515777

FJI Fidji (République de) - Fiji (Republic of) - Fiji (República de)

C M. TURAGANI VALU Josua
Director
Regulatory Unit
Ministry of Information
Broadcasting and
Telecommunications
P.O. Box 2225
SUVA
Tel: +679 211257
Fax: +679 300766

D M. BLAKELOCK Edward T.
First Secretary
Embassy of Fiji in Japan
14F Moa Bldg, 2-3-5 Azabudai
Minato-ku
106 TOKYO
Tel: +81 3 35872038

D M. VADA Marika
General Manager
Network engineering
Posts and Telecommunications
Ltd
GPO Box 40
SUVA
Tel: +679 2105555
Tlx: 0701 2104 posuva fi
Fax: +679 303210

FIN Finlande - Finland - Finlandia

C M. NORRBACK Ole
Minister of Transport and
Communications
Ministry of Transport and
Communications
P.O. Box 235
FIN-00131 HELSINKI
Tel: +358 0 1606211
Tlx: 057 125472 limin sf
Fax: +358 0 1736353

CA M. KARJALAINEN Jorma
Director
Telecommunications
Administration Centre
P.O. Box 53
FIN-00211 HELSINKI
Tel: +358 0 69661
Tlx: 057 124545 thk fi
Fax: +358 0 6966410

CA M. PALONEN Vesa T.
Head of Department
Ministry of Transport and
Communications
P.O. Box 235
FIN-00131 HELSINKI
Tel: +358 0 17361
Fax: +358 0 1736302

CA M. SVENSSON Reijo
Chief Executive Officer
Telecommunications
Administration Centre
P.O. Box 53
FIN-00211 HELSINKI
Tel: +358 0 69661
Tlx: 057 124545 thk fi
Fax: +358 0 6966410

FIN Finlande - Finland - Finlandia

- D M. ALHO Jukka
Director
Helsinki Telephone Company Ltd
P.O. Box 148
FIN-00131 HELSINKI
Tel: +358 0 6062966
- D M. HEIKKINEN Pekka V.
Director
International Relations
Association of Telephone
Companies in Finland
P.O. Box 949
FIN-00101 HELSINKI
Tel: +358 0 22811220
Fax: +358 0 6802548
- D M. KAIJANEN Tapio I.
Assistant Director
Telecom Finland Ltd. Int'l
P.O. Box 140
FIN-00511 HELSINKI
Tel: +358 2 0401
Fax: +358 2 0402659/2811
- D M. KORPELA Juhani
Secretary-General
Ministry of Transport and
Communications
P.O. Box 235
FIN-00131 HELSINKI
Tel: +358 0 1736211
Tlx: 057 125472 limin sf
Fax: +358 0 1736353
- D M. MÅRTENSON Gunnulf
Managing Director
Finnet International Ltd.
5, Runeberginkatu (9th Floor)
FIN-00100 HELSINKI
Tel: +358 0 4002320
Fax: +358 0 4002340
- D M. SALONEN Pentti E.
Engineer
Research Centre
Telecom Finland Ltd.
P.O. Box 145
FIN-00511 HELSINKI
Tel: +358 2 0402293
Fax: +358 2 0402610
- D M. BLOMQVIST Christer C.
Vice-President
International Relations
PT Finland Ltd.
11 A, Mannerheimintie
FIN-00100 HELSINKI
Tel: +358 0 61315016
Tlx: 057 124557 gentl sf
Fax: +358 0 61315039
- D M. IKÄHEIMO Risto
Director
Association of Telephone
Companies
P.O. Box 949
FIN-00101 HELSINKI
Tel: +358 0 22811210
Fax: +358 0 603524
- D M. KASANEN Tapio
Director
Pt Finland Ltd.
11A, Mannerheimintie
FIN-00100 HELSINKI
Tel: +358 0 61315008
Fax: +358 0 61315041
- D M. MAANAVILJA Aimo
Head of Department
Research Institute of Helsinki
Telephone Company Ltd.
P.O. Box 138
FIN-00381 HELSINKI
Tel: +358 0 6061
Fax: +358 0 6064839
- D M. RANTANEN Paavo
Senior Vice-President
Member of the Group Executive
Board
Nokia Corporation
12, Eteläesplanadi
P.O. Box 226
FIN-00101 HELSINKI
Tel: +358 0 1807436
Tlx: 057 124442 nokia sf
Fax: +358 0 650259
- D M. TANHUANPÄÄ Arno R.
Managing Director
Association of Telephone
Companies in Finland
P.O. Box 949
FIN-00101 HELSINKI
Tel: +358 0 228111
Fax: +358 0 22811217

FIN Finlande - Finland - Finlandia

D M. UUSIMAA Pekka
Director
Telecom Finland Ltd. Int'l
P.O. Box 140
FIN-00511 HELSINKI
Tel: +358 0 20402766
Tlx: 057 123434 teint fi
Fax: +358 0 20402811

D M. VÄINÄMÖ Risto A.
Engineer
Telecommunications
Administration Centre
P.O. Box 53
FIN-00211 HELSINKI
Tel: +358 0 6966864
Fax: +358 0 6966873

A M. MÄENSIVU Sisko H.
Secretary of Department
Ministry of Transport and
Communications
P.O. Box 235
FIN-00131 HELSINKI
Tel: +358 0 17361
Fax: +358 0 1736302

D M. VENNAMO Pekka V.
President and CEO
PT Finland Ltd.
11 A, Mannerheimintie
FIN-00100 HELSINKI
Tel: +358 0 61315001
Fax: +358 0 61315000

A M. HEISKANEN Markku
Embassy of Finland in Japan
3-5-39 Minami-Azabu
Minato-ku
106 TOKYO
Tel: +81 3 34422231

F France - France - Francia

C S.E. M. BRESSOT Jean
Ambassadeur
Ministère des affaires
étrangères
37, Quai d'Orsay
F-75007 PARIS CEDEX 07
Fax: +33 1 43175353

CA M. GARNIER Dominique
Chef, Bureau
"Télécommunications
internationales"
Ministère de l'industrie, des
P et T et du commerce
extérieur
20, avenue de Ségur
F-75353 PARIS SP 07
Tel: +33 1 43195345
Fax: +33 1 43196300

D M. ABOUDARHAM Pierre
Directeur régional
CNET/Bureau fréquences
38, rue du Général Leclerc
F-92131 ISSY-LES-MOULINEAUX
Tel: +33 1 45296961
Fax: +33 1 45296962

CA M. BOURGEAT Lucien
Chargé de la normalisation
Direction générale des postes
et télécommunications
Ministère de l'industrie, des
P et T et du commerce
extérieur
20, avenue de Ségur
F-75353 PARIS SP 07
Tel: +33 1 43196586
Fax: +33 1 43196222

CA M. LASSERRE Bruno
Directeur général
Direction générale des postes
et télécommunications
Ministère de l'industrie, des
P et T et du commerce
extérieur
20, avenue de Ségur
F-75353 PARIS SP 07
Tel: +33 1 43196323
Fax: +33 1 43196280

D M. ALONSO Michel
Chef, Bureau des fréquences
Centre spatial de Toulouse
(CNES)
18, avenue E. Belin
ED/BF B.P. 2511
F-31055 TOULOUSE CEDEX
Tel: +33 61273233
Fax: +3361281882/160876270

F France - France - Francia

- | | |
|---|---|
| <p>D Mlle CHAUDER Françoise
Attachée
Direction générale des postes
et télécommunications
Ministère de l'industrie, des
P et T et du commerce
extérieur
20, avenue de Ségur
F-75353 PARIS SP 07
Tel: +33 1 43195345
Fax: +33 1 43196300</p> <p>D Mlle MENIER Jacqueline
Chargée des relations avec
l'UIT
France Telecom
Direction de l'International
7, boulevard R. Rolland
F-92128 MONTRouGE
Tel: +33 1 44446818
Tlx: 042 632335 f
Fax: +33 1 44444782</p> <p>D M. PERROUIN Luc
Chef, Service des affaires
européennes et multilatérales
France Telecom
Direction de l'International
7, boulevard R. Rolland
F-92128 MONTRouGE
Tel: +33 1 44444770
Tlx: 042 632335 f
Fax: +33 1 46573860</p> <p>D Mme SERRE Claudine J.
Chargée de mission
Ministère des affaires
étrangères
37, Quai d'Orsay
F-75007 PARIS CEDEX 07
Tel: +33 1 43175353</p> | <p>D M. FEVRE Nicolas
Président
Comité de coordination des
télécommunications
13, rue de Bourgogne
F-75353 PARIS SP 07
Tel: +33 1 43192551/43192382
Fax: +33 1 43192557</p> <p>D Mme NEBES Anne-Marie
Responsable Département
Coordination internationale et
interministérielle
Ministère de l'industrie, des
P et T et du commerce
extérieur
20, avenue de Ségur
F-75353 PARIS SP 07
Tel: +33 1 43196209</p> <p>D M. POPOT Michel
Secrétaire général
Comité de coordination des
télécommunications
13, rue de Bourgogne
F-75353 PARIS SP 07
Tel: +33 1 43192551/46577565
Fax: +33 1 43192557</p> <p>D M. THUE Marcel
Coordonnateur FT/CCT
France Telecom / CNET
38-40, av. du Général Leclerc
F-92140 ISSY-LES-MOULINEAUX
Tel: +33 1 45294812
Tlx: 042 631333 f
Fax: +33145296070/46151919</p> |
|---|---|

GAB Gabonaise (République) - Gabonese Republic - Gabonesa (República)

- | | |
|---|---|
| <p>C M. JOCKTANE Christian D.
Inspecteur général
Ministère de la communication
des postes et
télécommunications
B.P. 2280
LIBREVILLE
Tel: +241 764601/725322
Tlx: 0973 5361 go
Fax: +241 763435</p> | <p>CA M. ESSONGUE Serge
Inspecteur général adjoint
Office des postes et
télécommunications (OPT)
B.P. 20000
LIBREVILLE
Tel: +241 743285
Tlx: 0973 postel 5220 go
Fax: +241 747020</p> |
|---|---|

GAB Gabonaise (République) - Gabonese Republic - Gabonesa (República)

- | | |
|---|---|
| <p>CA M. MASSIMA LANDJI Jean-Jacques
Directeur général adjoint
chargé des télécommunications
Office des postes et des
télécommunications (OPT)
B.P. 20000
LIBREVILLE
Tel: +241 739588/725955
Tlx: 0973 postel 5220 go
Fax: +241 747168</p> <p>D M. OGANDAGA Jean
Chef, Centre de maintenance
et commutation
Office des postes et des
télécommunications (OPT)
B.P. 20000
LIBREVILLE
Tel: +241 741324/740336
Tlx: 0973 postel 5220 go
Fax: +241 724188</p> | <p>D M. AKENDENGUE Daniel
Membre
Conseil National de la
Communication
B.P. 6437
LIBREVILLE
Tel: +241 732875/769074</p> |
|---|---|

GMB Gambie (République de) - Gambia (Republic of the) - Gambia (República de)

- | | |
|---|---|
| <p>C M. NJIE Bakary K.
Managing Director
Gambia Telecommunications
Company Ltd.
3, Nelson Mandela Street
BANJUL
Tel: +220 228822
Tlx: 0996 2208 mdgamtel gv
Fax: +220 226699</p> <p>D M. JAGNE Momodou M.
Senior Manager
Human Resources Development
Gambia Telecommunications
Company Ltd.
3, Nelson Mandela Street
BANJUL
Tel: +220 229999/371255
Tlx: 0996 2207 mdgamtel gv
Fax: +220 227360</p> | <p>D M. CHAM Elimam M.
Deputy Managing Director
Gambia Telecommunications
Company Ltd.
3, Nelson Mandela Street
BANJUL
Tel: +220 228302/372363
Tlx: 0996 2207 mdgamtel gv
Fax: +220 228004</p> |
|---|---|

GEO Géorgie (République de) - Georgia (Republic of) - Georgia (República de)

Représentée par la Bulgarie

GHA Ghana - Ghana - Ghana

- C M. SALIA Edward K.
Minister of Transport and
Communications
Ministry of Transport and
Communications
P.O. Box M.38
ACCRA
Tel: +233 21 666465
Tlx: 094 2293 minway gh
Fax: +233 21 667114
- D M. ADJEBU N.O.O.
Director, Planning
and Research
Posts and Telecommunications
Corporation Headquarters
ACCRA
Tel: +233 21 229222/229496
Fax: +233 21 669494
- D M. TENKORANG Kwame A.
Minister Consellor
Embassy of Ghana in Japan
Sen Manor A&B
5-12-10 Shimomeguro
Meguro-ku
153 TOKYO
Tel: +81 3 37108831/2/3
Tlx: 094 j 22487 ghanaemb
Fax: +81 3 37108830

- CA M. DZANG C.K.
Ambassador of Ghana
Embassy of Ghana in Japan
Sen Manor A&B
5-12-10 Shimomeguro, Meguro-ku
153 TOKYO
Tel: +81 3 37108831/2/3
- D M. BROCK Philip A.
Senior Technical Officer
Frequency Registration and
Control Board
Office of the President
P.O. Box 1627
ACCRA
Tel: +233 21 666932-4
Tlx: 094 2337 gh
- A M. ASMAH Kark
First Secretary
Embassy of Ghana in Japan
Sen Manor A&B
5-12-10 Shimomeguro, Meguro-ku
153 TOKYO
Tel: +81 3 37108831/2/3

GRC Grèce - Greece - Grecia

- C M. ALAMBANOS Dimitrios
Undersecretary
Ministry of Transport and
Telecommunications
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 3312162-3
Fax: +30 1 3254180
- CA M. IOANNIDIS Petros
Director, Head of Planning and
Communications
Development Department
Ministry of Transport and
Communications/Administration
of Posts and Telecom
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 9238349
Tlx: 0601 216369 ysyg gr
Fax: +30 1 9237133
- C M. COSTIS Vassilios
Counsellor
Embassy of Greece in Japan
3-16-30 Nishi Azabu
Minato-ku
106 TOKYO
Tel: +81 3 34030871/2
Fax: +81 3 34024642
- CA M. NODAROS Anastase
Director, Head of Int'l
Telecommunications
Organizations Division
Hellenic Telecommunications
Organization (OTE)
99, Avenue Kifissias
GR-15124 MAROUSSI
Tel: +30 1 6117170
Tlx: 0601 210220 cept gr
Fax: +30 1 6117276

GRC Grèce - Greece - Grecia

- | | |
|---|--|
| <p>D M. CHAJZIVASDEKIS Nicolaos
Head, Development Section
Ministry of Transport and
Communications/Administration
of Posts and Telecom
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 9231339
Tlx: 0601 216369 ysyg gr
Fax: +30 1 9237133</p> <p>D M. MAVIS Michael
Advisor
International Relations
Department
Hellenic Telecommunications
Organization (OTE)
99, Avenue Kifissias
GR-15124 MAROUSSI
Tel: +30 1 6527571
Fax: +30 1 6117276</p> <p>A M. LAMBRINOPOYLOS Andreas
Advisor to the Minister
Ministry of Transport and
Telecommunications
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 3244682</p> <p>A Mme POLITIKOU Ioanna
Minister's Advisor
Ministry of Transport and
Telecommunications
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 3312162/3
Fax: +30 1 3254180</p> | <p>D Mme KAMINARI Kalomira
Senior Official
Planning and Communications
Development Department
Ministry of Transport and
Communications/Administration
of Posts and Telecom
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 9231339
Tlx: 0601 216369 ysyg gr
Fax: +30 1 9237133</p> <p>D M. PAPAKOSTAS Stefanos
Advisor
Strategic Planning Department
Hellenic Telecommunications
Organization (OTE)
99, Avenue Kifissias
GR-15124 MAROUSSI
Tel: +30 1 6118892
Tlx: 0601 210220 cept gr
Fax: +30 1 6117276</p> <p>A M. PLOUMBIS Konstantinos
Minister's Advisor
Ministry of Transport and
Telecommunications
49, Avenue Syngrou
GR-11780 ATHINAI
Tel: +30 1 3312162/3
Fax: +30 1 3254180</p> |
|---|--|

GUI Guinée (République de) - Guinea (Republic of) - Guinea (República de)

- | | |
|---|--|
| <p>C M. DIALLO M. Malal
Conseiller
Ministère des postes
et télécommunications
CONAKRY
Tel: +224 414586/413134
Tlx: 0995 22377 mpostel ge
Fax: +224 411535</p> | <p>CA M. SQUARE Souleymane
Ingénieur Chef
Service Maintenance
Haut commissariat à l'inform.
Radio Télévision Guinéenne
(R.T.G.)
CONAKRY
Tel: +224 411422/441415
Fax: +224 411535</p> |
|---|--|

GUI Guinée (République de) - Guinea (Republic of) - Guinea (República de)

CA M. SOW Mamadou D.
Ingénieur
Service C.N.C.T.
Ministère des postes
et télécommunications
CONAKRY
Tel: +224 422881/421713
Tlx: 0995 22377 mpostel ge
Fax: +224 411535

D M. BARRY Pathé
Directeur adjoint
Finances et comptabilité
Société des télécommunications
de Guinée (SOTELGUI)
B.P. 2066
CONAKRY
Tel: +224 412881
Fax: +224 413218

D M. CLIVET Bernard
Directeur général
Société des télécommunications
de Guinée (SOTELGUI)
B.P. 2066
CONAKRY
Tel: +224 412453
Fax: +224 413218

GUY Guyana - Guyana - Guyana

D M. SANATAN Roderick
Secretary General
Caribbean Telecommunications
Union
Tel: +592 257758/69399

HND Honduras (République du) - Honduras (Republic of) - Honduras (República de)

C M. MALDONADO MUÑOZ José M.
Gerente General
Dirección de Relaciones
Empresa Hondureña de
Telecomunicaciones (HONDUTEL)
Apartado Postal 1794
TEGUCIGALPA DC
Tel: +504 386111
Fax: +504 371111

HNG Hongrie (République de) - Hungary (Republic of) - Hungría (República de)

C M. BÖLCSKEI Imre
Deputy State Secretary
Ministry of Transport,
Communication and Water
Management
75-81, Dob u.
H-1400 BUDAPEST
Tel: +36 1 1557775
Fax: +36 1 1113063

C M. KOVACS Kálmán
Political State Secretary
Ministry of Transport,
Communication and Water
Management
75-81, Dob u.
H-1400 BUDAPEST
Tel: +36 1 2697521/1220220
Fax: +36 1 1422724

CA M. BARTHA József
Deputy CEO
Antenna Hungaria
Hungarian Radiocommunications
Company
31-33, Petzval u.
H-1115 BUDAPEST
Tel: +36 1 2090348
Fax: +36 1 2090373

CA M. HORVATH Ferenc
General Director
Ministry of Transport,
Communication and Water
Management
75-81, Dob u.
H-1400 BUDAPEST
Tel: +36 1 1563493

HNG Hongrie (République de) - Hungary (Republic of) - Hungría (República de)

- | | |
|---|---|
| <p>CA M. MEZEY Gábor
Advisor
Ministry of Transport,
Communication and Water
Management
75-81, Dob u.
H-1400 BUDAPEST
Tel: +36 1 1220220/1847429
Fax: +36 1 1223480</p> | <p>D M. BOZSOKI István
Head of Department
General Inspectorate of
Communication
23-25, Ostrom u.
H-1015 BUDAPEST
Tel: +36 1 1563853/757201
Fax: +36 1 1563403</p> |
| <p>D M. GOSZTONYI Géza
Chief Advisor
Hungarian Telecommunications
Company
6-8, Krisztina krt.
H-1122 BUDAPEST
Tel: +36 1 1756885
Fax: +36 1 1753093</p> | <p>D M. NEMCSICS Elek
General Director
General Inspectorate of
Communication
23-25, Ostrom u.
H-1015 BUDAPEST
Tel: +36 1 1562802
Fax: +36 1 1758775</p> |
| <p>D M. PUSKAR Attila
Head of Department
Antenna Hungaria
Hungarian Radiocommunications
Company
31-33, Petzval u.
H-1115 BUDAPEST
Tel: +36 1 2090372
Fax: +36 1 2090376</p> | <p>D M. SALLAI Gyula
Deputy CEO
Hungarian Telecommunications
Company
6-8, Krisztina krt.
H-1122 BUDAPEST
Tel: +36 1 1566375
Fax: +36 1 2022356</p> |
| <p>D M. VALTER Ferenc
Director
WESTEL Ltd
21, Karinthy u.
H-1111 BUDAPEST
Tel: +36 1 2273718
Fax: +36 1 2273719</p> | <p>D M. VILLANYI Otto
Head of Department
Hungarian Telecommunications
Company
6-8, Krisztina krt.
H-1122 BUDAPEST
Tel: +36 1 1756885
Fax: +36 1 1753093</p> |
| <p>D M. WINKLER János
CEO
WESTEL Ltd
21, Karinthy u.
H-1111 BUDAPEST
Tel: +36 1 1669777
Fax: +36 1 2273719</p> | |

IND Inde (République de l') - India (Republic of) - India (República de la)

- | | |
|--|--|
| <p>C M. RAM Sukh
Minister of Communications
Ministry of Communications
Sanchar Bhawan
110001 NEW DELHI
Tel: +91 11 3017042
Fax: +91 11 3711522</p> | <p>CA M. JOSHI A.M.
Wireless Adviser
Ministry of Communications
R.No.348 Dak Bhavan
Parliament Street
110001 NEW DELHI
Tel: +91 11 3755440/3032889
Fax: +91 11 3716111</p> |
|--|--|

IND Inde (République de l') - India (Republic of) - India (República de la)

- | | |
|---|---|
| <p>CA M. KULKARNI M.G.
Member (Planning)
Telecom Commission
Ministry of Communications
Sanchar Bhavan
20, Ashoka Road
110001 NEW DELHI
Tel: +91 11 3710834
Tlx: 081 3166790
Fax: +91 11 3782202</p> | <p>CA S.E. M. SHAH Prakash
Ambassador of India
Embassy of India in Japan
2-2-11 Kudan Minami
Chiyoda-ku
102 TOKYO
Tel: +81 3 32655036
Fax: +81 3 32022068</p> |
| <p>CA M. TAKKAR R.K.
Chairman
Telecom Commission
Department of Telecommunic.
Ministry of Communications
Sanchar Bhavan
20 Ashoka Road
110001 NEW DELHI
Tel: +91 11 3719898
Fax: +91 11 3711514</p> | <p>CA M. VITTAL N.
Secretary
Department of Electronics
Electroniki Sadan
C.G.O. Complex
Lodi Road
110003 NEW DELHI
Tel: +91 11 4364041/4363125
Tlx: 081 3165103 comn in
Fax: +91 11 4363124</p> |
| <p>D M. AGARWAL R.N.
Joint Wireless Adviser
Ministry of Communications
Dak Bhawan
Parliament street
110001 NEW DELHI
Tel: +91 11 3755440/6470604
Tlx: 081 3161160 comn in
Fax: +91 11 3716111</p> | <p>D M. CHOPRA Inder V.
Consul général
OSAKA</p> |
| <p>D M. KAPILA Navin
Officer on Special Duty
Ministry of Communications
Sanchar Bhawan
110001 NEW DELHI
Tel: +91 11 3717355
Fax: +91 11 3711522</p> | <p>D M. KUSHVAHA R.J.S.
Officer on Special Duty
Ministry of Communications
Dak Bhawan
Parliament Street
110001 NEW DELHI
Tel: +91 11 3755427
Fax: +91 11 332344866</p> |
| <p>D M. PRASAD R.U.S.
Additional Secretary
Ministry of Communications
Sanchar Bhawan, Asuka Road
110001 NEW DELHI
Tel: +91 11 3717300</p> | <p>D M. RASTOGI R.C.
Member (Finance)
Telecom Commission
Sanchar Bhawan
110001 NEW DELHI
Tel: +91 11 3716161
Fax: +91 11 3715762</p> |
| <p>D M. RAVI N.
Deputy Chief of the Mission
Embassy of India in Japan
2-2-11 Kudan Minami
Chiyoda-ku
102 TOKYO
Tel: +81 3 32622391/7</p> | <p>D M. SARAN P.S.
Adviser (HRD)
Telecom Commission
Sanchar Bhawan
110001 NEW DELHI
Tel: +91 11 3710850</p> |

INS Indonésie (République d') - Indonesia (Republic of) - Indonesia (República de)

- | | |
|--|--|
| <p>C M. JOOP AVE
Minister of Tourism, Posts
and Telecommunications
Ministry of Tourism, Posts
and Telecommunications
36, Jalan Kebon Sirih
10110 JAKARTA
Tel: +62 21 3456705
Tlx: 073 45157 mppt ia
Fax: +62 21 3867600/375409</p> | <p>CA M. PARAPAK Jonathan
Secretary General
Ministry of Tourism, Posts
and Telecommunications
36, Jalan Kebon Sirih
10110 JAKARTA
Tel: +62 21 3849142
Tlx: 073 45157 mppt ia
Fax: +62 21 3867600/375404</p> |
| <p>CA M. PURAWIDJAJA Djakaria
Director General
Directorate General of Posts
and Telecommunications
37, Jalan Kebon Sirih
10340 JAKARTA
Tel: +62 21 3156000
Tlx: 073 44407 postel ia
Fax: +62 21 3102254/327766</p> | <p>D M. HARYONO Harry P.
Deputy Director,
Legal & Treaties Affairs
Department of Foreign Affairs
6, Jalan Taman Pejambon
10110 JAKARTA
Tel: +62 21 3849618
Fax: +62 21 363380/3849889</p> |
| <p>D S.E. M. KOENTARJO Poedji
Ambassador Extraordinary
Embassy of Indonesia in Japan
5-2-9 Higashi-Gotanda
Shinagawa-ku
141 TOKYO
Tel: +81 3 34414201/7</p> | <p>D M. MANAFE Yappi Willem
Senior Legal Official
Ministry of Tourism, Posts
and Telecommunications
36, Jalan Kebon Sirih
10110 JAKARTA
Tel: +62 21 3847352
Tlx: 073 45157 mppt ia
Fax: +62 21 3867600/375409</p> |
| <p>D Mme PANDJAITAN Ingrid R.
Director
Telecommunication Standards
Directorate General of Posts
and Telecommunications
37, Jalan Kebon Sirih
10340 JAKARTA
Tel: +62 21 5669316/8509763
Tlx: 073 44407 postel ia
Fax: +62 21 5669317</p> | <p>D M. RACHMAN Renold
Manager
Business & Service
Development
PT Indosat
21, Jalan Medan Merdeka Barat
10110 JAKARTA
Tel: +62 21 3869530
Tlx: pt indosat
Fax: +62 21 374321</p> |
| <p>D Mme RISAN Dewie P.
Legal Manager
PT Indosat
21, Jalan Medan Merdeka Barat
10110 JAKARTA
Tel: +62 21 3869179/5851137
Tlx: 073 44383 indsat ia
Fax: +62 21 3450592</p> | <p>D M. RUDY HENDARTO
Legal Official
PT Telkom
1, Japati
40115 BANDUNG
Tel: +62 22 4524242
Fax: +62 22 703247</p> |
| <p>D M. SANTOSA Setyanto P.
President Director
PT Telkom
1, Japati
40115 BANDUNG
Tel: +62 22 436100
Fax: +62 22 440313</p> | <p>D M. SARTONO Petrus
Corporate Secretary
PT Telkom
1, Japati
40115 BANDUNG
Tel: +62 22 4524252/706502
Fax: +62 22 703247</p> |

INS Indonésie (République d') - Indonesia (Republic of) - Indonesia (República de)

- | | |
|---|--|
| <p>D S.E. M. SILALAH Adian
Ambassador/Deputy Permanent
Representative to the UN
Indonesian Mission to UN
16, Saint-Jean
GENEVA
Tel: +41 22 3453350</p> <p>D M. SOETJIPTO M.
Chief
Organization and Law Bureau
Ministry of Tourism, Posts
and Telecommunications
36, Jalan Kebon Sirih
10110 JAKARTA
Tel: +62 21 3847352
Tlx: 073 45157 mppt ia
Fax: +62 21 3867600/375409</p> <p>D M. TAMPUBOLON Usm
PT Indosat
21, Jalan Medan Merdeka Barat
10110 JAKARTA
Tel: +62 21 377932/8295247
Fax: +62 21 3450592</p> <p>D M. WIRYOHADISUBROTO Subagiyo
Consul General
Indonesian Consulate General
Kiandai Bld 2nd & 3rd Floor
67, Kyomachi, Chuo-ku
650 KOBE
Tel: +81 78 3211656
Fax: +81 78 3920792</p> | <p>D M. SIRAT Djamhari
Deputy Director General
Posts and Telecommunication
Standards
Directorate General of Posts
and Telecommunications
37, Jalan Kebon Sirih
10340 JAKARTA
Tel: +62 21 3845038
Tlx: 073 44407 postal ia
Fax: +62 21 3102254/327766</p> <p>D M. SURYATIN F. X.
Chief
Research and Development
PT Telkom
1, Japati
40115 BANDUNG
Tel: +62 22 214403
Fax: +62 22 214669</p> <p>D M. WIRAYUDA Noer H.
Director
International Organization
Department of Foreign Affairs
6, Taman Pejambon
10110 JAKARTA
Tel: +62 21 3849350
Fax: +62 21 363380</p> <p>A M. SUNARMIN
Consul
Indonesian Consulate General
Kiandai Bld 2nd & 3rd Floor
67, Kyomachi, Chuo-ku
650 KOBE
Tel: +81 78 3211656
Fax: +81 78 3920792</p> |
|---|--|

IRN Iran (République islamique d') - Iran (Islamic Republic of) - Irán (República Islámica del)

- | | |
|---|--|
| <p>C M. GHARAZI Sayed Mohammad
Minister of Posts, Telegraph
and Telephone
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 866086/8891767
Fax: +98 21 863085</p> | <p>CA M. MAHYAR Hossein
Director-General
Telecommunications
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 652590/843612
Fax: +98 21 867999</p> |
|---|--|

IRN Iran (République islamique d') - Iran (Islamic Republic of) - Irán (República Islámica del)

CA M. NARAGHI Mohammad
Managing Director
Telecommunication Company
of Iran (TCI)
Doctor Shariati Ave.
16314 TEHRAN
Tel: +98 21 866086
Fax: +98 21 863085

CA M. SHAHABEDDIN Hossein
Deputy Minister
Telecommunication Affairs
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 866086
Fax: +98 21 863085

D M. BAGHDADI Gholamreza
Expert
Direction General of
Telecommunications
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 843612/2271615
Fax: +98 21 866023/864015

D M. BARAHMAN Najafali
Director
Legal Bureau
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 866086/8828900
Fax: +98 21 863085/6494474

D M. EBRAHIMI Nosratollah
Deputy Managing Director
Telecommunication Company
of Iran (TCI)
Doctor Shariati Ave.
16314 TEHRAN
Tel: +98 21 301616/8824089
Fax: +98 21 300810

D M. GASPAR Vanand
Expert
Islamic Republic of Iran
Broadcasting
P.O. Box 15875-4344
1157 TEHRAN
Tel: +98 21 295002/21960
Tlx: 088 213253
Fax: +98 21 291051

D M. HAKKAK Mohammad
Senior Expert
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 2227813
Fax: +98 21 2273129

D M. HOMAEI-NEGAD Mohammad
Counsellor
Ministry of Foreign Affairs
TEHRAN
Tel: +98 21 3112931
Fax: +98 21 674176

D M. KHANI Alireza
Technical Expert
Direction General of
Telecommunications
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 6494471/3
Tlx: 088 213675
Fax: +98 21 6494474

D M. MANESH Ghazanfar F.
Head, Ministerial Office
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 848048
Fax: +98 21 864012

IRN Iran (République islamique d') - Iran (Islamic Republic of) - Irán (República Islámica del)

D M. TAGHI HOSSEINI Sayed M.
Expert
Direction General of
Telecommunications
Ministry of Posts, Telegraph
and Telephone
Doctor Shariati Ave.
P.O. Box 11365-931
16314 TEHRAN
Tel: +98 21 848048
Fax: +98 21 864015

D M. TEFAGH Ali A.
Expert
Islamic Republic of Iran
Broadcasting
P.O. Box 19395
1157 TEHRAN
Tel: +98 21 292606
Tlx: 088 963819
Fax: +98 21 291113

IRL Irlande - Ireland - Irlanda

C M. FITZGERALD Sean
Assistant Secretary
Department of Transport,
Energy and Communications
Clare Street
DUBLIN 2
Tel: +353 1 6715233
Tlx: 0500 90335 engy ei
Fax: +353 1 6773169

C M. MAC MAHON Sean S.
Principal
Telecommunications and Radio
(Regulatory) Division
Department of Transport,
Energy and Communications
7, Ely Place
DUBLIN 2
Tel: +353 1 6715233
Tlx: 0500 90335 engy ei
Fax: +353 1 6622150

CA M. BRENNAN Martin
Principal
Telecommunications and Radio
(Development) Division
Department of Transport,
Energy and Communications
7, Ely Place
DUBLIN 2
Tel: +353 1 6715233
Tlx: 0500 90335 engy ei
Fax: +353 1 6622150

D M. DEMPSEY Thomas A.
Staff Engineer
Department of Transport,
Energy and Communications
Findlater House
O'Connell Street
DUBLIN 1
Tel: +353 1 7016666/6714444
Tlx: 0500 31315 rad ei
Fax: +353 1 872 3402

D M. MULLEN Anthony
Executive Director
Bord Telecom Eireann
St. Stephen's Green
DUBLIN 2
Tel: +353 1 6714444
Tlx: 0500 90604
Fax: +353 1 6793919

ISL Islande - Iceland - Islandia

C M. TOMASSON Olafur
Director General
General Directorate of Posts
and Telecommunications
IS-150 REYKJAVIK
Tel: +354 1 636001
Tlx: 0501 2000 gentel is
Fax: +354 1 636009

CA M. ARNAR Gustav
Chief Engineer
General Directorate of Posts
and Telecommunications
IS-150 REYKJAVIK
Tel: +354 1 636000
Tlx: 0501 2000 gentel is
Fax: +354 1 639009

ISL Islande - Iceland - Islandia

CA M. JONSSON Thorvardur
Director
General Directorate of Posts
and Telecommunications
IS-150 REYKJAVIK
Tel: +354 1 636201
Tlx: 0501 2000 gentel is
Fax: +354 1 636209

ISR Israël (Etat d') - Israel (State of) - Israel (Estado de)

C M. KLEPNER Samuel
Director, Engineering and
Licensing Division
Ministry of Communications
P.O. Box 29515
61294 TEL AVIV
Tel: +972 3 5198230/2706310
Fax: +972 3 5198244

C M. OHOLY Menachem
Legal Adviser
Ministry of Communications
P.O. Box 29515
61294 TEL AVIV
Tel: +972 2 706333
Fax: +972 2 235695

D M. BAR-SELA Alon
Head, Mobile
Communications Department
Spectrum Management Division
Ministry of Communications
P.O. Box 29515
61294 TEL AVIV
Tel: +972 3 5198281/8276
Fax: +972 3 5198109/8103

D M. ELGAR Ilan
Counsellor
Division of International
Organizations
Ministry of Foreign Affairs
JERUSALEM
Tel: +972 2 823238
Fax: +972 2 303710

D Mme HENIG Na'Ama
Head
International Relations
Ministry of Communications
P.O. Box 29515
61294 TEL AVIV
Tel: +972 3 5198215/6057301
Fax: +972 3 5198109

D Mme HOUSEN-COURIEL Deborah
Director, Department
of Regulation and
International Treaties
Legal Bureau
Ministry of Communications
P.O. Box 29515
61294 TEL AVIV
Tel: +972 2 706333/639077
Fax: +972 2 235695

D M. HOYDA Raphael
Director
Spectrum Management Division
Ministry of Communications
P.O. Box 29515
61294 TEL AVIV
Tel: +972 3 5198281/5198276
Fax: +972 3 5198103

I Italie - Italy - Italia

C S.E. M. PIETROMARCHI Antonello
Ambassadeur d'Italie
Ministero Affari Esteri
ROME
Tel: +39 6 3235951
Fax: +39 63242482/85282582

CA M. NALIN Giorgio
Directeur
Département de Régulation
Ministère des postes et
télécommunications
Viale America 201
I-00144 ROME
Tel: +39 6 59582823
Fax: +39 6 5414512

I Italie - Italy - Italia

- | | |
|--|---|
| <p>CA M. TIBERIO Sebastiano
Vice-Direttore
Istituto Superiore P.T.
Ministère des postes et
télécommunications
Viale America 201
I-00144 ROME
Tel: +39 6 59584668/595824
Tlx: 043 616228
Fax: +39 6 5410904</p> | <p>D M. BONCOMPAGNI-LUDOVISI P.
Responsable, International
Cooperation
Telecom Italia
Direzione Generale
Via Flaminia 189
Casella Postale 2420
I-00100 ROME
Tel: +39 6 36881
Fax: +39 6 3688/3155</p> |
| <p>D M. D'ANDRIA Emanuele
Head
Space Segment
Telecom Italia
Space Division
Via Tiburtina 965
I-00156 ROME
Tel: +39 6 40791
Tlx: 043 620424
Fax: +39 6 40793624</p> | <p>D M. FARIOLI Marcello
Directeur
Division gestion de fréquences
Ministère des postes et
télécommunications
Viale America 201
I-00144 ROME
Tel: +39 6 59584668/595824
Tlx: 043 610670 ptrad i
Fax: +39 6 5923198</p> |
| <p>D M. FLAVIANO Federico
Director
IRS-IGT
Ministère des postes et
télécommunications
Viale America 201
I-00144 ROME
Tel: +39 6 59581
Tlx: 043 6102217 ig i
Fax: +39 6 5414512/5942883</p> | <p>D M. GNETTI Attilio
Deputy Director,
International Relations
Società Finanziaria
Telefonica (STET)
Direz. Generale
Corso d'Italia 41
I-00198 ROME
Tel: +39 6 8589463
Fax: +39 6 8543958</p> |
| <p>D M. LEGGIO Augusto
General Manager
Poste Italiane
Viale Europa 190
I-00144 ROME
Tel: +39 6 59589108
Fax: +39 6 5942617</p> | <p>D M. MAGENTA Alfredo
Directeur
Relations techniques
internationales
Radiotelevisione Italiana
(RAI)
Viale Mazzini 14
I-00195 ROME
Tel: +39 6 3226248
Tlx: 043 614432 rai rm i
Fax: +39 6 3723376</p> |
| <p>D M. MUSELLA Vincenzo
Vice Dirigente Tecnico TAM
EMTE Poste italiane
Viale Europa 190
I-00144 ROME
Tel: +39 6 59581084
Tlx: 043 616454
Fax: +39 6 59584802</p> | <p>D M. REPACI Giuseppe
Directeur
Relations internationales
Telecom Italia
Via Calabria 46
I-00187 ROME
Tel: +39 6 5734xxxx
Fax: +39 6 57344805</p> |

JMC Jamaïque - Jamaica - Jamaica

C M. PICKERSGILL Robert
Minister of Public Utilities,
Mining and Energy
Ministry of Public Utilities,
Mining and Energy
36, Trafalgar Road
P.O. Box 9000 C.S.O.
KINGSTON 5
Tel: +1 809 9299266

CA M. HUMES Roy
Chief,
Telecommunications Engineer
Telecommunications Services
Post and Telecommunications
Department
P.O Box 7000, South Camp Road
KINGSTON 5
Tel: +1 809 9221575/9260071
Fax: +1 809 9229449

J Japon - Japan - Japón

C M. OIDE Shun
Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

CA M. YANAGISAWA Hakuo
Parliamentary Vice-Minister
for Foreign Affairs
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35803311
Tlx: Gaimudaijin tokyo
Fax: +81 3 35914914

CA M. MATSUNO Haruki
Vice-Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. KUSUDA Shuji
Deputy Minister for
Policy Coordination
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. UTSUMI Yoshio
Director-General
International Affairs
Department
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. TAKANO Kojiro
Director-General
Multilateral Cooperation
Department
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35803311
Tlx: Gaimudaijin tokyo
Fax: +81 3 35914914

D M. YAMAGUCHI Akemi
Director-General
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. IGARASHI Mitsuo
Director-General
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

- D M. EGAWA Akimasa
Director-General
Broadcasting Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. TAKADA Akiyoshi
Deputy Director-General
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. HAMADA Koji
Director-General,
Telecom. Business Department
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. SUGIYAMA Hiroyuki
Deputy Director-General
Broadcasting Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. OKAYAMA Hiroshi
Director
International Policy Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. UMEZU Itaru
Deputy Director-General
Multilateral Cooperation
Department
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35803311
Tlx: Gaimudaijin tokyo
Fax: +81 3 35914914
- D M. OKAI Hajime
Deputy Director-General
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. MOTAI Akio
Director-General
Radio Department
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. ASAHII Hideaki
Director, United Nations
Administration Division
Multilateral Cooperation Dept
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35803311
Tlx: Gaimudaijin tokyo
Fax: +81 3 35914914
- D M. TAKAHASHI Morikazu
Director, International
Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

- D M. SHIMBO Satoshi
Director, International
Cooperation Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. KITO Tatsuo
Director
Technology Policy Division
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. MATSUMOTO Masao
Director, Radio Utilization
Policy Planning Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. TASHIRO Nobushige
Director
Trunk Communications Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. ISHIDA Yoshihiro
Director, Monitoring and
Examination Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. ARITOMI Kan Ichiro
Director, Policy Division
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. HARADA Yuji
Director, Frequency Planning
Division, Radio Department
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. ATSUI Tatsuo
Director, Aeronautical and
Maritime Communications Div.
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. TERASAKI Akira
Director, Land Mobile
Communications Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-Ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. KUBOTA Shigeyuki
Director, Engineering Office
Monitoring and Examination Div
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

- D M. KIKUCHI Sin ichi
Director
Engineering Division
Broadcasting Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. KIMATA Norimoto
Special Advisor
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. YAMADA Toshiyuki
Director, Plenipotentiary
Conference Chairman's Office
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. NAKAMURA Katsuharu
Senior Advisor
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. KAWAUCHI Masataka
Director, Telecommunications
Standards Office
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. OHASHI Ikuo
Special Advisor
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. OKADA Kenji
Director, Specialized
Agencies' Admin. Division
Multilateral Cooperation Dept
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. MURAKOSHI Naomasa
Planning Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. TANAKA Kenji
Senior Advisor
Int'l Cooperation Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-Ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. SUZUKI Kaoru
Senior Advisor, Frequency
Planning Division, Radio Dept
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

- D M. INADA Shuichi
Senior Advisor, Land Mobile
Communications Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. YOSHIDA Yasushi
First Secretary
Permanent Mission of Japan
to the Int'l Organizations
in Geneva
GENEVE
- D M. GOTO Tokuji
Deputy Director
International Policy Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. MORIYA Yasuo
Deputy Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. TANAKA Hiroyuki
Deputy Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. NAKAGAWA Fumihiko
Senior Advisor, Monitoring
and Examination Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. YAMAZAKI Jun
Deputy Director
United Nations Admin. Division
Multilateral Cooperation Dept
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. NISHIHARA Akira
Deputy Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. WAKABAYASHI Shigeyoshi
Deputy Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- D M. YOKOYAMA Takahiro
Deputy Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 027 j29100
Fax: +81 3 35040884

J Japon - Japan - Japon

D M. MONMA Hiromu
Deputy Director, Telecom.
Standards Office
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. KONO Kiyoshi
Deputy Director
Frequency Planning Division
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35030884

D Mlle TANAKA Haruko
Assistant Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. AOKI Yuji
Official
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. KOSAKA Katsuhiko
Communications Research
Laboratory
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. SAKAMOTO Mitsuhiro
Deputy Director
Radio Utilization Policy
Telecommunications Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D Mlle KINOSHITA Noriko
Chief, ITU Section
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. ISO Toshio
Official, Specilized
Agencies' Admin. Division
Multilateral Cooperation Dept
Ministry of Foreign Affairs
2-2-1, Kasumigaseki
Chiyoda-ku
100 TOKYO
Tel: +81 3 35803311
Tlx: Gaimudaijin tokyo
Fax: +81 3 35914914

D M. AOYAMA Hiroyuki
Official, Telecommunications
Standards Office
Communications Policy Bureau
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

D M. IZAWA Ichiro
Hokkaido Bureau of
Telecommunications
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

D M. HATAKEYAMA Hitotaka
Kinki Bureau of
Telecommunications
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. AMEMIYA Tadashi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. ASADA Kasuo
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. FUKINUKI Hiroshi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. HAYAMA Osamu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. AJIRO Syoichi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. ARAKI Noboru
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. FUJIOKA Masayoshi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. FURUYA Takashi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. HIRATSUKA Yoshitaka
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

A M. HOSHI Tsuneo
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. ISHII Koichi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. KODA Tetsuo
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. KOSUGE Yasuharu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. MASUZAWA Takayoshi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. II Chikai
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. IWASA Masakazu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. KOSEKI Yasuo
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. KURIHARA Yoshitaka
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. MATSUDAIRA Tsunekazu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

A M. MIZUNO Hiroyuki
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. MORIMOTO Tetsuo
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. NAGAI Kenji
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. NAKAMURA Kozo
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A Mme NAKANO Kazuko
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. MORI Tadahisa
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. MORISHIMA Nobukazu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 KYOTO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. NAGANO Akira
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. NAKAMURA Yukio
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. NIIYA Masamichi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

- A M. NIKI Minoru
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. OBA Yoshinobu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 027 j29100
Fax: +81 3 35040884
- A M. OKUYAMA Yusai
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. ONOZAWA Tomoyuki
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. SASAKI Taro
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chidoya-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

- A M. NOZAKI Seisuke
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. ODERA Eiichi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. ONO Yoshinori
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. SASAKI Akira
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884
- A M. SATO Takashi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

J Japon - Japan - Japón

- | | | | |
|---|---|---|---|
| A | M. SATO Yutaka
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 | A | M. SHIBATA Hiroshi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 |
| A | M. SHINDO Shigenori
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 027 j29100
Fax: +81 3 35040884 | A | M. SHIOMI Kyota
Assistant Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 |
| A | M. SONE Nobuyoshi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 | A | M. SUGIMOTO Shunzo
Assistant Director
Int'l Organizations Division
International Affairs Dept
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 |
| A | M. SUZUKI Noboru
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 | A | M. SUZUKI Shin ichi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 |
| A | M. SUZUKI Taihei
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 | A | M. TANAKA Shigenobu
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884 |

J Japon - Japan - Japón

A M. TANAKA Hiroshi
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

A M. YOKOYAMA Hiroyuki
Adviser
Ministry of Posts and
Telecommunications
1-3-2, Kasumigaseki
Chiyoda-ku
100-90 TOKYO
Tel: +81 3 35044792
Tlx: 072 j29100
Fax: +81 3 35040884

JOR Jordanie (Royaume hachémite de) - Jordan (Hashemite Kingdom of) - Jordania (Reino Hachemita de)

C M. AL-DABBAS Hashim
Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
AMMAN
Tel: +962 6 638301

CA M. JABALI Humoud
Head
Telecom Policy Division
Telecommunications Corporation
P.O. Box 1689
AMMAN
Tel: +962 6 638301
Tlx: 0493 21221 jortel jo
Fax: +962 6 659666

D M. BAZBAZAT Hussam
Embassy of Jordan in Japan
Chiyoda House 4
2-17-8 Nagata-cho, Chiyoda-ku
100 TOKYO
Tel: +81 3 35805856/8

KAZ Kazakhstan (République du) - Kazakhstan (Republic of) - Kazajstán (República de)

CA M. YUNUSKHODJAEV Murat N.
Deputy Director
Department of Communication
Ministry of Transportation
and Communication
134, Bogenby Batyz Street
480091 ALMA-ATA
Tel: +732 72 620881/633550
Tlx: 251358
Fax: +732 72 532997

D M. ALIGOUJINOV Serik
First Deputy Minister of
Transport and Communication
Ministry of Transport and
Communication
458, Seifulling Street
ALMA-ATA
Tel: +732 72 604040/393991
Tlx: 251358
Fax: +732 72 532997

D M. ULIANOV Igor V.
President
Kazaktelecom
134, Bogenby Batyz Street
480091 ALMA-ATA
Tel: +732 72 620541
Tlx: 251358
Fax: +732 72 637210

KEN Kenya (République du) - Kenya (Republic of) - Kenya (República de)

- | | |
|---|---|
| <p>C M. ANYANGO Dalmas O.
Minister of Transport
and Communications
Ministry of Transport
and Communications
P.O. Box 52962
NAIROBI
Tel: +254 2 729200
Fax: +254 2 217895</p> | <p>C M. SHINGIRAH Reuben M.J.
Assistant General Manager
Telecommunications
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401
Fax: +254 2 334044</p> |
| <p>CA M. CHEMAI Samson K.
Managing Director
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401
Fax: +254 2 217895</p> | <p>D M. GITHUA Daniel
Principal Technical Officer
Kenya Broadcasting Corporation
P.O. Box 30456
NAIROBI
Tel: +254 2 226875/216266
Fax: +254 2 217895</p> |
| <p>D M. JALING H. V.
Engineer
Directorate of Civil Aviation
P.O. Box 30163
NAIROBI
Tel: +254 2 2822950/729200
Fax: +254 2 217895</p> | <p>D M. KITHINJI Genesius
Deputy Secretary
Ministry of Transport
and Communications
P.O. Box 52692
NAIROBI
Tel: +254 2 729200
Fax: +254 2 217895</p> |
| <p>D Mme KOECH Alice
Senior Assistant Manager
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401/505668
Fax: +254 2 217895</p> | <p>D S.E. M. LEKEN Stephen K.O.
Ambassador of Kenya
Embassy of Kenya in Japan
24-3 Yakumo, 3-chome
Meguro-ku
152 TOKYO
Tel: +81 3 37234006/7
Fax: +81 3 37234488</p> |
| <p>D M. MADZAYO S.M.
Corporation Secretary
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401
Fax: +254 2 217895</p> | <p>D M. MUREITHI Muriuki
Senior Assistant Manager
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401/760312
Fax: +254 2 217895/765127</p> |
| <p>D M. NDUNGU Wilson W.
Telecommunications Officer
Department of Defence
P.O. Box 40668
NAIROBI
Tel: +254 2 721936
Fax: +254 2 217895</p> | <p>D M. OTIENO Ouma S.
Engineer
Kenya Broadcasting Corporation
P.O. Box 30456
NAIROBI
Tel: +254 2 220697
Fax: +254 2 217895</p> |
| <p>D M. RANA Kipkorir A.
Counsellor
Embassy of Kenya in Japan
24-3 Yakumo, 3 chome
Meguro-ku
152 TOKYO
Tel: +81 3 37234006/7
Fax: +81 3 3723/4488</p> | <p>D M. RAYORI Dickson
Manager
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401
Fax: +254 2 217895</p> |

KEN Kenya (République du) - Kenya (Republic of) - Kenya (República de)

A M. CHASIA Henry
Advisor
Kenya Posts and
Telecommunications Corporation
P.O. Box 30301
NAIROBI
Tel: +254 2 227401
Fax: +254 2 217895

KIR Kiribati (République de) - Kiribati (Republic of) - Kiribati (República de)

C M. TEANAKO Inatio
Manager
Telecom Kiribati
Limited (TKL)
P.O. Box 487
TARAWA
Tel: +686 26588
Fax: +686 26045

KWT Koweït (Etat du) - Kuwait (State of) - Kuwait (Estado de)

C M. AL-OUN Jasim M.
Minister of Communications
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4840606
Tlx: 0496 us ptt 22197 kt
Fax: +965 4847058

C M. SALEEM Abdul K.
Assistant Under Secretary
Technical Affairs
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4832275
Tlx: 0496 us ptt 22197 kt
Fax: +965 4847058

CA M. AL-IBRAHIM Adel A.
Assistant Under Secretary
Customer Services Affairs
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4814410/5399669
Tlx: 0496 us ptt 22197 kt
Fax: +965 4832444

CA S.E. M. SHUHAIBER Suhail
Ambassador of Kuwait
Embassy of Kuwait in Japan
4-13-12 Mita
Minato-ku
108 TOKYO
Tel: +81 3 34535190

D M. AL-AMER Sami K.
Director
Monitoring, Frequencies and
Licenses Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4830837
Tlx: 0496 us ptt 22197 kt
Fax: +965 4847058

D M. AL-ENIZY Soud M.
Minister's Office
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tlx: 0496 us ptt 22197 kt
Fax: +965 4847058

KWT Koweït (Etat du) - Kuwait (State of) - Kuwait (Estado de)

D M. AL-QATTAN Hameed H.
Director
Technical Services Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4816602
Tlx: 0496 us ptt 22197 kt
Fax: +965 4812375

D M. AL-SANEEN Abdul Wahab A.
Assistant Director
Monitoring, Frequencies and
Licenses Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4830869
Tlx: 0496 us ptt 22197 kt
Fax: +965 4835606

D M. HASHEM Mustafa H.
Director
Conferences and Public
Relations Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4818694
Tlx: 0496 us ptt 22197 kt
Fax: +965 4847058

D M. SABTI S. Yacoub
Director
Technical Planning Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4848844
Tlx: 0496 us ptt 22197 kt
Fax: +965 4838679

D M. AL-SALEEM Waleed M.
Director
Minister's Office
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4882992
Tlx: +0496 us ptt 22197 kt
Fax: +965 4847058

D M. AL-SHATTI Abdul Rahman A.
Director, International
Network Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 2450044
Tlx: 0496 us ptt 22197 kt
Fax: +965 2416873

D Mme MOHAMED Sameera B.
Engineer
Technical Services Department
Ministry of Communications
P.O. Box 318
11111 SAFAT
Tel: +965 4816602
Tlx: 0496 us ptt 22197 kt
Fax: +965 4812375

A M. AL-HAJRI Saeid M.
Attaché Diplomatique
Ministry of Foreign Affairs
KUWAIT CITY
Tel: +965 3720262
Fax: +965 2437198

LAO Lao (République démocratique populaire) - Lao People's Democratic Republic - Lao (República Democrática Popular)

C S.E. M. SAYAKONE Khamsing
Ambassadeur du Lao
Ambassade du Lao au Japon
3-3-22 Nishi Azabu
Minato-ku
106 TOKYO
Tel: +81 3 54112291/2

LSO Lesotho (Royaume du) - Lesotho (Kingdom of) - Lesotho (Reino de)

- | | |
|--|--|
| <p>C M. MOCHOCHOKO David
Minister of Transport and
Communications
Ministry of Transport and
Communications
P.O. Box 413
100 MASERU
Tel: +266 311006
Fax: +266 310264</p> <p>D M. MOHAPELOA Lietsiso
Managing Director
Lesotho Telecommunications
Corporation
P.O. Box 1037
MASERU 100
Tel: +266 211101
Tlx: 0963 4236 ltchq lo
Fax: +266 310183</p> <p>D M. NKOE P.
Finance Manager
Lesotho Telecommunications
Corporation
P.O. Box 1037
MASERU 100
Tel: +266 211130
Tlx: 0963 4236 ltchq lo
Fax: +266 310147</p> | <p>CA M. MOREMOHOLO K.T.
Principal Secretary
Ministry of Transport and
Communications
P.O. Box 413
100 MASERU
Tel: +266 316581
Fax: +266 310264</p> <p>D M. MONNAPULA M.
Resource Coordinator
Lesotho Telecommunications
Corporation
P.O. Box 1037
MASERU 100
Tel: +266 211300
Tlx: 093 4204
Fax: +266 310091</p> <p>D M. SELLO F.M.
Head of Transmission
Maintenance
Lesotho Telecommunications
Corporation
P.O. Box 1037
MASERU 100
Tel: +266 211000
Tlx: 0963 4236 ltchq lo
Fax: +266 310204</p> |
|--|--|

LVA Lettonie (République de) - Latvia (Republic of) - Letonia (República de)

- | | |
|---|---|
| <p>C M. BERZINS Guntis
Director, Department of
Communications
Ministry of Transport
41/43 Elizabetes Iela
LV-1010 RIGA
Tel: +371 2 320037/323266
Tlx: 0538 161176 ptb su
Fax: +371 8 828499/828120</p> | <p>D M. LELIS Janis
Chairman
Telecommunications Tariff
Council
10, Meistaru Iela
LV-1050 RIGA
Tel: +371 2 213109
Fax: +371 8820519</p> |
|---|---|

MKD L'ex-République yougoslave de Macédoine - The Former Yugoslav Republic of Macedonia - La ex República Yugoslava de Macedonia

- | | |
|--|--|
| <p>C M. CAMUROVSKI Dimce
Assistant Minister
Ministry of Urbanism, Civil
Engineering, Transport
and Ecology
ul. Dame Gruev br. 14
91000 SKOPJE
Tel: +389 91 239521
Tlx: 0597 51119 vld rm yu
Fax: +389 91 117163</p> | <p>CA M. ANGELEVSKI Maksim
Assistant to Director-General
for Telecommunication
PTT "Makedonija"
Orce Nikolov BB
91000 SKOPJE
Tel: +389 91 141006/118119
Tlx: 0597 51222
Fax: +389 91 224277</p> |
|--|--|

MKD L'ex-République yougoslave de Macédoine - The Former Yugoslav Republic of Macedonia - La ex República Yugoslava de Macedonia

CA M. KOSTOVSKI Risto
Assistant to Director-General
Telecommunication and
Development
PTT "Makedonija"
Orce Nikolov BB
91000 SKOPJE
Tel: +389 91 141000
Tlx: 0597 51222
Fax: +389 91 224277

D M. TALEV Ljuben
Expert Adviser to
Director-General
PTT "Makedonija"
Orce Nikolov BB
91000 SKOPJE
Tel: +389 91 141107/141296
Tlx: 0597 51222
Fax: +389 91 224277

D M. SPASENOVSKI Boris
Professor
Elektrotehnicki Fakultet
University "Kiril i Metodij"
91000 SKOPJE
Tel: +389 91 363184
Fax: +389 91 363566

LBN Liban - Lebanon - Libano

C S.E. M. CHAMMA Samir
Ambassador of Lebanon
Embassy of Lebanon in Japan
Chiyoda House 5th Floor
2-17-8 Nagata-cho, Chiyoda-ku
100 TOKYO
Tel: +81 3 35801227

CA M. GHAZAL Maurice
Représentant permanent aux
instances internationales des
télécommunications
Ministère des postes et des
télécommunications
Avenue Sami El Solh
BEYROUTH
Tel: +9611200888/888100
Tlx: 0494 41333
Fax: +961 1 601343/888600

LBR Libéria (République du) - Liberia (Republic of) - Liberia (República de)

C M. JAYJAY Roosevelt G.
Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
G.P.O. 1000
MONROVIA 10
Tel: +231 226079
Fax: +231 226079

CA M. TYEE HARWENE
Acting Managing Director
Liberia Telecommunications
Corporation
Lynch Street, Box 9039
MONROVIA
Tel: +231 226001
Tlx: 0997 44330 telecom li
Fax: +231 226000

D M. DUOE G. Thomas M.
Assistant Minister
Telecommunications Policy
Coordinator
Ministry of Posts and
Telecommunications
G.P.O 1000
MONROVIA 10
Tel: +231 226079
Fax: +231 226079

LBY Libye (Jamahiriya arabe libyenne populaire et socialiste) - Libya (Socialist People's Libyan Arab Jamahiriya) - Libia (Jamahiriya Arabe Libia Popular y Socialista)

- | | |
|---|--|
| <p>C M. HODA Bukhari
Head
Board of Directors of GPTC
General Posts and
Telecommunications Company
(GPTC)
Shara Azzawia
TRIPOLI
Tel: +218 21 605215/605405
Tlx: 0901 20000 baridam ly</p> <p>D M. EL-MAHJOUB Ammar
Lybian Jamahyria Broadcasting
P.O. Box 333
TRIPOLI
Tel: +218 21 602464
Tlx: 0901 20010
Fax: +218 21 602151</p> <p>D M. OUN Amer
Secretariat of Information
and Culture
TRIPOLI
Tel: +218 21 38208
Tlx: 0901 20470
Fax: +218 21 36378</p> | <p>D M. EL-HAMMALI Zakaria
General Posts and
Telecommunications Company
(GPTC)
Shara Azzawia
TRIPOLI
Tel: +218 21 605406/605215
Tlx: 0901 20000 baridam ly</p> <p>D M. GHERWI Ali
Director General GPTC
Section of Communications and
Transport
General Posts and
Telecommunications Company
(GPTC)
Shara Azzawia
TRIPOLI
Tel: +218 21 609011
Tlx: 0901 20000 baridam ly</p> |
|---|--|

LIE Liechtenstein (Principauté de) - Liechtenstein (Principality of) - Liechtenstein (Principado de)

Représenté par la Suisse

LTU Lituanie (République de) - Lithuania (Republic of) - Lituania (República de)

Représentée par le Danemark

LUX Luxembourg - Luxembourg - Luxemburgo

- | | |
|---|--|
| <p>C M. WANGEN Ed
Chargé de mission
Ministère des communications
L-2945 LUXEMBOURG
Tel: +352 4781
Fax: +352 408940</p> | <p>C M. SCHUH Paul
Conseiller de direction
première classe
Ministère des communications
18, Montée de la Petrusse
L-2945 LUXEMBOURG
Tel: +352 4781
Fax: +352 408940</p> |
|---|--|

LUX Luxembourg - Luxembourg - Luxemburgo

CA M. DONDELINGER Charles
Directeur général adjoint
Direction générale
Entreprise des postes et des
télécommunications
L-2020 LUXEMBOURG
Tel: +352 47651
Tlx: 0402 3450 gentl lu
Fax: +352 475110

A M. NETTERVILLE David
Senior Spectrum Management
Engineer
Société européenne des
satellites
Château de Betzdorf
L-6815 BETZDORF
Tel: +352 717255266/710675
Fax: +352 717255298

CA M. TOUSSING Edmond
Directeur général
Direction générale
Entreprise des postes et des
télécommunications
L-2020 LUXEMBOURG
Tel: +352 47651
Tlx: 0402 3450 gentl lu
Fax: +352 475110

MDG Madagascar (République de) - Madagascar (Republic of) - Madagascar (República de)

C M. ANDRIAMANJATO Ny Hasina
Ministre des postes et
télécommunications
Ministère des postes et
télécommunications
Antaninarenina
101 ANTANANARIVO
Tel: +261 2 23267
Tlx: 0986 22250 mg
Fax: +261 2 35894

D M. RASOLOJAONA Mamiharilala
Directeur général des
postes et télécommunications
Ministère des postes et
télécommunications
Antaninarenina
101 ANTANANARIVO
Tel: +261 2 21656
Tlx: 0986 22566
Fax: +261 2 24008

MLA Malaisie - Malaysia - Malasia

C M. SAMY Vellu
Minister of Energy,
Telecommunications and Posts
Ministry of Energy,
Telecommunications and Posts
1st Floor, Wisma Damansara
Jalan Semantan
50668 KUALA LUMPUR
Tel: +60 3 2555848
Tlx: 084 ma 30777
Fax: +60 3 2557901

D M. ABDUL KADIR Shamsuddin
Executive Chairman
Sapura Holdings Sdn. Bhd.
Bangunan Sapura
Jalan Enggang, Ulu Kelang
54200 KUALA LUMPUR
Tel: +60 3 4572033
Tlx: 084 ma 31152
Fax: +60 3 4574806

CA M. PARMAN Hod
Director General
Jabatan Telekom Malaysia
Ministry of Energy,
Telecommunications and Posts
Wisma Damansara
Jalan Semantan
50668 KUALA LUMPUR
Tel: +60 3 2557500
Tlx: 084 ma 28020
Fax: +60 3 2530508

D M. BAHARUDDIN Noordin
Executive Director
Binariang Sdn. Bhd.
Wisma Ali Bawal 1, 11 Jalan
Tandang, Petaling Jaya
46050 SELANGOR DARUL EHSAN
Tel: +60 3 7942000
Tlx: 084 32838 usaha
Fax: +60 3 7942371

MLA Malaisie - Malaysia - Malaysia

- D M. BIN SHAFIE Nordin
Senior Manager
MRCB Telecommunication Sdn Bhd
Balai Berita
31 Jalan Riong
59100 KUALA LUMPUR
Tel: +60 3 2828585
Fax: +60 3 2828787
- D M. CHE NOOR Zakaria
Director, International
Relations Division
Jabatan Telekom Malaysia
Ministry of Energy,
Telecommunications and Posts
Wisma Damansara
Jalan Semantan
50668 KUALA LUMPUR
Tel: +60 3 2556687
Fax: +60 3 2530508
- D M. IBRAHIM Abd. Majid
Manager
Regulatory Unit
Unit Pengawal Selian
1st Floor, Wisma Telekom
Jalan Pantai Baru
59200 KUALA LUMPUR
Tel: +60 3 7576969
Tlx: 084 ma 90002
Fax: +60 3 2082272
- D M. MOHAMAD Omar
Senior Executive
Regulations
Cellular Communications
Network (Malaysia) Sdn. Bhd.
1st Floor, Menara Tr.
161B Jalan Ampang
50450 KUALA LUMPUR
Tel: +60 3 2625102
Fax: +60 6 691515
- D M. OTHMAN Ibrahim
Director
Syarikat Telefon Wireless (M)
Sdn. Bhd. (STW)
Penthouse, Wisma Segar
Jalan Tun Sambanthan
50470 KUALA LUMPUR
Tel: +60 3 2735948
Fax: +60 3 2735995
- D M. R.EBADI Ali
Senior Technical Manager
Space Systems
Binariang Sdn. Bhd.
Wisma Ali Bawal II, 11 Jalan
Tandang, Petaling Jaya
46050 SELANGOR DARUL EHSAN
Tel: +60 3 7942000
Tlx: 084 ma 32838 usaha
Fax: +60 3 7942371
- D M. BIN SHAMSUDDIN Shahrman
Group Manager
Information System
Sapura Motors Sdn. Bhd.
P.O. Box 25
43650 BANDAR BARU BANG
Tel: +60 3 8255141
Fax: +60 3 8251628
- D M. HASAN Mohd Z.
Head of Division
Tariff and Forecast Demand
Telekom Malaysia Berhad
Jalan Pantai Baru
59200 KUALA LUMPUR
Tel: +60 3 9842324
Fax: +60 3 2321494
- D M. MANSOR Md. Radzi
Director
Marketing and Customer
Services
Telekom Malaysia Berhad
2nd Floor, Wisma Telekom
Jalan Pantai Baru
59200 KUALA LUMPUR
Tel: +60 3 2082203
Fax: +60 3 2321100
- D M. MUSA Rameli
Executive Vice-Chairman
Sapura Holdings Sdn. Bhd.
Bangunan Sapura
Jalan Enggang, Ulu Kelang
54200 KUALA LUMPUR
Tel: +60 3 4572033
Tlx: 084 precom ma 31152
Fax: +60 3 4565369
- D M. PERUMAL Krishnan
Political Secretary
Ministry of Energy,
Telecommunications and Posts
Wisma Damansara,
Jalan Semantan
50668 KUALA LUMPUR
Tel: +60 3 2555848
Tlx: 084 ma 30777
Fax: +60 3 2557901
- D M. SHAMSUDDIN Shahril
Group Managing Director
Sapura Holdings Sdn. Bhd.
Bangunan Sapura
Jalan Enggang, Ulu Kelang
54200 KUALA LUMPUR
Tel: +60 3 4572033
Tlx: 084 ma 31152
Fax: +60 3 4519631

MLA Malaisie - Malaysia - Malaysia

D M. UNGKU ABD RAHMAN Ungku F.
Group General Manager
Finance and Accounting
Sapura Holdings Sdn. Bhd.
Bangunan Sapura
Jalan Enggang, Ulu Kelang
54200 KUALA LUMPUR
Tel: +60 3 4572033
Tlx: 084 ma 31152
Fax: +60 3 4564934

D M. YUSOFF Mohamed Ali
Adviser
Cellular Communications
Network (Malaysia) Sdn. Bhd.
1st Floor, Menara Tr.
161B Jalan Ampang
50450 KUALA LUMPUR
Tel: +60 3 2625102
Fax: +60 3 2640494

D Mme WAN HAMID Wan A.
Senior Vice-President
Cellular Communications
Network (Malaysia) Sdn. Bhd.
1st Floor, Menara Tr.
161B Jalan Ampang
50450 KUALA LUMPUR
Tel: +60 3 2625102
Fax: +60 3 2640494

MWI Malawi - Malawi - Malawi

C M. CHIZUMILA C.C.
Minister of Transport and
Communications
Ministry of Transport and
Communications
Private Bag 222
Capital City
LILONGWE 3
Tel: +265 783066
Tlx: 0904 44461
Fax: +265 784724

D M. HIWA E.S.
Assistant
Chief Telecommunications
Officer
Department of Posts and
Telecommunications
P.O. Box 537
BLANTYRE
Tel: +265 620 000/633561
Fax: +265 671460/732459

A M. CHIMALIRO C.G.
Senior Engineer
Department of Posts and
Telecommunications
P.O. Box 537
BLANTYRE
Tel: +265 522444
Fax: +265 622224

CA M. MIJIGA S.J.
Postmaster General
Department of Posts and
Telecommunications
P.O. Box 537
BLANTYRE
Tel: +265 620977
Tlx: 0904 44100 postgen mi
Fax: +265 622224

D M. MAKAWA M.M.
Engineer in Chief
Department of Posts and
Telecommunications
P.O. Box 537
BLANTYRE
Tel: +265 620977
Tlx: 0904 44100
Fax: +265 622224

MLD Maldives (République des) - Maldives (Republic of) - Maldivas (República de)

- | | |
|---|---|
| <p>C M. ZAHIR Ahmed
Minister of Transport and
Communications
Ministry of Transport and
Communications
Huravee Building
MALE' 20-24
Tel: +960 323991
Tlx: 0896 77066
Fax: +960 323994</p> <p>D M. AMIR Mohamed
Deputy Director
International Affairs
Telecommunications Department
Ministry of Transport and
Communications
Postel Building
MALE' 20-04
Tel: +960 323344
Tlx: 0896 66005 telecom mf
Fax: +960 320000</p> | <p>CA M. SHAREEF Hussain
Director General
Telecommunications Department
Ministry of Transport and
Communications
Postel Building
MALE' 20-04
Tel: +960 323455/323344
Tlx: 0896 66005 telecom mf
Fax: +960 320000</p> |
|---|---|

MLI Mali (République du) - Mali (Republic of) - Malí (República de)

- | | |
|---|---|
| <p>C M. SOW Moussa
Directeur, Cabinet du
Ministre de la culture et de
la communication
Ministère de la culture et de
la communication
B.P. 116
BAMAKO
Tel: +223 230808
Fax: +223 228319</p> <p>CA M. BA Mamadou
Chargé de Mission
Direction générale
Société des télécommunications
du Mali (SOTELMA)
B.P. 740
BAMAKO
Tel: +223 225280/6612/4925
Fax: +223 223022</p> | <p>C M. SAMAKE Idrissa
Directeur général adjoint
Société des télécommunications
du Mali (SOTELMA)
B.P. 740
BAMAKO
Tel: +223 227202/228459
Tlx: 0985 sotelma 2906 mj
Fax: +223 223022</p> |
|---|---|

MLT Malte - Malta - Malta

- | | |
|---|--|
| <p>C M. FRENDU Michael
Minister for Transport,
Communications and Technology
Ministry for Transport,
Communications and Technology
Lascaris
VALLETTA
Tel: +356 248186
Fax: +356 243758</p> | <p>CA M. BARTOLO Joseph
Director
Wireless Telegraphy Department
Office of the Prime Minister
Evans Building
Merchant Street
VALLETTA CMR 02
Tel: +356 247224-8/243925
Tlx: 0406 1471 modmlt mw
Fax: +356 247229</p> |
|---|--|

MLT Malte - Malta - Malta

- D M. AZZOPARDI CAFFARI Ronald
Deputy Head of
Telecommunications
Telemalta Corporation
Spencer Hill
MARSA
Tel: +356 344344
Tlx: 0406 1286
Fax: +356 376000
- D M. ENGERER Robert
Private Secretary
Ministry for Transport,
Communications and Technology
Lascaris
VALLETTA
Tel: +356 248187
Fax: +356 243758
- D M. SPITERI George
Inspector
Wireless Telegraphy III
Wireless Telegraphy Department
Office of the Prime Minister
Evans Building
Merchant Street
VALLETTA CMR 02
Tel: +356 247224-8/223240
Tlx: 0406 1471 modmlt mw
Fax: +356 247229

- D M. DE BONO Anthony
Chief Executive
Telemalta Corporation
Spencer Hill
MARSA
Tel: +356 242164
Tlx: 0406 1357 mw
Fax: +356 242000
- D M. GALEA DEBONO Richard
Chairman
Telemalta Corporation
Spencer Hill
MARSA
Tel: +356 243033
Tlx: 0406 1357 mw
Fax: +356 240761

MRC Maroc (Royaume du) - Morocco (Kingdom of) - Marruecos (Reino de)

- C M. AHIZOUNE Abdeslam
Ministre des postes et des
télécommunications
Ministère des postes et des
télécommunications
Boulevard Mohamed V
RABAT
Tel: +212 7 703624/703895
Tlx: 0407 miptel 36043 m
Fax: +212 7 706227
- D M. ABDELLMOUTALEB Najib
Chef
Division Marketing
Office national des postes et
des télécommunications (ONPT)
RABAT
Tel: +212 7 779506/7691826
Tlx: 36043
Fax: +212 3 314942/7778156
- CA M. WAKRIM Mohamed
Directeur
Relations internationales
(ONPT)
Ministère des postes et des
télécommunications
Avenue Moulay El Hassan
RABAT
Tel: +212 7 701167/710602
Tlx: 0407 36063 m
Fax: +212 7 705641
- D M. ANTARI El Jilali
Directeur central des
télécommunications
Office national des postes et
des télécommunications (ONPT)
rue Bait Lahm, Im. Baruk
RABAT
Tel: +212 7 706464/761313
Tlx: 0407 36514 m
Fax: +212 7 702022

MRC Maroc (Royaume du) - Morocco (Kingdom of) - Marruecos (Reino de)

D M. ARROUR Samir
Conseiller
Ambassade du Maroc
Silva Kingdom Building
3-16-3 Sendagaya, Shibuya-ku
151 TOKYO
Tel: +81 3 34783271/4

D M. BERRADA Adberrazak
Conseiller du Ministre des
postes et des
télécommunications
Ministère des postes et des
télécommunications
Avenue Moulay El Hassan
RABAT
Tel: +212 7 701167
Tlx: 0407 36063 m
Fax: +212 7 705641

D M. TOUMI Ahmed
Directeur, Etudes et
planification
Ministère des postes et des
télécommunications
Avenue Moulay El Hassan
RABAT
Tel: +212 7 702940
Tlx: 0407 mptel 36513 m
Fax: +212 7 737079

MAU Maurice (République de) - Mauritius (Republic of) - Mauricio (República de)

C M. GOPEE Ramesh C.
Assistant Secretary
Ministry of Internal and
External Communications
Emmanuel Anguétel Building
PORT-LOUIS
Tel: +230 2011670
Fax: +230 2121673

MTN Mauritanie (République islamique de) - Mauritania (Islamic Republic of) - Mauritania (República Islámica de)

D M. MOHAMED Diagana
Chef
Centre de la station terrienne
de Toujounine
Office des postes et
télécommunications
NOUAKCHOTT
Tel: +222 252062
Tlx: 0974 5700
Fax: +222 2 51700

D M. OULD MOHAMED LEMINE Sidi
Chef, Dépt de la planification
et de la recherche
Direction technique des
télécommunications
Office des postes et des
télécommunications
NOUAKCHOTT
Tel: +222 2 57600/57217
Tlx: 0974 5700

MEX Mexique - Mexico - México

C M. BROWN HERNANDEZ Luis Manuel
Subdirector
Asuntos Internacionales
Secretaría de Comunicaciones
y Transportes
Eugeia 197, 4º piso
Col. Narvarte, C.P. 03020
MEXICO DF
Tel: +52 5 6826278/6690561
Fax: +52 5 6826278/6690536

CA S.E. M. GONZALES GALVEZ Sergio
Embajador de México
Embajada de México en Japón
2-15-1 Nagata-cho
Chiyoda-ku
100 TOKYO
Tel: +81 3 35811131/5

MEX Mexique - Mexico - México

- CA M. HERNANDEZ GONZALEZ José J.
Subdirector Asuntos
Internacionales
de Telecomunicaciones
Secretaría de Comunicaciones y
Transportes, Coordinación de
Relaciones Intern.
Av. Eugenia 197, 4° piso
Col. Navarte, C.P. 03020
MEXICO DF
Tel: +52 5 6826170
Tlx: 022 1773980 daitme
Fax: +52 5 6690536
- D M. HANSEN RIVERA Erwin
Coord. Asuntos Internacionales
Secretaría de Comunicaciones
y Transportes
Direc. Genrl Asuntos Jurídicos
Direc. de Consulta y Derecho
de Vía
Av. Universidad y Xola s/n
Cuerpo "B"
MEXICO DF
Tel: +52 5 5191353
Fax: +52 5 5303169
- D M. MADRIGAL
Consejero
Embajada de México en Japón
2-15-1 Nagata-cho
Chiyoda-ku
100 TOKYO
Tel: +81 3 35811131/5
- D Mme ROMERO CABALLERO M.V.
Tercer Secretario
Embajada de México en Japón
2-15-1 Nagata-cho
Chiyoda-ku
100 TOKYO
Tel: +81 3 35811131/5
Fax: +81 3 35814058
- D Mlle TREJO ABARCA Laura Alicia
Secretaría de Comunicaciones
y Transportes, Direc. General
Asuntos Jurídicos
Av. Universidad y Xola s/n
Cuerpo "B"
MEXICO DF
Tel: +52 5 5191353
Fax: +52 5 5303169/6826278

MDA Moldova (République de) - Moldova (Republic of) - Moldova (República de)

- C M. CASIAN Ion
Minister of Communications
and Informatics
Ministry of Communications
and Informatics
KISHINAU
Tel: +373 2 541755/221001
- CA M. COSHULEANU Ion
General Director for
Regulations
Ministry of Informatics,
Information and
Telecommunication
134 Shtefan chel Mare Ave.
277012 KISHINAU
Tel: +373 2 221001
Fax: +373 2 241553

MCO Monaco (Principauté de) - Monaco (Principality of) - Mónaco (Principado de)

- C M. FRANZI Etienne
Délégué permanent adjoint
auprès des organismes
internationaux
Direction générale des postes
et des télécommunications
16, boulevard de Suisse
98030 MONACO CEDEX
Tel: +33 93 151617
Fax: +33 93 151703
- D M. BIANCHERI Louis
Directeur des
télécommunications
Direction générale des postes
et des télécommunications
16, boulevard de Suisse
98030 MONACO CEDEX
Tel: +33 93 250505
Tlx: 042 469961 mc
Fax: +33 93 251515

MNG Mongolie - Mongolia - Mongolia

C M. TSERENDASH Damiran
Vice-Minister of
Infrastructure Development
Ministry of Infrastructure
Development
Central Post Office
P.O. Box 1104
ULAANBAATAR
Tel: +976 1 326222/320820
Tlx: 0800 79250 caa mh
Fax: +976 1 310612

CA M. ORIG Tomur
General Director
Mongolian Telecommunications
Company
9, Sq Sukhbaatar
P.O. Box 1166
ULAANBAATAR
Tel: +976 1 320150/320195
Tlx: 0800 79237
Fax: +976 1 325412

D M. RAGCHAA Jargalsaihan
Manager
Mongolian Telecommunications
Company
9, Sq Sukhbaatar
P.O. Box 1166
ULAANBAATAR
Tel: +976 1 326699/320195
Tlx: 0800 79237
Fax: +976 1 325412

MOZ Mozambique (République du) - Mozambique (Republic of) - Mozambique (República de)

C M. LOUSA Rui J. G.
Vice-Minister of Transport
and Communications
Telecomunicações de Moçambique
2, Rua Da Sé
P.O. Box 25
MAPUTO
Tel: +258 1 490131
Tlx: 0992 6595 mtc mo
Fax: +258 1 492728

D M. FERNANDES Rui J. L.
Chairman and Managing Director
Telecomunicações de Moçambique
2, Rua Da Sé
P.O. Box 25
MAPUTO
Tel: +258 1 431921
Tlx: 0992 6509 dgtdm mo
Fax: +258 1 431944

D M. JORGE Joao
Head, Frequency Management
Division
Telecomunicações de Moçambique
2, Rua Da Sé
P.O. Box 25
MAPUTO
Tel: +258 1 431921
Tlx: 0992 6509 dgtdm mo
Fax: +258 1 431944

NMB Namibie (République de) - Namibia (Republic of) - Namibia (República de)

C M. HAUSIKU M.
Minister of Works, Transport
and Communications
Ministry of Works, Transport
and Communications
P.O. Box 13341
WINDHOEK
Tel: +264 61 2089111
Fax: +264 61 228560

D M. AMUNYELA S.
Senior Manager,
Telecom Commercial
Telecom Namibia Ltd.
P.O. Box 297
WINDHOEK
Tel: +264 61 2012202
Tlx: 0908 3016
Fax: +264 61 223323

NPL Népal - Nepal - Nepal

C M. SHRESTHA Purushottam
Minister-Counsellor
Embassy of Nepal in Japan
7-14-9 Todoroki
Setagaya-ku
158 TOKYO
Tel: +81 3 37055558/9

D M. BORA G.S.
General Manager
Nepal Telecommunications
Corporation
Central Office
Singha Durbar, Putli Bagaicha
KATHMANDU
Tel: +977 1 215444
Tlx: 0891 2201 telecom np
Fax: +977 1 226260

NGR Niger (République du) - Niger (Republic of the) - Níger (República del)

C M. LABO Abdou
Secrétaire d'Etat chargé de
la communication
Ministère de la communication,
de la culture, de la jeunesse
et des sports
NIAMEY
Tel: +227 735043/45048060
Tlx: 0975 5209 ofpostel ni
Fax: +227 722336/735812

C M. MALIKI Amadou
Directeur des études et des
programmes
Ministère de la communication,
de la culture, de la jeunesse
et des sports
NIAMEY
Tel: +227 723643/733112
Tlx: 0975 5209 ofpostel ni
Fax: +227 722336/735812

D M. AYOUNGA Tahirou
Directeur de l'exploitation
et des affaires commerciales
Société des télécommunications
internationales du Niger
(STIN)
B.P. 208
NIAMEY
Tel: +227 722998/722744
Tlx: 0975 stin 5208 ni
Fax: +227 722478

D M. SADOU Moussa
Chef, Division études et
planifications des
télécommunications
Office des postes et des
télécommunications
NIAMEY
Tel: +227 732800/722379
Tlx: 0975 5209 ofpostel ni
Fax: +227 735812

D M. TINNI Ate
Directeur des
télécommunications
Office des postes et des
télécommunications
NIAMEY
Tel: +227 722100/722800
Tlx: 0975 5209 ofpostel ni
Fax: +227 735812

NIG Nigéria (République fédérale du) - Nigeria (Federal Republic of) - Nigeria (República Federal de)

C M. OYEGUN D.O.
Director-General
Ministry of Communications
Private Mail Bag 12578
Lafiaj
LAGOS
Tel: +234 1 2630740/882310
Tlx: 0905 21065 adtech ng
Fax: +234 1 2666968

CA M. ODEGBILE T.A.O.
Chargé d'affaires
Embassy of Nigeria in Japan
5-11-17 Shimo-meguro
Meguro-ku
153 TOKYO
Tel: +81 3 57215391/3
Fax: +81 3 57215342

NIG Nigéria (République fédérale du) - Nigeria (Federal Republic of) - Nigeria (República Federal de)

D M. MATANKARI S.D.
Director, Planning,
Research and Statistics
Ministry of Communications
Private Mail Bag 12578
Lafiaj
LAGOS
Tel: +234 1 2632962/2692725

D M. OJEB A.E.B.
Chief, International Relations
Nigerian Telecommunications
Ltd. (NITEL)
Necom House 15, P.O. Box 173
Private Mail Bag 12742
LAGOS
Tel: +234 1 2613542
Fax: +234 1 2622845

D M. OYAGHA Marcus E.
Counsellor
Embassy of Nigeria in Japan
5-11-7 Shimo-meguro
Meguro-ku
153 TOKYO
Tel: +81 3 57215391
Fax: +81 3 57215342

NOR Norvège - Norway - Noruega

C Mme BRUZELIUS Karin M.
Secretary-General
Ministry of Transport
and Communications
P.O. Box 8010 DEP
N-0030 OSLO
Tel: +47 22 348106
Fax: +47 22 349574

CA M. EKHOLDT Roald
Director General
Norwegian Telecommunications
Regulatory Authority (NTRA)
P.O. Box 2592
Solli
N-0203 OSLO
Tel: +47 22 926600
Tlx: 056 79544 ntra n
Fax: +47 22 557106

CA M. KOCH Jens C.
Permanent Legal Adviser
Ministry of Transport
and Communications
P.O. Box 8010 DEP
N-0030 OSLO
Tel: +47 22 348201
Fax: +47 22 345609

CA M. SANDERUD Per
Director General
Ministry of Transport
and Communications
P.O. Box 8010 DEP
N-0030 OSLO
Tel: +47 22 348200
Fax: +47 22 345609

D M. BOE Thormod
Special Adviser
Norwegian Telecommunications
Regulatory Authority (NTRA)
P.O. Box 2592
Solli
N-0203 OSLO
Tel: +47 22 926600
Tlx: 056 79544 ntra n
Fax: +47 22 562457

D Mme CHRISTENSEN Elisabeth
Senior Executive Officer
Norwegian Telecommunications
Regulatory Authority (NTRA)
P.O. Box 2592
Solli
N-0203 OSLO
Tel: +47 22 926600
Tlx: 056 79544 ntra n
Fax: +47 22 560580

D M. LANGE GGEN Truls
Engineer-in-Chief
Norwegian Telecom
P.O. Box 6701
St. Olavs Plass
N-0130 OSLO
Tel: +47 22 778910
Tlx: 056 71203 gentl n
Fax: +47 22 111488

D Mme LILLEBO Anne Lise
Adviser
Norwegian Telecom
P.O. Box 6701
St. Olavs Plass
N-0130 OSLO
Tel: +47 22 777879
Tlx: 056 71203 gentl n
Fax: +47 22 778062

NOR Norvège - Norway - Noruega

D M. ODEGAARD Fritz A.
Assisting Director
Networks Division
Norwegian Telecom
P.O. Box 6701
St. Olavs Plass
N-0130 OSLO
Tel: +47 22 777778
Fax: +47 22 208290

D M. SANDNES Bjorn
Engineer in Chief
Norwegian Telecom
P.O. Box 6701
St. Olavs Plass
N-0130 OSLO
Tel: +47 22 778725
Fax: +47 22 114461

D M. SMAALAND Knut
Special Adviser
Norwegian Telecommunications
Regulatory Authority (NTRA)
P.O. Box 2592
Solli
N-0203 OSLO
Tel: +47 22 926702
Tlx: 056 79544 ntra n
Fax: +47 22 562213

NZL Nouvelle-Zélande - New Zealand - Nueva Zelandia

C M. HUTCHINGS Ian R.
Special Advisor
Radio Spectrum Policy
Ministry of Commerce
P.O. Box 2847
WELLINGTON
Tel: +64 4 4742937
Fax: +64 4 4990797

D M. HAMILTON Alan
Manager, Fundamental Planning
Telecom Corporation of
New Zealand
P.O. Box 570
WELLINGTON
Tel: +64 4 3823333
Fax: +64 4 8015417

D M. HOLMAN Mark E.
Senior Advisor, International
Communications Policy
Ministry of Commerce
P.O. Box 1473
WELLINGTON
Tel: +64 4 4742939
Fax: +64 4 4990797

OMA Oman (Sultanat d') - Oman (Sultanate of) - Omán (Sultanía de)

C M. ABDUL REHMAN Noor M.
President, General
Telecommunications
Organization
P.O. Box 789
112 MUSCAT
Tel: +968 697851
Tlx: 0498 5522 min ptt on
Fax: +968 695558

D M. AL-ABDUSSALAM Salim A.
Director, Frequency Management
and Monitoring
Ministry of Posts, Telegraphs
and Telephones
P.O. Box 338
112 MUSCAT
Tel: +968 697874
Tlx: 0498 5522 min ptt on
Fax: +968 696817

OMA Oman (Sultanat d') - Oman (Sultanate of) - Omán (Sultanía de)

- | | |
|---|---|
| <p>D Mme AL-KHAROUSSI Nashiah S.
Telecommunications Advisor
Ministry of Posts, Telegraphs
and Telephones
P.O Box 338
112 MUSCAT
Tel: +968 697905
Tlx: 0498 5522 min ptt on
Fax: +968 696670</p> <p>D M. ALKHUSAIBI Maher M.
Director General, Coordination
and International Services
General Telecommunications
Organization
P.O. Box 789
112 MUSCAT
Tel: +968 697853
Tlx: 0498 5522 min ptt on
Fax: +968 697039</p> | <p>D M. AL-TAEI Mazin A.
Director, Management Services
and Public Relations
General Telecommunications
Organization
P.O. Box 789
112 MUSCAT
Tel: +968 697573
Tlx: 0498 5522 min ptt on
Fax: +968 695558</p> |
|---|---|

UGA Ouganda (République de l') - Uganda (Republic of) - Uganda (República de)

- | | |
|--|--|
| <p>C M. RUHAKANA Rugunda
Minister of Works, Transport
and Communications
Ministry of Works, Transport
and Communications
P.O. Box 10
ENTEBBE
Tel: +256 41 235730
Tlx: 0988 61027 postel
Fax: +256 41 236369</p> <p>D M. AYUME Francis J.
Chairman
Board of Directors
Uganda Posts and
Telecommunications Corporation
P.O. Box 7171
KAMPALA
Tel: +256 41 250140
Tlx: 0988 61027 postel
Fax: +256 41 245907</p> <p>D M. MUBIRU Abdul M.
Managing Director
Uganda Posts and
Telecommunications Corporation
P.O. Box 7171
KAMPALA
Tel: +256 41 258855
Tlx: 0988 61027 postel
Fax: +256 41 245907</p> | <p>CA M. WANYAMA Wilson O.
Permanent Secretary
Ministry of Works, Transport
and Communications
P.O. Box 10
ENTEBBE
Tel: +256 42 20659
Tlx: 0988 61027 postel
Fax: +256 42 20135</p> <p>D M. MASAMBU Francis P.
General Manager
Engineering, Planning
and Construction
Uganda Posts and
Telecommunications Corporation
P.O. Box 7171
KAMPALA
Tel: +256 41 241491
Tlx: 0988 61027 postel
Fax: +256 41 245907</p> |
|--|--|

UZB Ouzbékistan (République d') - Uzbekistan (Republic of) - Uzbekistán (República de)

C M. RAKHIMOV K.R.
Ministre de la Communication
Ministère des Communications
Tolstoj Street
700000 TASHKENT
Tel: +7 3712 336503
Tlx: 064 116108 pt
Fax: +7 3712 441820/442603

PAK Pakistan (République islamique du) - Pakistan (Islamic Republic of) - Pakistán (República Islámica del)

C M. MASOOD Ahmed
Chairman
Pakistan Telecommunication
Corporation
ISLAMABAD
Tel: +92 51 844463
Fax: +92 51 843391

CA M. JAVED Muhammad
Chairman
Telecom Foundation
I 9/2 St 6
ISLAMABAD
Tel: +92 51 440888/417676

D M. AHMED Nazir
Director General
International Communications
Pakistan Telecommunication
Corporation
ISLAMABAD
Tel: +92 51 211911/814344
Fax: +92 51 819996/818222

D M. ASLAM Mian S.
Minister Technical
Embassy of Pakistan in Japan
2-14-9 Chome Moto-azabu
Minato-ku
106 TOKYO
Tel: +81 3 34544861/4
Fax: +81 3 37980903

D M. TUFAIL M.A.
Counsellor
Embassy of Pakistan in Japan
2-14-9 Chome Moto Azabu
Minato-ku
106 TOKYO
Tel: +81 3 34544861/4

A M. MIAN Munir
Regional Director
Alcatel
c/o PTC
ISLAMABAD
Tel: +92 51 213841

PNR Panama (République du) - Panama (Republic of) - Panamá (República de)

C M. OREJUELA Benjamin
Ministro
Embajada de Panamá en Japón
4-12-24 Nishi-azabu 4-Chome
Minato-ku, Kowa 38 Bld. 902
106 TOKYO
Tel: +81 3 34993741/2
Fax: +81 3 54853548

PNG Papouasie-Nouvelle-Guinée - Papua New Guinea - Papua Nueva Guinea

C M. MOMIS John L.
Minister of Communication
Ministry of Communication
P.O. Box 1349
BOROKO
Tel: +675 277545/277544

CA M. KAMBLIJAMBI John
Director
Corporate Communications
Post and Telecommunication
Corporation
P.O. Box 1349
BOROKO
Tel: +675 3004025
Fax: +675 250665/256868

PNG Papouasie-Nouvelle-Guinée - Papua New Guinea - Papua Nueva Guinea

- | | |
|---|---|
| <p>CA S.E. M. OLM IAIWA
Ambassador of Papua New Guinea
Embassy of Papua New Guinea
in Japan
1-4-28 Mita, Mita-kokusai
Bld. 313, Minato-ku
108 TOKYO
Tel: +81 3 34547801/4
Fax: +81 3 34547275</p> | <p>D M. DE SOYZA Annesley
Manager
Spectrum Engineering Branch
Spectrum Management Department
Post and Telecommunication
Corporation
P.O. Box 1783
PORT MORESBY
Tel: +675 274533
Fax: +675 212199</p> |
| <p>D M. KARIKO David
Executive Manager
Spectrum Management Department
Post and Telecommunication
Corporation
P.O. Box 1783
PORT MORESBY
Tel: +675 274230
Tlx: 0703 ne 22220
Fax: +675 212199</p> | <p>D M. KOSI John
First Secretary
Ministry of Communication
National Parliament Waigomi
BOROKO
Tel: +675 277545/77542/77544
Fax: +675 277539</p> |
| <p>A M. TOVI Robert
Manager, Telecom
International Relations
Post and Telecommunication
Corporation
P.O. Box 1349
BOROKO
Tel: +675 3005502
Tlx: 0703 ne 22254
Fax: +675 250513</p> | |

PRG Paraguay (République du) - Paraguay (Republic of) - Paraguay (República del)

- | | |
|--|---|
| <p>C S.E. M. MANDELBURGER Federico
Ambassador of Paraguay
Embassy of Paraguay in Japan
38 Kowa Bldg 7F, Room 701
4-12-24 Nishi Azabu, Minato-ku
106 TOKYO
Tel: +81 3 54853101
Fax: +81 3 54853103</p> | <p>A M. OBARA Masaru
Asesor
Embassy of Paraguay in Japan
38 Kowa Bldg. 7F, Room 701
4-12-24 Nishi-Azabu, Minato-ku
106 TOKYO
Tel: +81 3 54853101
Fax: +81 3 54853103</p> |
|--|---|

HOL Pays-Bas (Royaume des) - Netherlands (Kingdom of the) - Países Bajos (Reino de los)

- | | |
|--|---|
| <p>C M. DE RUITER A.
Head
Telecommunications and
Post Department
Ministry of Transport,
Public Works and Water
Management
P.O. Box 20901
2500 THE HAGUE
Tel: +31 70 3516510
Fax: +31 70 3516618</p> | <p>CA Mlle ALBERS Irene
Head
International Policy Division
Telecom. and Post Department
Ministry of Transport,
Public Works and Water
Management
P.O. Box 20901
2500 THE HAGUE
Tel: +31 70 3516171
Fax: +31 70 3516618</p> |
|--|---|

HOL Pays-Bas (Royaume des) - Netherlands (Kingdom of the) - Países Bajos (Reino de los)

- | | |
|--|--|
| <p>D M. BROERE J.-F.
Head
Frequency Management
Standardization
Ministry of Transport,
Public Works and Water
Management
HDTP/02/FOM.
9700 AL GRONINGEN
Tel: +31 50 222294
Fax: +31 50 135645</p> <p>D M. GROENEFELT J.-C.
International Policy Division
Ministry of Transport,
Public Works and Water
Management
P.O. Box 20901
2500 THE HAGUE
Tel: +31 70 3516231/516441
Tlx: 044 32562 minvw nl
Fax: +31 70 3516618</p> <p>D M. STEENGE J.
Radio Officer
Radioregulatory Branch
Ministry of Transport,
Public Works and Water
Management
P.O. Box 450
9700 AL GRONINGEN
Tel: +31 50 222111
Fax: +31 50 135645</p> <p>D M. WOLS R.-F.-N.-W.
International Organizations
Departement
Ministry of Foreign Affairs
Tel: +31 70 3485058
Fax: +31 70 3484803</p> | <p>D M. DIJKXHOORN J.-J.
Senior Consultant Nepostel
Tel: +31 70 23007
Fax: +31 70 24029</p> <p>D M. NASRULLAH M.-S.
Head
Technological Policy Division
Ministry of Transport,
Public Works and Water
Management
2500 THE HAGUE
Tel: +31 70 3516522/40
Fax: +31 70 3516505</p> <p>D M. VAN DER LOO Peter
Repr. Director
PTT Telecom Netherland
(Japan) Ltd.
TOKYO
Fax: +81 3 54742304</p> |
|--|--|

PRU Pérou - Peru - Perú

- | | |
|---|--|
| <p>C M. CONTRERAS LOPEZ Willy
Vice Ministro
de Comunicaciones
Ministerio de Transportes,
Comunicaciones, Vivienda
y Construcción
800, Avenida 28 de Julio
LIMA
Tel: +51 14 332707/339898
Fax: +51 14 334833</p> | <p>CA M. CHIAN CHONG Carlos
Asesor del Vice Ministro
de Comunicaciones
Ministerio de Transportes,
Comunicaciones, Vivienda
y Construcción
800, Avenida 28 de Julio
LIMA
Tel: +51 14 334656/339898
Fax: +51 14 334833</p> |
|---|--|

PRU Pérou - Peru - Perú

D M. CANNOCK Geoffrey
Gerente de Estudios Económicos
Organ. Superv. de Inversión
Privada en Telecomunicaciones
(OSIPTEL)
Schell 310, Piso 14
Miraflores
LIMA
Tel: +51 14 222070/220786
Fax: +51 14 224953

D M. FERNANDEZ Percy
Técnico
Organ. Superv. de Inversión
Privada en Telecomunicaciones
(OSIPTEL)
Schell 310, Piso 14
Miraflores
LIMA
Tel: +51 14 220786/222070
Fax: +51 14 224955

D M. LINARES ARENAZA Walter
Tercer Secretario
Embajada de Perú en Japón
4-4-27 Higashi
Shibuya-ku
150 TOKYO
Tel: +81 3 34064243/40/49
Fax: +81 3 34097589

D M. ESCAFFI José
Gerente General
Organ. Superv. de Inversión
Privada en Telecomunicaciones
(OSIPTEL)
Schell 310, Piso 14
Miraflores
LIMA
Tel: +51 14 222070/220786
Fax: +51 14 224955

D M. KUNIGAMI KUNIGAMI Jorge
Presidente
Organ. Superv. de Inversión
Privada en Telecom. (OSIPTEL)
Ministerio de Transportes,
Comunicaciones, Vivienda y
Construcción
Torre El Pilar, Oficina 1302
Centro Comercial Camino Real
LIMA
Tel: +51 14 220786/222070
Fax: +51 14 224955

PHL Philippines (République des) - Philippines (Republic of the) - Filipinas (República de)

C Mme LICHAUCO Josefina T.
Undersecretary for
Communications
Department of Transportation
and Communications
5th Floor Philcomcen Bldg
Ortigas Avenue
PASIG METRO MANILA
Tel: +63 1 5948/6219/6237
Fax: +63 3 1923

CA M. KINTANAR Simeon L.
Commissioner
National Telecommunications
Commission
865, Vibal Building
EDSA Corner Times Street
QUEZON CITY
Tel: +63 2 9244033
Tlx: 075 63912 ntc pn
Fax: +63 2 9217128

CA Mlle HECETA Kathleen G.
Director, Legal Department
National Telecommunications
Commission
865, Vibal Building
EDSA Corner Times Street
QUEZON CITY
Tel: +63 2 998390
Fax: +63 2 9217128

CA S.E. M. SIAZON Domingo L.
Ambassador Extraordinary
and Plenipotentiary
Embassy of Philippines
in Japan
11-24 Nanpei-dai-cho
Shibuya-ku
150 TOKYO
Tel: +81 3 34962731/6

PHL Philippines (République des) - Philippines (Republic of the) - Filipinas (República de)

- | | |
|--|--|
| <p>D M. ABIGANIA Cesar
Director
Legal Services Department
Globe Telecom (GMRC, Inc.)
669 United Nations Ave.
ERMITA MANILA RP 1000
Tel: +63 2 8137510/8231227
Fax: +63 2 8137519</p> | <p>D M. AFRICA José
Vice-President
Philippine Communications
Satellite Corporation
(Philcomsat)
Telecoms Plaza
Gil J. Puyat Ave.
MAKATI METRO MANILA
Tel: +63 2 8175692
Tlx: 075 63586 potc
Fax: +63 2 8179430</p> |
| <p>D M. ONG Antonio
Vice-President
Philippine Global
Communications, Inc.
8755, Paseo de Roxas
1226 MAKATI METRO MANILA
Tel: +63 2 8162851/9474438
Tlx: 075 722 22394 pprata
Fax: +63 2 8167690</p> | <p>D M. POBLADOR Honorio
President
Philippine Communications
Satellite Corporation
(Philcomsat)
Telecoms Plaza
Gil J. Puyat Ave.
MAKATI METRO MANILA
Tel: +63 2 8159609
Fax: +63 2 8158604</p> |
| <p>D M. ROXAS José P.
Senior Vice-President
Department of Transportation
and Communication
National Telecommunications
Commission
865, Vibal Building
EDSA Corner Times Street
QUEZON CITY
Tel: +63 2 8172117/8158921
Tlx: 075 63322</p> | <p>D Mlle SANTIAGO Marilyn E.
President
Philippine Electronics and
Telecommunication Federation
6th Floor Telecoms Plaza
Sen. Gil Puyat Avenue
MAKATI METRO MANILA
Tel: +63 2 8175327
Fax: +63 2 7216873</p> |
| <p>D M. URERA Antonio
Chief Operating Officer &
General Manager, National
Telecoms Commission, Dpt. of
Transportation & Communication
Eastern Telecommunications
Philippines, Inc.
Philcomcen Building
Ortigas Avenue, Pasig
MAKATI METRO MANILA
Tel: +63 2 8187862
Fax: +63 2 8164322/8160001</p> | <p>D M. VILLA Gonzalo
Consultant
Philippine Long Distance
Telephone Company
Pacific Star Bld., Cr. Sen.
Gil Puyat Ave. and Makati Ave.
MAKATI METRO MANILA
Tel: +63 2 8123834
Tlx: 075 22195 pld ph
Fax: +63 2 8923846</p> |
| <p>D M. VIRATA Nestor
First Vice-President
Philippine Long Distance
Telephone Company
Makati Avenue Cor. Dela
Rosat Street
MAKATI METRO MANILA
Tel: +63 2 8174600/8168593
Tlx: 075 22195 pld ph
Fax: +63 2 8943521</p> | <p>A Mlle NATIVIDAD Cleofe R.
Second Secretary
Embassy of Philippines
in Japan
11-24 Nanpei-dai-cho
Shibuya-ku
150 TOKYO
Tel: +81 3 34962731/6
Fax: +81 3 3496 2734</p> |

POL Pologne (République de) - Poland (Republic of) - Polonia (República de)

- | | |
|--|---|
| <p>C M. RUSIN Marek
Under Secretary
Ministry of Posts and
Telecommunications
Pl. Malachowskiego 2
00-940 WARSZAWA
Tel: +48 22 270706
Tlx: 063 813000 pptt pl
Fax: +48 22 267133</p> <p>D M. GEBORYS Lucjan
Vice-President
Polish Telecommunications
Company
ul. Swietokrzyska 3
00-945 WARSZAWA
Tel: +48 22 267365
Fax: +48 22 265653</p> <p>D M. HARASIM Witold
Member
Executive Board of Polish
Telecom
Telekomunikacja Polska S.A.
ul. Swietokrzyska 3
00-945 WARSZAWA
Tel: +48 22 266860
Tlx: 813001
Fax: +48 22 268528</p> <p>D M. SLEZAK Jerzy W.
Chairman
Control Council
Polish Telecommunications
Company
ul. Swietokrzyska 3
00-945 WARSZAWA
Tel: +48 2 6634494
Fax: +48 2 6634302</p> | <p>CA M. HALKA Wojciech M.
Deputy Director
Technology and Development
Department
Ministry of Posts and
Telecommunications
Pl. Malachowskiego 2
00-940 WARSZAWA
Tel: +48 22 6284891
Fax: +48 22 6217109</p> <p>D M. GUZEK Jerzy
Director
Polish Telecommunications
Company
ul. Swietokrzyska 3
00-945 WARSZAWA
Tel: +48 22 266860
Fax: +48 22 268528</p> <p>D M. KSIEZNY Andrzej
Director
Frequency Coordination and
International Cooperation Dept
National Radiocommunication
Agency
Ul. Kasprzaka 18/20
01-211 WARSZAWA
Tel: +48 22 39123022/6585159
Fax: +48 22 39123022</p> <p>A M. STRUZAK Ryszard
Consultant
Ministry of Posts and
Telecommunications
Pl. Malachowskiego 2
00-940 WARSZAWA
Tel: +48 22 261071/39 123022</p> |
|--|---|

POR Portugal - Portugal - Portugal

- | | |
|--|--|
| <p>C M. MENDES Fernando
Chairman of the Board
Instituto das Comunicações
de Portugal (ICP)
21-A, Avenida José Malhoa
8º Piso
1000 LISBOA
Tel: +351 1 7263338
Tlx: 0404 66326 icp p
Fax: +351 1 7263495</p> | <p>CA M. GARCIA PEREIRA Luis
Director
International Affairs
Instituto das Comunicações
de Portugal (ICP)
21-A, Avenida José Malhoa
7º Piso
1000 LISBOA
Tel: +351 1 7263465
Tlx: 0404 66335 icp p
Fax: +351 1 7263749</p> |
|--|--|

POR Portugal - Portugal - Portugal

- D M. BOBONE Felipe
International Affairs Director
Companhia Portuguesa
Radio Marconi
2, Avenida Alvaro Pais
1600 LISBOA
Tel: +351 1 7955716
Fax: +351 1 7907907
- D M. COSTA Luciano
Director for Engineering
Instituto das Comunicações
de Portugal (ICP)
21-A, Avenida José Malhoa
6º Piso
1000 LISBOA
Tel: +351 1 7262822
Tlx: 0404 66325 icp p
Fax: +351 1 7262186
- D M. HOI Chi L.
Head
Licensing Department
CTT Macau
Largo do Senado
MACAU
Tel: +853 572950/574491
Fax: +853 336603
- D M. LORVAO Luis
Embassy Counselor
Ministry of Foreign Affairs
Largo do Rilvas
1300 LISBOA
Tel: +351 1 3965041
Fax: +351 1 3972812
- D M. PONTES TAVARES Paulo
Avocat
Companhia Portuguesa
Radio Marconi, S.A.
Av. Alvar Pais
1600 LISBOA
Tel: +351 1 7207000
Fax: +351 1 7907908
- D M. SILVA GOMES J.A.
General Inspector
Portugal Telecom
40, Av. Fontes Pereira de Melo
1089 LISBOA CODEX
Tel: +351 1 3504130
Fax: +351 1 579919
- D Mme BOTELHO M. Fátima
Legal Adviser
International Affairs
Instituto das Comunicações
de Portugal (ICP)
21-A, Avenida José Malhoa
7º Piso
1000 LISBOA
Tel: +351 1 7263465/7269223
Tlx: 0404 66335 icp p
Fax: +351 1 7263749
- D Mlle ESTEVES Paula
Instituto das Comunicações
de Portugal (ICP)
21-A, Avenida José Malhoa
7º Piso
1000 LISBOA
Tel: +351 1 7263166
Tlx: 0404 66326 icp p
Fax: +351 1 7263495
- D M. HOMEM Renato
Secretary-General
Instituto das Comunicações
de Portugal (ICP)
21-A, Avenida José Malhoa
7º Piso
1000 LISBOA
Tel: +351 1 7263166
Tlx: 0404 66326 icp p
Fax: +351 1 7263495
- D M. LOUREIRO FERREIRA Pedro F.
Legal Adviser
CTT Macau
Largo do Senado
MACAU
Tel: +853 57290/574491
Fax: +853 336603
- D M. ROLDAO LOPES Carlos A.
Chairman of the Board
CTT Macau
Largo do Senado
MACAU
Tel: +853 572950
Fax: +853 336603

QAT Qatar (Etat du) - Qatar (State of) - Qatar (Estado de)

CA M. AL-HASHEMI Hashim M.
Manager
Commercial and Marketing
Qatar Public
Telecommunications Corporation
(Q-TEL)
P.O. Box 217
DOHA
Tel: +974 400456
Fax: +974 426000

CA M. FAKHROO Abdulwahed
Manager
Frequency Management and
International Relations
Qatar Public
Telecommunications Corporation
(Q-TEL)
P.O. Box 217
DOHA
Tel: +974 400678
Tlx: 0497 4008 qtfreq dh
Fax: +974 414514

D M. HASSAN M.-I.
Head
Legal Affairs
Qatar Public
Telecommunications Corporation
(Q-TEL)
P.O. Box 217
DOHA
Tel: +974 400522

SYR République arabe syrienne - Syrian Arab Republic - República Árabe Siria

C M. MARTINI Mohamad Radwan
Minister of Communications
Ministry of Communications
DAMASCUS
Tel: +963 11 2230807
Tlx: 0492 411993
Fax: +963 11 2246403

CA M. OBEID Mokram
Director General
Syrian Telecommunication
Establishment (STE)
Saadallah Al Jabri Street
DAMASCUS
Tel: +963 11 2240300/422555
Fax: +963 11 2242000

D M. MANDO Suliman
Director
Exploitation Affairs and
Traffic
Syrian Telecommunications
Establishment (STE)
Central Headquarter
DAMASCUS
Tel: +963 11 2240240
Tlx: 0492 419174
Fax: +963 11 2242000

D M. MOALEM Mohamad
Director of Technical Study
Syrian Telecommunication
Establishment (STE)
Saadallah Al Jabri Street
DAMASCUS
Tel: +963 11 2240350
Fax: +963 11 2242908

D M. MOUSLI Talal
Director, Planning, Statistic
and Follow-up
Syrian Telecommunications
Establishment (STE)
Central Headquarters
DAMASCUS
Tel: +963 11 2240208
Tlx: 0492 419174
Fax: +963 11 2242000

A M. KISRAWI Nabil
Advisor
Directorate General of the
Syrian Telecommunications
Establishment (STE)
Saadallah Jabiri Street
DAMASCUS
Tel: +963 11 224300/6821980

KGZ République kirghize - Kyrgyz Republic - República Kirguisia

C M. BEKTENOV Emil
Minister of Communications
Ministry of Communications
Prospekt Chuy 96
720000 BISHKEK
Tel: +7 3312 620707/263227
Tlx: 245155 volna su
Fax: +7 3312 288362

CA M. BARATBAEV Askar
Ministry of Communications
Prospekt Chuy 96
720000 BISHKEK
Tel: +7 3312 222034/225317
Tlx: 251334 rtb su
Fax: +7 3312 288362

SVK République slovaque - Slovak Republic - República Eslovaca

C M. GLINSKY Alojz
State Secretary
Ministry of Transport,
Communications and
Public Works
19, Mileticova
82006 BRATISLAVA
Tel: +42 7 255751
Fax: +42 7 64790

C M. VANEK Stanislav
Director
Telecommunications Department
Ministry of Transport,
Communications and
Public Works
19, Mileticova
82006 BRATISLAVA
Tel: +42 7 254001
Fax: +42 7 64790

CA M. LUKNAR Milan
Head, Strategy and Licence
Policy Section
Ministry of Transport
Communications and
Public Works
19, Mileticova
82006 BRATISLAVA
Tel: +42 7 256822
Fax: +42 7 64790

D M. HRBAC Tomáš
Deputy Director
International Economic
Cooperations Department
Ministry of Foreign Affairs
1, Stromová
82006 BRATISLAVA
Tel: +42 7 3704214
Fax: +42 7 372326

A Mme PERENYIOVA Jirina
Chef
International Affairs
Slovak Telecommunications
Námestie Slobody 6
81762 BRATISLAVA 15
Tel: +42 7 495593
Fax: +42 7 495593

CZE République tchèque - Czech Republic - República Checa

C Mme GÜRLICHOVA Marcela
Head
International Relations
Department
Ministry of Economy
Staroměstské nám. 6
11015 PRAGUE 1
Tel: +42 2 24897111
Fax: +42 2 24897487

C M. NOVAK Svatoslav
Vice-Minister of Economy
Ministry of Economy
Staroměstské nám. 6
11015 PRAHA 1
Tel: +42 2 24897111
Fax: +42 2 24812995

CZE République tchèque - Czech Republic - República Checa

CA M. SEDLACEK Vladimir
Director, Department of
Telecommunications
Ministry of Economy
Staroměstské nám. 6
11015 PRAHA 1
Tel: +42 2 24897111
Fax: +42 2 24897410

D M. HESOUN Frantisek
Section Director
Telecommunication Office
Ministry of Economy
Klimentská 27
22501 PRAHA 1
Tel: +42 2 24910716
Fax: +42 2 24914099

D M. BERANEK Milan
Deputy Director
Department of International
Economic Organizations
Ministry of Foreign Affairs
Loretánské nám. 5
12510 PRAHA
Tel: +42 2 24182391
Fax: +42 2 24182036

D M. ROUCKA Bohuslav
Councillor / Lawyer
Ministry of Economy
Staroměstské nám. 6
11015 PRAGUE 1
Tel: +42 2 24897111
Fax: +42 2 24812995

ROU Roumanie - Romania - Rumania

C M. TURICU Adrian
Minister of Communications
Ministry of Communications
14A, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 437337/404110
Tlx: 065 11372 gentel buc r
Fax: +40 1 4001556

CA M. LISKA William
Head, European and
International Regulatory
Affairs Department
Ministry of Communications
14A, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 7266646/4001575
Tlx: 065 11372 gentel buc r
Fax: +40 1 4001742

D M. MINCU C. Constantin
Deputy Head
Transmission Division
Ministry of Defence
13, Izvor Street
BUCAREST
Tel: +40 1 7814020
Fax: +40 1 3124090

D M. SOFRONIE Constantin
Head
International Relations
Department
Ministry of Communications
14A, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 4001737
Tlx: 065 11372 gentel buc r
Fax: +40 1 4001556

CA M. IONESCU Cantemir
Director General
Ministry of Communications
14A, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 4001550
Tlx: 065 11372 gentel buc r
Fax: +40 1 4001230

D M. ENE Vasile
Councillor of the Minister
Ministry of Communications
14A, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 4001100/1103/3433
Tlx: 065 11372 gentel buc r
Fax: +40 1 4001556

D Mme SAMOILA Marima S.
Deputy Head, International
Relations Department
ROM TELECOM
14-16, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 7267152
Tlx: 065 11372 gentel buc r
Fax: +40 1 4001888

D M. STEFANESCU Dan P.
Commercial Director
R.A. ROM TELECOM
14A, Boulevard Libertatii
70060/5 BUCAREST
Tel: +40 1 7772540/4001212
Fax: +40 1 4001002

ROU Roumanie - Romania - Rumania

A M. NICA Dan
Counsellor
Embassy of Romania in Japan
3-16-19 Nishi Azabu
Minato-ku
106 TOKYO
Tel: +81 3 34790311/1804
Fax: +81 3 3479 0312

G Royaume-Uni de Grande-Bretagne et d'Irlande du Nord - United Kingdom of Great Britain and Northern Ireland - Reino Unido de Gran Bretaña e Irlanda del Norte

C M. GODDARD Michael
Director
Spectrum Policy
Radiocommunications Agency
Waterloo Bridge House
Waterloo Road
LONDON SE1 8UA
Tel: +44 71 2152230
Tlx: 051 261969 dti wbh g
Fax: +44 71 4019097

CA M. JOHNSON Malcolm
Head, International
Coordination and
Regulatory Group
Radiocommunications Agency
Waterloo Bridge House
Waterloo Road
LONDON SE1 8UA
Tel: +44 71 2152149
Tlx: 051 261969 dti wbh g
Fax: +44 71 6339231

CA M. MCMILLAN Neil
Head, International
Telecommunications Branch
Telecommunications and
Posts Division
Department of Trade
and Industry
Room 225
151, Buckingham Palace Road
LONDON SW1W 9SS
Tel: +44 71 2151769
Fax: +44 71 2154161/1800

D M. ARENA Alexander A.
Director General of
Telecommunications
Office of the
Telecommunications Authority
29/F Wu Chung House
213, Queen's Road East
HONG KONG
Tel: +852 9616619
Fax: +852 8035111

D Mlle BENT Tonia
Personal Secretary
Radiocommunications Agency
Waterloo Bridge House
Waterloo Road
LONDON SE1 8UA
Tel: +44 71 2152235
Tlx: 051 261969 dti wbh g
Fax: +44 71 6339231

D Mlle BISHOP A. Susan
Head of Section
International
Telecommunications Branch
Department of Trade
and Industry
Room 2/95
151, Buckingham Palace Road
LONDON SW1W 9SS
Tel: +44 71 2151802/2151812
Fax: +44 71 2154161

D Ms. CHAN Eva
General Manager
Business Development China
Cable and Wireless
17/F Office Tower
Convention Plaza
1 Harbour Road, P.O. Box 9896
HONG KONG
Tel: +852 8291769
Tlx: 73240 hktl mx
Fax: +852 8027262

D M. HALL David J.
Senior Executive
ITU and CTO Affairs
Cable and Wireless plc
90, Long Acre
LONDON WC2E 9SL
Tel: +44 71 3154971/3154053
Tlx: 051 920000 candw g
Fax: +44 71 3155119

G Royaume-Uni de Grande-Bretagne et d'Irlande du Nord - United Kingdom of Great Britain and Northern Ireland - Reino Unido de Gran Bretaña e Irlanda del Norte

- | | |
|---|---|
| <p>D M. LUCAS Wyn R.
Manager
International Organizations
British Telecom
pp 819A, Holborn Centre
120, Holborn
LONDON EC1N 2TE
Tel: +44 71 4922294
Tlx: 051 21601 dti g
Fax: +44 71 4922631</p> | <p>D M. MOORE Brian W.
Principal Standards Advisor
British Telecom
Room 2-04
Bibb Way
IPSWICH IP1 2EQ
Tel: +44 473 227696
Fax: +44 473 230903</p> |
| <p>D M. POLLARD Anthony F.
Head of Research and
Radio Technology
Radiocommunications Agency
Room 406
Waterloo Bridge House
Waterloo Road
LONDON SE1 8UA
Tel: +44 71 2152279
Fax: +44 71 4018681</p> | <p>D M. POWELL Richard
First Secretary
Embassy of United Kingdom
in Japan
1 Ichiban-cho
Chiyoda-ku
102 TOKYO
Tel: +81 3 32656340
Fax: +81 3 32654800</p> |
| <p>D M. RAIKES David C.
Solicitor
Department of Trade
and Industry
SOL C3, Room 218
10-18, Victoria Street
LONDON SW1H 0NN
Tel: +44 71 2153400/3442
Fax: +44 71 2153442/3141</p> | <p>D M. SOLOMAN Jonathan
Executive Director
Strategy and Corporate
Business Development
Cable and Wireless plc
124, Theobalds Road
LONDON WC1X 8RX
Tel: +44 71 3154231
Tlx: 051 920000 candw g
Fax: +44 71 3155042</p> |
| <p>D Mlle SPOOR Mary
Member
Telecommunications and
Posts Division
Department of Trade
and Industry
Room 2/99
151, Buckingham Palace Road
LONDON SW1W 9SS
Tel: +44 71 2151803
Fax: +44 71 2154161/1800</p> | <p>D M. SPURLING John O.N.
Manager, ITU and
Radio Regulatory Affairs
Network Services
Cable and Wireless plc
90, Long Acre
LONDON WC2E 9SL
Tel: +44 71 3154142
Tlx: 051 920000 candw g
Fax: +44 71 3155119</p> |
| <p>D M. WICKS Nigel E.
Second Secretary
Foreign and Commonwealth
Office
King Charles Street
LONDON SW1A 2AP
Tel: +44 71 2100441
Fax: +44 71 2104744</p> | <p>D M. WILSON John
Head, Network Strategy,
International and
Carrier Relations
Network Services
Cable and Wireless plc
90, Long Acre
LONDON WC2E 9SL
Tel: +44 71 3154709
Tlx: 051 920000 candw g
Fax: +44 71 3156474</p> |

G Royaume-Uni de Grande-Bretagne et d'Irlande du Nord - United Kingdom of Great Britain and Northern Ireland - Reino Unido de Gran Bretaña e Irlanda del Norte

D M. WONG Kwok S.
Assistant Director
Office of the
Telecommunications Authority
29/F Wu Chung House
213, Queen's Road East
HONG KONG
Tel: +852 9616668
Fax: +852 8035111

A M. ALLEN Peter
Vice-Chairman
Regulatory Affairs
INTUG
c/o TRS Technologies
Amex House
Edward Street
BRIGHTON BN2 2LP
Tel: +44 273 693555
Tlx: 051 877655 ammnet g
Fax: +44 273 571959

A M. HENG Y.C.
Member
Federation of the
Electronics Industry
Russell Square House
10-12 Russell Square
LONDON WC1B 5EE
Tel: +44 753 500010
Fax: +44 753 534245

RUS Russie (Fédération de) - Russian Federation - Rusia (Federación de)

C M. BOULGAK Vladimir B.
Minister of Posts and
Telecommunications
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 2927100
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097

CA M. GICHKIN Gennadiy P.
Chief of Telecommunications
Ministry of Defence
2, Arbat Street
MOSCOW
Tel: +7 095 2966567/6824
Fax: +7 095 9244626

CA M. TIMOFEEV Valery v.
Deputy Chairman
State Commission on Frequency
Management
Ministry of Posts and
Telecommunications
5, Delegatskaya Street
103091 MOSCOW
Tel: +7 095 2927200
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097

CA M. TOLMACHEV Yuri A.
Vice-President
State Telecommunications
Committee
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 9252823
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097

CA M. TOUR Valery N.
Director, International
Relations Department
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 9255108
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097

D M. BADALOV Ashot L.
Senior Counsellor
Ministry of Posts and
Telecommunications
5, Delegatskaya Street
103091 MOSCOW
Tel: +7 095 9732669
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097

RUS Russie (Fédération de) - Russian Federation - Russia (Federación de)

- | | |
|---|---|
| <p>D M. BYSTROV Alexandre A.
Head of Department
Ministry of Defence
2, Arbat Square
MOSCOW
Tel: +7 095 2930020
Fax: +7 095 9244626</p> | <p>D M. DMITRIEV Leonid N.
Head of Division
Federal Agency of Governmental
Communications and Information
4 Kiselni pez.
MOSCOW
Tel: +7 095 3397419/2243937</p> |
| <p>D M. KORBUT Nikolai E.
Director of the International
Organization Div., Dept. for
International Cooperation
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 2922457
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097</p> | <p>D M. KOUCHTOUEV Alexandre I.
First Deputy Director
Radio Research Institute
16, Kazakova Street
103064 MOSCOW
Tel: +7 095 9752248
Tlx: 064 411601 rubin
Fax: +7 095 2610090</p> |
| <p>D M. KRAPOTIN Oleg S.
Head of Division
State Commission on Frequency
Management
Ministry of Posts and
Telecommunications
5, Delegatskaya Street
103091 MOSCOW
Tel: +7 095 9732582/2927200
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097</p> | <p>D Mme KREPKOGORSKAYA Elena
Expert, Department for
International Cooperation
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 2016217
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097</p> |
| <p>D M. KRESTIANINOV Valery v.
Deputy Director-General
SE "Morsviasputnik"
14/19 Novoslobodskaya Street
Bldg 7
103030 MOSCOW
Tel: +7 095 9784488
Fax: +7 095 2539910</p> | <p>D M. SOLTANOVSKI Ivan D.
Counsellor
Ministry of Foreign Affairs
32/34 Smolenskaya-Sennaya
121200 MOSCOW
Tel: +7 095 2444211/2442694
Fax: +7 095 2539083</p> |
| <p>D M. STAROVOITOV Alexandre
Director General
Federal Agency of Governmental
Communications and Information
MOSCOW
Tel: +7 095 2243737
Fax: +7 095 9258596</p> | <p>A M. CHAKHGUILDIAN Vagan V.
Rector
Moscow Technical University of
Communications and Informatics
8A, Aviamotornaya Street
105855 MOSCOW
Tel: +7 095 2732762</p> |
| <p>A M. KALINIKHINE Evgueni
Assistant to the Minister
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097</p> | <p>A M. KHARIBIN Igor N.
Chief Engineer, Scientific and
Technical Department
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 2922558
Tlx: 064 411120 mnsvez su
Fax: +7 095 2302097</p> |

RUS Russie (Fédération de) - Russian Federation - Rusia (Federación de)

- | | |
|--|---|
| <p>A Mme KREINGEL Irina V.
Director, State
Telecommunications Committee
International Cooperation Dpt.
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 1928113/2016268
Tlx: 064 411120 mnsvz su
Fax: +7 095 2302097</p> <p>A M. PLEKHANOV Vladimir V.
First Deputy General Director
Executive Committee
Regional Commonwealth in
Communications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 2927134
Fax: +7 095 2927043</p> | <p>A M. PAVLIOUK Alexandre P.
Head
Scientific Division on
Frequency Management
Radio Research Institute
16, Kazakova Street
103064 MOSCOW
Tel: +7 095 2671841
Tlx: 064 411601 rubin
Fax: +7 095 2610090</p> <p>A M. SOKOLOV Andrey I.
Senior Expert
State Telecommunication
Inspection
Ministry of Posts and
Telecommunications
7, Tverskaya Street
103375 MOSCOW
Tel: +7 095 3370460
Fax: +7 095 2302097</p> |
|--|---|

SMR Saint-Marin (République de) - San Marino (Republic of) - San Marino (República de)

- | | |
|---|---|
| <p>C M. CASALI Augusto
Minister of Posts and
Telecommunications
Dicastero Comunicazioni
e Trasporti
Contrada Omagnano
SAN MARINO
Tel: +39 549 882420
Tlx: 0505 280 dirposte so
Fax: +39 549 992998</p> <p>CA M. GIACOMINI Pietro
Director
Economic and Social Affairs
Segreteria di Stato Affari
Esteri
Contrada Omerelli
SAN MARINO
Tel: +39 549 882201
Tlx: 0505 330
Fax: +39 549 992018</p> <p>D M. CARATTONI Corrado
Assistant to the Minister of
Posts and Telecommunications
Dicastero Comunicazioni e
Trasporti
Contrada Omagnano
SAN MARINO
Tel: +39 549 882420
Tlx: 0505 280 dirposte so
Fax: +39 549 992998</p> | <p>CA M. CAPICCHIONI Luciano
General Director
of Posts and
Telecommunications
Direzione Generale Poste e
Telecomunicazioni
17, Contrada Omerelli
SAN MARINO
Tel: +39 549 882555
Tlx: 0505 280 dirposte so
Fax: +39 549 992760</p> <p>CA M. GRANDONI Ivo
Assistant Director
Telecommunications
Direzione Generale Poste e
Telecomunicazioni
17, Contrada Omerelli
SAN MARINO
Tel: +39 549 882555
Tlx: 0505 280 dirposte so
Fax: +39 549 992760</p> <p>D M. GIRI Michele
Technical Adviser
Posts and Telecommunications
Direzione Generale Poste e
Telecomunicazioni
17, Contrada Omerelli
SAN MARINO
Tel: +39 549 882555
Tlx: 0505 280 dirposte so
Fax: +39 549 992760</p> |
|---|---|

VCT Saint-Vincent-et-Grenadines - Saint Vincent and the Grenadines - San Vicente y las Granadinas

- | | |
|---|---|
| <p>C M. SCOTT Jeremiah E.
Minister of Communications
and Works
Ministry of Communications
and Works
Halifax Street
KINGSTOWN
Tel: +1 809 4572039
Fax: +1 809 4562168</p> | <p>CA M. DE FREITAS Donnie F.F.
Telecommunications Officer
Ministry of Communications
and Works
Halifax Street
KINGSTOWN
Tel: +1 809 4572279
Fax: +1 809 4562168</p> |
|---|---|

SMO Samoa-Occidental (Etat indépendant du) - Western Samoa (Independent State of) - Samoa Occidental (Estado Independiente de)

- C** M. PETAIA Sapau R.
Director
Posts and Telecom Department
Private Bag
APIA
Tel: +685 24671
Fax: +685 24000

SEN Sénégal (République du) - Senegal (Republic of) - Senegal (República del)

- | | |
|--|---|
| <p>C M. KANE Abdoulaye E.
Ministre de la communication
Ministère de la communication
58 Blvd de la République
DAKAR
Tel: +221 232284
Fax: +221 214504</p> | <p>CA M. MBAYE Cheikh T.
Directeur général
Société nationale des
télécommunications (SONATEL)
6, rue Wagane Dienf
DAKAR
Tel: +221 234133</p> |
| <p>CA M. MBAYE Souleymane
Directeur
Coopération et relations
internationales
Société nationale des
télécommunications (SONATEL)
B.P. 69
DAKAR
Tel: +221 216275/225626</p> | <p>CA S.E. M. THIAM Aladji A.
Ambassadeur du Sénégal
Ambassade du Sénégal au Japon
1-3-4 Aobadai
Meguro-ku
153 TOKYO
Tel: +81 3 34648451/2
Fax: +81 3 34648452</p> |
| <p>D M. NDIONGUE Cheikhou A.T.
Directeur de la communication
Ministère de la communication
B.P. 4027
DAKAR
Tel: +221 233139
Tlx: 0906 51263 mininfopt sg
Fax: +221 214504</p> | |

SNG Singapour (République de) - Singapore (Republic of) - Singapur (República de)

- | | |
|---|---|
| <p>C M. LIM Chuan Poh
Director General
Telecommunication Authority
of Singapore
35, Robinson Road
TAS Building
0106 SINGAPORE
Tel: +65 7396801
Fax: +65 7330071</p> <p>D Mlle D'COSTA Valerie A.
Officer
International Affairs
Telecommunication Authority
of Singapore
35, Robinson Road
TAS Building
0106 SINGAPORE
Tel: +65 3221867
Tlx: 087 rs 20319
Fax: +65 3230964</p> <p>D Mlle LIAN Bee L.
Division Manager
Network Planning
Singapore Telecommunications
Limited
Comcentre
31, Exeter Road
0923 SINGAPORE
Tel: +65 8382406
Tlx: 087 rs 33311
Fax: +65 2353095</p> <p>D M. TAY Chek K.
Division Manager
International Business
Development
Singapore Telecommunications
Limited
Comcentre
31, Exeter Road
0923 SINGAPORE
Tel: +65 8382095
Tlx: 087 rs 33311
Fax: +65 7389378</p> | <p>CA M. LIM Choon Sai
Director, Radio
Telecommunication Authority
of Singapore
35, Robinson Road
TAS Building
0106 SINGAPORE
Tel: +65 3221833
Tlx: 087 rs 20325
Fax: +65 3221481/82</p> <p>D M. LEE Hsien Y.
Executive Vice-President
Local Services
Singapore Telecommunications
Limited
Comcentre
31, Exeter Road
0923 SINGAPORE
Tel: +65 8383828
Tlx: 087 rs 33311
Fax: +65 7363820</p> <p>D Mlle LOO Hui S.
Engineer
Telecommunication Authority
of Singapore
35, Robinson Road
TAS Building
0106 SINGAPORE
Tel: +65 3757719
Fax: +65 3757734</p> <p>D Mlle YING Lai C.
Manager
International Affairs
Regulatory
Singapore Telecommunications
Limited
Comcentre
31, Exeter Road
0923 SINGAPORE
Tel: +65 8383213
Tlx: 087 rs 33311
Fax: +65 7379531</p> |
|---|---|

SVN Slovénie (République de) - Slovenia (Republic of) - Eslovenia (República de)

- | | |
|---|---|
| <p>C M. PERPAR Stanko
State Secretary
Ministry of Transport and
Communications
Presernova 23
61000 LJUBLJANA
Tel: +386 61 1256256
Fax: +386 61 1255061</p> | <p>D M. BAJEC Zvonko
Director
Telecommunications Authority
Ministry of Transport and
Communications
Kotnikova 19a
61000 LJUBLJANA
Tel: +386 61 1320260</p> |
|---|---|

SVN Slovénie (République de) - Slovenia (Republic of) - Eslovenia (República de)

D M. GRIL Janez
General Manager
PTT Enterprise
Cigaletova 15
61000 LJUBLJANA
Tel: +386 61 310030
Tlx: 064 39151 ptt si
Fax: +386 61 302014

D M. JAGODIC Marko
Adviser to the
General Manager
Iskratel
Tel: +386 64 331664
Fax: +386 64 221581

D M. PREMOZE Janez
Chargé d'Affaires
Ambassade de Slovénie au Japon
7-5-15 Akasaka 7-Chome,
Minato-ku
107 TOKYO
Tel: +81 3 55706275

SDN Soudan (République du) - Sudan (Republic of the) - Sudán (República del)

C M. MOHAMED Mustafa I.
Deputy Minister
Ministry of Communications
and Tourism
P.O. Box 1130
KHARTOUM
Tel: +249 11 79493/71899
Tlx: 0984 22299 gentl sd
Fax: +249 11 80507

CA M. GAMAL Abdelwahab
Senior Advisor
Sudan Telecommunications
Public Corporation (STPC)
KHARTOUM
Tel: +249 11 78878
Tlx: 0984 22299 gentl sd
Fax: +249 11 81009

AFS Sudafricaine (République) - South Africa (Republic of) - Sudafricana (República)

C M. JORDAN P.
Minister for Posts,
Telecommunications and
Broadcasting
Ministry of Posts,
Telecommunications and
Broadcasting
Private Bag X9151
8000 CAPE TOWN
Tel: +27 21 4621632
Fax: +27 21 4621646

CA M. DE JONGH Dirk J.J.
Senior Manager
Radio/International
Department of Posts,
Telecommunications and
Broadcasting
Private Bag X860
0001 PRETORIA
Tel: +27 12 3198200
Fax: +27 12 3198111

CA M. OOSTHUIZEN P.J.T.
Postmaster General
Department of Posts,
Telecommunications and
Broadcasting
Private Bag X860
0001 PRETORIA
Tel: +27 12 3198010/214623490
Fax: +27 12 3198020

D M. LAND Frank H.
Director
Scientific and
Technical Affairs
Department of Foreign Affairs
Private Bag X152
0001 PRETORIA
Tel: +27 12 3511520
Fax: +27 12 3511165

AFS Sudafricaine (République) - South Africa (Republic of) - Sudafricana (República)

- | | |
|---|---|
| <p>D M. MOKOETLE Solly Q.M.
Senior General Manager
South African Broadcasting Corporation
Private Bag X1
2006 AUCKLAND PARK
Tel: +27 11 7144120
Fax: +27 11 7142748</p> | <p>D M. WOLMARANS A.L.
Manager
Department of Posts, Telecommunications and Broadcasting
Private Bag X860
0001 PRETORIA
Tel: +27 12 3198203
Fax: +27 12 3198111</p> |
| <p>A M. CELLI Gabriele
General Manager
Regulatory Liaison
Telkom SA Ltd.
152 Proes Street
0001 PRETORIA
Tel: +27 12 3113300
Fax: +27 12 3113314</p> | <p>A M. CHEESMAN Brian K.
General Manager
International Business
Telkom SA Ltd.
152 Proes Street
0001 PRETORIA
Tel: +27 12 3111414
Fax: +27 12 3114000</p> |
| <p>A M. DANIEL N.-P.
Chairperson
National Telecommunications Forum
152 Proes Street
P.O. Box 9566
0001 PRETORIA
Tel: +27 12 3113722
Fax: +27 12 3232924</p> | <p>A M. HEROLD Kenneth
General Manager
Operations, Marketing & Communications
Sentech (PTY) Ltd.
Private Bag X06
HONEYDEW
Tel: +27 11 6792562</p> |
| <p>A M. KUZWAYO Mandla
2nd Deputy-Chairperson
National Telecommunications Forum
152 Proest Street
P.O. Box 9566
0001 PRETORIA
Tel: +27 11 4456000
Fax: +27 11 4445255</p> | <p>A M. MATISONN Jonathan
Councillor
Independent Broadcasting Authority
Private Bag x31
2121 PARKLANDS
Tel: +27 11 4476180
Fax: +27 11 4476188/9</p> |
| <p>A M. MOKOENA H.-P.
Member
Management Committee
National Telecommunications Forum
152 Proes Street
P.O. Box 9566
0001 PRETORIA
Tel: +27 12 3114049
Fax: +27 12 3232925</p> | <p>A M. MOKONE-MATABANE Sebileto
Co-Chairperson
Independent Broadcasting Authority
Private Bag X31
2121 PARKLANDS
Tel: +27 11 4476180
Fax: +27 11 4476188/9</p> |
| <p>A Mme SHOPE-MAFOLE Lyndall
Councillor
Independent Broadcasting Authority
Private Bag X31
2121 PARKLANDS
Tel: +27 11 4476180</p> | <p>A M. SIKHAKHANE Sipho
Working Group Member
National Telecommunications Forum
152 Proes Street
P.O. Box 9566
0001 PRETORIA
Tel: +27 12 8362109
Fax: +27 12 8362078</p> |

AFS Sudafricaine (République) - South Africa (Republic of) - Sudafricana (República)

A M. TSWANYA Lutando S.
Manager
Regulatory Liaison
Telkom SA Ltd.
152 Proes Street
0001 PRETORIA
Tel: +27 12 3113300
Fax: +27 12 3113314

S Suède - Sweden - Suecia

C Mme VAN DER CAPELLEN Connie
Assistant Under-Secretary
Ministry of Transport
and Communications
S-10333 STOCKHOLM
Tel: +46 8 7633634
Fax: +46 8 118943

CA M. ANDERSSON Curt
Deputy Director General
National Post and
Telecom Agency
P.O. Box 5398
S-10249 STOCKHOLM
Tel: +46 8 6785500/10 2161122
Tlx: 054 40777 radcon s
Fax: +46 8 6785505

CA M. FREESE Jan
Director General
National Post and
Telecom Agency
P.O. Box 5398
S-10249 STOCKHOLM
Tel: +46 8 6785500
Tlx: 054 40777 radcon s
Fax: +46 8 6785505

CA M. WILSON Gunnar
Senior Adviser
National Post and
Telecom Agency
P.O. Box 5398
S-10249 STOCKHOLM
Tel: +46 8 6785500
Tlx: 054 40777 radcon s
Fax: +46 8 6785505/7231176

D M. BERG Lars
President and CEO
Telia AB
S-12386 FARSTA
Tel: +46 8 7131000
Tlx: 054 14970 gentel s
Fax: +46 8 7133333

D M. BJÖRNSJÖ Krister
Frequency Coordinator
Telia Mobitel AB
S-13680 HANINGE
Tel: +46 8 7074500
Tlx: 054 12386 mobitel s
Fax: +46 8 7074718

D M. CARLSSON Claes-Göran
Legal Adviser
Telia AB
S-19386 FARSTA
Tel: +46 8 7131000
Tlx: 054 14970 gentel s
Fax: +46 8 946470

D M. MARTIN-LÖF Johan
Director
International Affairs
Telia AB
S-12386 FARSTA
Tel: +46 8 7131000
Tlx: 054 14970 gentel s
Fax: +46 8 7133636

D M. ORRSTEN Rolf
Coordinator
International Affairs
Telia AB
S-12386 FARSTA
Tel: +46 8 7131000
Tlx: 054 14970 gentel s
Fax: +46 8 7133636

D Mlle SVENSSON Marianne
Coordinator
International Affairs
Telia AB
S-12386 FARSTA
Tel: +46 8 7131000
Tlx: 054 14970 gentel s
Fax: +46 8 7133333

S Suède - Sweden - Suecia

A M. BIRKEDAHN Anders
Area Director, Asia
Telecom Standards and
Regulations
Telefonaktiebolaget
LM Ericsson
S-12625 STOCKHOLM
Tel: +46 8 7190000
Tlx: 054 14910 eric s
Fax: +46 8 184085

A M. STRÖM Karl-Henrik
Vice President
Corporate Markets
Telefonaktiebolaget
LM Ericsson
S-12625 STOCKHOLM
Tel: +46 8 7190000
Tlx: 054 14910 eric s
Fax: +46 8 184085

A M. BJÖRK Per-Olof
Area Director, East Asia
Telefonaktiebolaget
LM Ericsson
S-12625 STOCKHOLM
Tel: +46 8 7190000
Tlx: 054 14910 eric s
Fax: +46 8 184085

SUI Suisse (Confédération) - Switzerland (Confederation of) - Suiza (Confederación)

C M. FURRER Marc
Directeur
Office fédéral de la
communication
44, rue de l'Avenir
CH-2503 BIENNE
Tel: +41 32 285511/313812355
Fax: +41 32 285554

D M. DUPUIS Gilbert
Chef de Section
Direction générale
Swiss Telecom PTT
21, Viktoriastrasse
CH-3030 BERNE
Tel: +41 31 3382266/3223332
Fax: +41 31 3386916

D M. HEUSS Beat
Consul général
Consulat général de Suisse
OSAKA

D M. OBERSON Raphaël
Sous-directeur
Direction générale
Swiss Telecom PTT
21, Viktoriastrasse
CH-3030 BERNE
Tel: +41 31 3382354/3385482
Fax: +41 31 3383447

CA M. RIEHL Frédéric
Vice-directeur
Office fédéral de la
communication
44, rue de l'Avenir
CH-2503 BIENNE
Tel: +41 32 285448
Fax: +41 32 285555

D M. FOTSCH Christian
Premier secrétaire
Ambassade de Suisse au Japon
5-9-12 Minami Azabu
Minato-ku, P.O. Box 38
106-91 TOKYO
Tel: +81 3 34730121

D M. KAESER André
Directeur
Swiss Telecom PTT
Direction générale
21, Viktoriastrasse
CH-3030 BERNE

D M. OSWALD Heinz
Head
Frequency Management and
Licensing
Swiss Telecom PTT
General Directorate-RC 4
6, Speichergasse
CH-3030 BERN
Tel: +41 31 3383067
Tlx: 045 911025 rtv ch
Fax: +41 31 3389063

SUI Suisse (Confédération) - Switzerland (Confederation of) - Suiza (Confederación)

D M. ROSENBERG Félix
Directeur général
Swiss Telecom PTT
Direction générale
21, Viktoriastrasse
CH-3030 BERNE

D M. ROTH Frédéric
Adjoint scientifique
Office fédéral de la
communication
44, rue de l'Avenir
CH-2501 BIENNE
Tel: +41 32 285586
Fax: +4132285528/063447678

D S.E. M. STAEHELIN Jenoe
Ambassadeur de Suisse
Ambassade de Suisse au Japon
5-9-12 Minami Azabu
Minato-ku, P.O. Box 38
106-91 TOKYO
Tel: +81 3 34730121

SUR Suriname (République du) - Suriname (Republic of) - Suriname (República de)

C M. DEFARES J. A.
Minister of Transport,
Communications and Tourism
Ministry of Transport,
Communications and Tourism
26-28, Prins Hendrikstraat
PARAMARIBO
Tel: +597 411951
Fax: +597 420425

C Mme STRUIKEN-WIJDENBOSCH I. M.
Director
Legal and Personnel Affairs
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597 473104/474242
Tlx: 0304 131 telesur sn
Fax: +597 472243/477829

CA M. JOHANNIS L. C.
Director
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597 473944/474242
Tlx: 0304 131 telesur sn
Fax: +597 476949/477939

D M. ADAMA Roy G.
Chairman
Board of Directors
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597 400843
Tlx: 0304 131 telesur sn
Fax: +597 400100

D M. EMANUELS M. E.
Coordinator
Organization Development
Process/Cooperation
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597 473944/474242
Tlx: 0304 131 telesur sn
Fax: +597 477800

D Mlle FRÄSER R. F.
Head
International Affairs
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597473944/474242/411352
Tlx: 0304 131 telesur sn
Fax: +597 477800

D M. NEUS E. C.
Head
Integral Planning Department
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597 473944/474242
Tlx: 0304 131 telesur sn
Fax: +597 477800

D M. RAJCOMAR W.
Head, Radio Frequency
Control Division
Telecommunicatiebedrijf
Suriname (TELESUR)
1, Heiligenweg
PARAMARIBO
Tel: +597 474242
Tlx: 0304 131 telesur sn
Fax: +597 477800

SWZ Swaziland (Royaume du) - Swaziland (Kingdom of) - Swazilandia (Reino de)

- | | |
|--|--|
| <p>C M. MAGAGULA Ephraim S.F.
Minister of Transport and
Communications
Ministry of Transport and
Communications
P.O. Box 2652
MBABANE
Tel: +268 46128
Fax: +268 46438</p> <p>D M. DLAMINI Alfred S.
Managing Director
Swaziland Posts and Telecom.
Corporation (SPTC)
P.O. Box 125
MBABANE
Tel: +268 42341
Tlx: 0964 2033 wd
Fax: +268 43130</p> <p>D M. SHONGWE Wilmoth M.
General Manager
Telecommunications
Swaziland Posts and Telecom.
Corporation (SPTC)
P.O. Box 125
MBABANE
Tel: +268 43131/46760/41182
Tlx: 0964 2019 wd
Fax: +268 43130</p> | <p>CA M. MALINGA Bhakilanga S.
Under Secretary
Ministry of Transport and
Communications
P.O. Box 2652
MBABANE
Tel: +268 46632
Fax: +268 46438</p> <p>D M. MANANA Basilio F.
Senior Manager
International Relations
Swaziland Posts and Telecom.
Corporation (SPTC)
P.O. Box 125
MBABANE
Tel: +268 43131/24092
Tlx: 0964 2019/2033 wd
Fax: +268 44500/46438</p> |
|--|--|

TJK Tadjikistan (République du) - Tajikistan (Republic of) - Tayikistán (República de)

Représenté par Ouzbékistan

TZA Tanzanie (République-Unie de) - Tanzania (United Republic of) - Tanzania (República Unida de)

- | | |
|--|--|
| <p>C M. KIULA Nalaila L.
Minister of Works,
Communications and Transport
Ministry of Works,
Communications and Transport
P.O. Box 9423
DAR ES SALAAM
Tel: +255 51 46160
Fax: +255 51 36462</p> <p>D M. KILLO Zachary F.
Deputy Private Secretary
Ministry of Works,
Communications and Transport
P.O. Box 9423
DAR ES SALAAM
Tel: +255 51 38789
Fax: +255 51 36462</p> | <p>CA M. MAPUNDA Adolar B.
Managing Director
Tanzania Telecommunications
Company Ltd
P.O. Box 9070
DAR ES SALAAM
Tel: +255 51 46651/46288
Tlx: 0989 41054 postel tz
Fax: +255 51 46661</p> <p>D M. MAKONDOO Rajabu
Engineer
Planning Commission
Ministry of Planning
P.O. Box 9120
DAR ES SALAAM
Tel: +255 51 66799
Tlx: 0989 41943
Fax: +255 51 66898</p> |
|--|--|

TZA Tanzanie (République-Unie de) - Tanzania (United Republic of) - Tanzania (República Unida de)

D M. OLEKAMBAINI E.N.
Director General
Tanzania Communications
Commission
P.O. Box 474
DAR ES SALAAM
Tel: +255 51 23677
Fax: +255 51 44101

TCD Tchad (République du) - Chad (Republic of) - Chad (República del)

C M. HADJARO Barkaye
Directeur général adjoint
Office national des postes et
télécommunications (ONPT)
B.P. 1132
N'DJAMENA
Tel: +235 513224/514868
Fax: +235 512835

D M. HAROUN Mahamat
Chef, Service des
télécommunications
internationales (TIT)
Télécommunications
internationales du Tchad
B.P. 1132
N'DJAMENA
Tel: +235 515782/5913
Tlx: 0976 5200 kd
Fax: +235 512290

D M. TINGABAYE Djassibe
Chef, Bureau d'études et
planifications des
télécommunications
Office national des postes
et télécommunications
(ONPT)
B.P. 1132
N'DJAMENA
Tel: +235 512343
Fax: +235 512835

THA Thaïlande - Thailand - Tailandia

C M. CHANTRANGKURN Mahidol
Permanent Secretary
Ministry of Transport
and Communications
Ratchadamnoen Nok Avenue
10100 BANGKOK
Tel: +662 5899099/2813111
Tlx: 086 7000 minocom th
Fax: +662 2801714

CA M. SAOVAROS Aswin
President
Communications Authority
of Thailand (CAT)
99 Chaengwattana Road
Don Muang
BANGKOK 10002
Tel: +662 5735403
Tlx: 086 80054 catint th
Fax: +662 5746054

CA M. YUPHO Kitt
Director-General
Post and Telegraph Department
87 Soi Sailom Phaholyothin Rd
Phayathai
10400 BANGKOK
Tel: +662 2713508/2713509
Tlx: 086 82503 deposte th
Fax: +662 2713512/2713516

D Mme AIYARA Aurapin
Chief, Int'l Telecommunication
Organizations Section
Int'l Relations Division
Communications Authority
of Thailand (CAT)
99 Chaengwattana Road
Don Muang
10002 BANGKOK
Tel: +662 5745419/5745425
Tlx: 086 80054 catint th
Fax: +662 5735413/5733561

THA Thaïlande - Thailand - Tailandia

- | | |
|---|--|
| <p>D M. CHAROENPHOL Direk
Senior Executive
Vice-President
Telephone Organization
of Thailand
89/2 MOO-3, Chaengwattana Rd
Laksi
10210 BANGKOK
Tel: +662 5749940
Tlx: 086 82886 telthai th
Fax: +662 5749535</p> | <p>D Mlle CHITRASWANG Chirapa
Director, International
Services Division
Post and Telegraph Department
87 Soi Sailom
Phaholyothin Rd, Phayathai
10400 BANGKOK
Tel: +662 2713515/2714488
Tlx: 086 82503 deposte th
Fax: +662 2713512/2713516</p> |
| <p>D Mlle CHUENTONGKAM Wajana
Chief, International
Telecommunication Section
Int'l Services Division
Post and Telegraph Department
87 Soi Sailom
Phaholyothin Rd, Phayathai
10400 BANGKOK
Tel: +662 2726856/2713515
Tlx: 086 82503 deposte th
Fax: +662 2713512/2713516</p> | <p>D M. CUSRIPITUCK Sethaporn
Deputy Director-General
Post and Telegraph Department
87 Soi Sailom
Phaholyothin Rd, Phayathai
10400 BANGKOK
Tel: +662 2791842/2713509
Tlx: 086 82503 deposte th
Fax: +662 2713512/2713516</p> |
| <p>D M. JULMANICHOTI Thamnoon
Executive Vice-President
Communications Authority
of Thailand (CAT)
99 Chaengwattana Rd
Don Muang
10002 BANGKOK
Tel: +662 5735447/5730099
Tlx: 086 80054 catint th
Fax: +662 5746054</p> | <p>D M. KHAIMUK Suphot
Deputy Director-General
Department of International
Organizations
Ministry of Foreign Affairs
408 Phaholyothin Place Bldg
Phaholyothin Road, Phayathai
10400 BANGKOK
Tel: +662 6190048
Fax: +662 6190047</p> |
| <p>D Mlle LADAVALYA M.L. Pensang
Director, International
Relations Division
Communications Authority
of Thailand (CAT)
99 Chaengwattana Road
Don Muang
10002 BANGKOK
Tel: +662 5735410/5735403
Tlx: 086 80054 catint th
Fax: +662 5735413/5733561</p> | <p>D M. SKULRATANA Sarin
Director, International
Affairs Division
Ministry of Transport and
Communications
Ratchadamnoen Nok Avenue
10100 BANGKOK
Tel: +662 2823011
Tlx: 086 70000 minocom th
Fax: +662 2801714</p> |
| <p>D Mme VASUDHARA Suporn
Senior Manager
Telephone Organization
of Thailand
89/2 MOO-3, Chaengwattana Rd
Laksi
10210 BANGKOK
Tel: +662 5749985
Tlx: 086 82886 telthai th
Fax: +662 5749535</p> | <p>D M. VONGSRI Pichai
Assistant Vice-President
Telephone Organization
of Thailand
89/2 MOO-3, Chaengwattana Rd
Laksi
10210 BANGKOK
Tel: +662 5749228/5749577
Tlx: 086 82886 telthai th
Fax: +662 5749535</p> |

THA Thaïlande - Thailand - Tailandia

A M. MAYTHAVEEKULCHAI Nopparat
Senior Manager
Telephone Organization
of Thailand
89/2 MOO-3, Chaengwattana Rd
Laksi
10210 BANGKOK
Tel: +662 5749192
Tlx: 086 82886 telthai th
Fax: +662 5749535

A Mlle PACHARAPHA Angkana
Manager
Telephone Organization
of Thailand
89/2 MOO-3, Chaengwattana Rd
Laksi
10210 BANGKOK
Tel: +662 5749982
Tlx: 086 82886 telthai th
Fax: +662 5749535

TGO Togolaise (République) - Togolese Republic - Togolesa (República)

C M. ANDJO Tchamdja
Ministre de l'équipement
Office des postes et
télécommunications
B.P. 333
LOME
Tel: +228 212528
Fax: +228 210373

CA M. AMOUSSOU Comlanvi L.
Secrétaire général
Office des postes et
télécommunications
B.P. 333
LOME
Tel: +228 216872/266000
Fax: +228 210373

CA M. AYIKOE Kossivi P.
Directeur général
Office des postes et
télécommunications
B.P. 333
LOME
Tel: +228 214401/213737
Fax: +228 210373

D M. ABLY-BIDAMON Dederiwe
Directeur commercial des
télécommunications
Office des postes et
télécommunications
B.P. 333
LOME
Tel: +228 214401
Fax: +228 210373

D M. MIKEM Kote
Directeur de la production
Office des postes et
télécommunications
B.P. 333
LOME
Tel: +228 213293
Fax: +228 210373

TON Tonga (Royaume des) - Tonga (Kingdom of) - Tonga (Reino de)

C M. BARON VAEA
Prime Minister and
Minister responsible for
Telecommunications
Prime Minister's Office
NUKU'ALOFA
Tel: +676 21300/22112
Tlx: 0777 66269
Fax: +676 23888

CA M. TUFUI Taniela
Chief Secretary &
Secretary to Cabinet
Prime Minister's Office
P.O. Box 62
NUKU'ALOFA
Tel: +676 21300
Tlx: 0777 66269
Fax: +676 23888

TON Tonga (Royaume des) - Tonga (Kingdom of) - Tonga (Reino de)

D S.E. M. KITE Sione
Tonga High Commissioner
to The United Kingdom
Tonga High Commission
LONDON
Tel: +44 71 7245828
Fax: +44 71 7239074

D M. MALU Lemeki
General Manager
Tonga Telecommunications
Commission
NUKU'ALOFA
Tel: +676 24255/23945
Tlx: 0777 66225 gentel tx
Fax: +676 24800

A M. PRITCHARD Wilbur L.
Managing Director
TONGASAT
7315, Wisconsin Ave, Suite 520
EAST, BETHESDA MD 20814
Tel: +1 301 6541144
Fax: +1 301 6541814

TRD Trinit  -et-Tobago - Trinidad and Tobago - Trinidad y Tabago

C M. RAGBIR R. Winston
Director
Telecom Authority
17A, Abercromby Street
PORT-OF-SPAIN
Tel: +1 809 6272051/6658222
Fax: +1 809 6243869

TUN Tunisie - Tunisia - T  nez

CA M. AZAIEZ Ridha
Charg   d'affaires
Affaires internationales
Ambassade de Tunisie au Japon
1-18-8 Wakaba
Shinjuku-ku
160 TOKYO
Tel: +81 3 33534111/3
Fax: +81 3 32254387

CA M. ZITOUN Hassoumi
Directeur g  n  ral des
t  l  communications
Minist  re des communications
3bis rue d'Angleterre
TUNIS
Tel: +216 1 561933/245136
Tlx: 0409 15200 tn
Fax: +216 1 352353/564357

D M. LAOUYANE Ahmed
Ing  nieur g  n  ral
Minist  re des communications
3bis rue d'Angleterre
TUNIS
Tel: +216 1 245136
Fax: +216 1 352353

D M. TRIKI Mohsen
Pr  sident Directeur G  n  ral
du Centre d'  tudes et de
recherches des t  l  com.
Minist  re des Communications
3bis rue d'Angleterre
TUNIS
Tel: +216 1 792944
Tlx: 0409 14320
Fax: +216 1 720345

TKM Turkménistan - Turkmenistan - Turkmenistán

Représenté par le Bélarus

TUR Turquie - Turkey - Turquía

- | | |
|---|--|
| <p>C M. ANIK Cengiz
Deputy Director General
General Directorate of PTT
06101 ANKARA
Tel: +90 312 3131130
Tlx: 0607 42400 ptt tr
Fax: +90 312 3131153</p> <p>CA M. ERYOL Orhan
Head
Communication Department
Ministry of Transportation
and Communication
06338 EMEK ANKARA
Tel: +90 312 2128088
Fax: +90 312 2121775</p> <p>D Mme AYTEKIN Aysel
Manager
International Relations
Department
General Directorate of PTT
06101 ANKARA
Tel: +90 312 3132942
Tlx: 0607 44291 midb tr
Fax: +90 312 3132940</p> <p>D Mme CELAYIR Nihal
Deputy Head, International
Relations Department
General Directorate of PTT
06101 ANKARA
Tel: +90 312 3132900/5551130
Tlx: 0607 44291 midb tr
Fax: +90 312 3131153</p> | <p>C M. BETTEMIR Veli
Director General
General Directorate of PTT
06101 ANKARA
Tel: +90 312 3131111
Tlx: 0607 42400 ptt tr
Fax: +90 312 3131153</p> <p>D M. ALPMAN Ahmet N.
Counsellor
Embassy of Turkey in Japan
150 TOKYO
Tel: +81 3 34705131/4
Fax: +81 3 34705136</p> <p>D M. CAKIMCI Turgay
Chief Engineer
Turkish Radio-Television
Corporation (TRT)
TRT Sitesi, KAT 5/C
06450 ANKARA
Tel: +90 312 4901732
Fax: +90 312 4901733</p> <p>A M. ERDENGIZ Ahmet
Adviser
Ministry of Foreign Affairs
Tel: +90 392 2283241
Fax: +90 392 2284290</p> |
|---|--|

UKR Ukraine - Ukraine - Ucraina

- | | |
|---|--|
| <p>C M. PROZHIWALSKY Oleg P.
Minister of Posts
and Telecommunications
Ministry of Posts
and Telecommunications
22, Kreschatik
252001 KIEV
Tel: +7 044 2262140</p> | <p>CA M. KLIKICH Anatoly V.
Director, International
Relations Department
Ministry of Posts
and Telecommunications
22, Kreschatik
252001 KIEV
Tel: +7 044 2262926
Fax: +7 044 2286141</p> |
|---|--|

UKR Ukraine - Ukraine - Ucraina

D M. BUTENKO Georgy G.
General Director
Ukrelektrozviyazok Association
18, Boulevard Shevchenko
252030 KIEV
Tel: +7 044 2253254
Fax: +7 044 2242267

D M. RESHETNYAK Volodymyr M.
First Secretary
Ministry of Foreign Affairs
1, Mykhaylivska sq
252018 KIEV
Tel: +7 044 2128633
Fax: +7 044 2122040

D M. KARKANITSA Volodymyr M.
Director of Department
Cabinet of Ministers
12/2, Grushebskogo Street
KIEV
Tel: +7 044 2932757

D Mme TSIDULKINA Natalya P.
Leading Specialist
Ministry of Posts
and Telecommunications
22, Kreschatik
252001 KIEV
Tel: +7 044 2262926
Fax: +7 044 2286141

URG Uruguay (République orientale de l') - Uruguay (Eastern Republic of) - Uruguay (República Oriental del)

C M. SILVEIRA ZAVALA Juan de la Cruz
Vice-Presidente
Administración Nacional de
Telecomunicaciones
1534, Fernandez Crespo
MONTEVIDEO
Tel: +598 2 481821
Tlx: 032 23100
Fax: +598 2 420209

CA M. NOVOA BARCENA Osvaldo
Gerente
División Internacional
Administración Nacional de
Telecomunicaciones
1534, Fernandez Crespo
MONTEVIDEO
Tel: +598 2 404051
Tlx: 032 23100
Fax: +598 2 483844

D Mlle PIEDRAS FUENTE Graciela
Jefe, Unidad Soporte Técnico
División Internacional
Administración Nacional de
Telecomunicaciones
1534, Fernandez Crespo
MONTEVIDEO
Tel: +598 2 409415
Tlx: 032 23100
Fax: +598 2 483844

CA M. CAMELO ABELEIRA Juan J.
Director Nacional de
Comunicaciones
Dirección Nacional de
Comunicaciones
1520, Bulevar Artigas
MONTEVIDEO
Tel: +598 2 773662 AL 69
Tlx: 032 23213
Fax: +598 2 773591

D M. NUÑEZ GONZALEZ Alain
Director, División Técnica
Dirección Nacional de
Comunicaciones
1520, Bulevar Artigas
MONTEVIDEO
Tel: +598 2 773662 AL 69
Tlx: 032 23213
Fax: +598 2 773591

VEN Venezuela (République du) - Venezuela (Republic of) - Venezuela (República de)

C M. RODRIGUEZ José A.
Director General
Comisión Nacional de
Telecomunicaciones (CONATEL)
Edif. M.T.C., calle Veracruz
con Cali-Las Mercedes
CARACAS
Tel: +58 2 926033/14 300607
Fax: +58 2 9930261

CA M. PARRA Oscar
Gerente, Servicios de
Telecomunicaciones
Comisión Nacional de
Telecomunicaciones (CONATEL)
Edif. M.T.C., calle Veracruz
con Cali, Las Mercedes
CARACAS
Tel: +58 2 925868
Fax: +58 2 9930261

D Mme ORNÉS URBANY Alejandra
Gerente
Relaciones Internacionales
Iridium Andes Caribe
Av. Principal Cortijos Lourdes
Edificio Maploca
CARACAS
Tel: +58 2 69407226/9875146
Fax: +58 2 922155

VTN Viet Nam (République socialiste du) - Viet Nam (Socialist Republic of) - Viet Nam (República Socialista de)

C M. MAI LIEM Truc
Deputy Secretary-General
Department General of Posts
and Telecommunications
(D.G.P.T)
18, Nguyen Du Street
HANOI
Tel: +84 4 256897
Fax: +84 4 226590

D M. DANG DINH Lam
Deputy General-Director
Vietnam Posts and
Telecommunications (V.N.P.T.) -
HANOI
Tel: +84 4 257 151
Fax: +84 4 255851

D M. LE MANH Hung
Assistant to the Director of
the International
Organizations Department
Ministry of Foreign Affairs
HANOI
Tel: +84 4 255900
Fax: +84 4 259205

D M. LE THAI HONG
General Manager
International Organizations
Department General of Posts
and Telecommunications
(D.G.P.T)
18, Nguyen Du Street
HANOI
Tel: +84 4 226610/230270
Fax: +84 4 226590

D M. LUU VAN Luong
Director
Frequency Management
Department
Department General of Posts
and Telecommunications
(D.G.P.T)
18, Nguyen Du Street
HANOI
Tel: +84 4 226930/957928
Fax: +84 4 255851/226910

YEM Yémen (République du) - Yemen (Republic of) - Yemen (República del)

- | | |
|---|---|
| <p>C M. AL-GILANI Abdulwahab A.
Adviser, Technical Affairs
Ministry of Communications
P.O. Box 1686
Al-Jiraff
SANAA
Tel: +967 1 251938/43
Tlx: 0895 2340 moc ye
Fax: +967 1 251937</p> <p>D M. IBRAHIM Abdulqader A.
Director General
Telecommunications
Ministry of Communications
P.O. Box 1686
Al-Jiraff
SANAA
Tel: +967 1 251935
Tlx: 0895 2340 moc ye
Fax: +967 1 251937</p> | <p>C M. AL-ARASHI Mohammad M.
Under-Secretary
Ministry of Communications
P.O. Box 1686
Al-Jiraff
SANAA
Tel: +967 1 251938/43
Tlx: 0895 2340 moc ye
Fax: +967 1 251937/43</p> |
|---|---|

ZAI Zaïre (République du) - Zaire (Republic of) - Zaire (República del)

- C** M. N'GAMBANI ZI-MIZELE G.-G.
Ministre Plenipotentiaire
(Directeur) Chargé d'Affaires
Ambassade du Zaïre au Japon
3-53-17 Sendagaya, 3-Chome
Shibuya-ku
151 TOKYO
Tel: +81 3 34233981/3
Fax: +81 3 34233984

ZMB Zambie (République de) - Zambia (Republic of) - Zambia (República de)

- | | |
|--|--|
| <p>C M. MULULU Gilbert
Deputy Minister
Ministry of Communications
and Transport
P.O. Box 50065
LUSAKA
Tel: +260 1 254142</p> <p>D M. HANAMWIINGA Edwin A.
Senior Telecommunications
Engineer
Ministry of Communications and
Transport
P.O. Box 50065
LUSAKA
Tel: +260 1 254286/251444
Tlx: 0902 mpte za 41680
Fax: +260 1 253260</p> | <p>C M. MUTTI Gerard L.
Director of Telecommunications
Posts and Telecommunications
Corporation Ltd.
P.O. Box 71660
NDOLA
Tel: +260 2 610099
Tlx: 0902 telecoms za 33410
Fax: +260 2 613055</p> <p>D M. SYAMUNTU Martin M.
Manager, International
Relations
Posts and Telecommunications
Corporation Ltd.
P.O. Box 71660
NDOLA
Tel: +260 2 617499
Tlx: 0902 telecoms za 33410
Fax: +260 2 613055</p> |
|--|--|

ZWE Zimbabwe (République du) - Zimbabwe (Republic of) - Zimbabwe (República de)

- | | |
|--|--|
| <p>C M. KARIMANZIRA David I.G.
Minister of Information, Posts
and Telecommunications
Ministry of Information, Posts
and Telecommunications
Linquenda House, Baker Ave,
P.O. Box CY1276, Causeway
HARARE
Tel: +263 4 734909/499102</p> <p>CA M. MARUME Lameck T.D.
Deputy Secretary
Ministry of Information, Posts
and Telecommunications
Liquenda House, Baker Ave,
P.O. Box CY1276, Causeway
HARARE
Tel: +263 4 703891/5
Tlx: 0907 24142 zw
Fax: +263 4 707213</p> <p>D M. MATAVIRE F.D.
Manager
Frequency Management Services
Posts and Telecommunication
Corporation Headquarters
Runhare House, 107 Union Ave,
P.O. Box 2580
HARARE
Tel: +263 4 728811/734600
Tlx: 0907 24821 ptchq zw
Fax: +263 4 735892</p> | <p>CA M. CHIDEME J.
Deputy Postmaster General
Telecoms Planning &
Manufacturing
Posts and Telecommunication
Corporation Headquarters
Runhare House, 107, Union Ave
P.O. Box CY331, Causeway
HARARE
Tel: +263 4 728811
Tlx: 0907 24821 ptchq zw
Fax: +263 4 733801</p> <p>CA M. MUTAMBIRWA Raymond
Postmaster General
Posts and Telecommunications
Corporation
Runhare House, 107 Union Ave
P.O. Box CY331, Causeway
HARARE
Tel: +263 4 738811/734600
Fax: +263 4 731683</p> <p>D M. NDAWANA R.R.S.
Chargé d'affaires
Ambassade du Zimbabwe au Japon
5-9-10 Shirogane-dai, 5-Chome
Minato-ku
108 TOKYO
Tel: +81 3 32800331/0332
Fax: +81 3 32800466</p> |
|--|--|

Total participants: 1091

II.1 NATIONS UNIES ET SES INSTITUTIONS SPECIALISEES
UNITED NATIONS AND ITS SPECIALIZED AGENCIES
NACIONES UNIDAS Y SUS INSTITUCIONES ESPECIALIZADOS

ONU/UNO

- O M. ZIMMERMANN Hans
Senior Humanitarian
Affairs Officer
United Nations
(DHA)
Palais des Nations
CH-1211 GENEVA 10

Total participants: 1

II.2 ORGANISATIONS REGIONALES DE TELECOMMUNICATIONS
REGIONAL TELECOMMUNICATION ORGANIZATIONS
ORGANIZACIONES REGIONALES DE TELECOMUNICACIONES

APT

- | | |
|---|--|
| <ul style="list-style-type: none">O M. NARAYAN Amarendra
Director, Project Development
Asia-Pacific Telecommunity
12/49, Soi 5, Chaengwattana Rd
10210 BANGKOK
Tel: +66 2 5736892
Fax: +66 2 5737479O M. SHAREEF Riluvan
Deputy Executive Director
Asia-Pacific Telecommunity
12/49, Soi 5, Chaengwattana Rd
10210 BANGKOK
Tel: +66 2 5736891
Fax: +66 2 5737479O M. SONOKI Hiroyasu
Executive Director
Asia-Pacific Telecommunity
12/49, Soi 5, Chaengwattana Rd
10210 BANGKOK
Tel: +66 2 5736890
Fax: +66 2 5737479 | <ul style="list-style-type: none">O M. SASAKI Kazuo
Consultant
Asia-Pacific Telecommunity
12/49, Soi 5, Chaengwattana Rd
10210 BANGKOK
Tel: +66 2 5736891
Fax: +66 2 5737479O M. SHIN Hyun Wook
Asia Pacific-Telecommunity
12/49, Soi-5, Chaengwattana Rd
10210 BANGKOK
Tel: +66 2 5736891
Fax: +66 2 5737479 |
|---|--|

CEPT

- O M. BROERE J.-F.
Chairman
Joint
CEPT-ECTRA/ERC AHWG PP-94
P.O. Box 450
9700 AL GRONINGEN
Tel: +31 50 222294
Fax: +31 50 135645

CITEL

- O M. SILVEIRA ZAVALA Juan de la Cruz
Chairman
Permanent Executive Committee
MONTEVIDEO
Tel: +598 2 481821
Tlx: 032 23100
Fax: +598 2 420209

CTU

- O M. SANATAN Roderick
Secretary-General
Caribbean Telecommunications
Union
17, Queen's Park West
PORT OF SPAIN

LEA/LAS

- O M. AL-ANSARI Mamdouh
Chief
League of Arab States
Mission in Tokyo
1-1-12 Mo Azabu
Minato-ku
TOKYO

UPAT/PATU

- O M. ONYEWUENYI Daniel C.
Secretary-General
Pan African Telecommunications
Union
P.O. Box 8634
KINSHASA

Total participants: 10

II.3 ORGANISATIONS INTERGOUVERNEMENTALES EXPLOITANT DES SYSTEMES A SATELLITES **INTERGOVERNMENTAL ORGANIZATIONS OPERATING SATELLITE SYSTEMS** **ORGANIZACIONES INTERGUBERNAMENTALES QUE EXPLOTAN SISTEMAS DE SATELITE**

ARABSAT

- | | |
|--|---|
| <ul style="list-style-type: none">O M. AL-QAHTANI Said
Assistant
Arab Satellite Communications
Organization
P.O. Box 1038
11431 RIYADHO M. LEMOUCHI Benazouz
Head, Technical Coordination
Arab Satellite Communications
Organization
11431 RIYADH | <ul style="list-style-type: none">O M. ALBIDNAH Saad A.
Director General
Arab Satellite Communication
Organization
P.O. Box 1038
11431 RIYADH |
|--|---|

ASE/ESA

- O M. BLOCK Gerhard F.
Head
Frequency Management Office
European Space Agency
8-10, rue Mario Nikis
F-75015 PARIS

EUTELSAT

- | | |
|--|--|
| <ul style="list-style-type: none">O M. AMADESI Paolo
Coordinateur UIT
Organisation européenne de
télécommunications
par satellite
33, avenue du Maine
Tour Maine Montparnasse
F-75755 PARIS Cedex 15
Tel: +33 1 45384879
Fax: +33 1 45384798 | <ul style="list-style-type: none">O M. GRENIER Jean
Directeur général
Organisation européenne de
télécommunications
par satellite
33, avenue du Maine
Tour Maine Montparnasse
F-75755 PARIS Cedex 15
Tel: +33 1 45384747
Fax: +33 1 45383700 |
|--|--|

INMARSAT

- | | |
|---|---|
| <p>O Mme ISHIMARU Aki
Assistant
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> <p>O M. MCDOUGAL Patrick
Manager, Strategic Planning
Project 21
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> <p>O M. PHILLIPS Robert O.
Director
Spectrum, Standards and
Special Projects
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> <p>O M. VARGAS-ARAYA Armando
Regional Director for
Latin America and
the Caribbean
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> | <p>O M. LUNDBERG Olof
Director General
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> <p>O M. NAKAYAMA Hiroshi
Assistant Manager
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> <p>O M. PREVAES Peter
Strategic Analyst
International Maritime
Satellite Organization
99, City Road
LONDON EC1Y 1AX
Tel: +44 71 7281000
Fax: +44 71 7281044</p> |
|---|---|

INTELSAT

- | | |
|--|--|
| <p>O M. GOLDSTEIN Irving
Director General &
Chief Executive Officer
International Telecommunic.
Satellite Organization
3400, International Drive
WASHINGTON DC 20008</p> | <p>O M. LATAPIE Francis J.-P.
Director External Relations
International Telecommunic.
Satellite Organization
3400, International Drive
20008 WASHINGTON DC</p> |
|--|--|

Total participants: 15

III. AUTRES - OTHERS - OTROS

- O M. MUNEM Baker
Palestine

Total participants: 1

IV. FONCTIONNAIRES ELUS - ELECTED OFFICIALS - FUNCIONARIOS DE ELECCION

IV.1 Secrétariat général

M. P. Tarjanne, Secrétaire général
Assistentes: Mlle M.-A. Palmeter
Mlle M. Thynell

M. J. Jipguep, Vice-Secrétaire général
Assistante: Mme Ch. Gervais

IV.2 Bureau des radiocommunications

M. R.C. Kirby, Directeur
Assistante: Mme G. Benoît

IV.3 Bureau de normalisation des télécommunications

M. Th. Imer, Directeur
Assistante: Mme B. Berghorn

IV.4 Bureau du développement des télécommunications

M. A.Ph. Djiwatampu, Directeur
Assistante: Mme M. Placci

IV.5 Comité du règlement des radiocommunications

M. M. Harbi, Président
M. W. H. Bellchambers, Vice-Président

**V. SECRETARIAT DE LA CONFERENCE - SECRETARIAT OF THE CONFERENCE -
SECRETARIA DE LA CONFERENCIA**

V.1	Secrétaire de la Conférence	:	M. P. Tarjanne, Secrétaire général
	Secrétaire exécutif	:	M. X. Escofet <i>Assistante:</i> Mme B. Bux
	Secrétaire administratif	:	M. J. Escudero <i>Assistante:</i> Mme G. Antoniazzi

V.2 Séances plénières et commissions

	Séance plénière et Commission de direction (Commission 1)	:	M. X. Escofet <i>Assistante:</i> Mme B. Bux
	Commission 2 (Pouvoirs)	:	M. X. Escofet <i>Assistante:</i> Mme B. Bux
	Commission 3 (Contrôle budgétaire)	:	M. A. Tazi-Riffi <i>Assistante:</i> Mme P. Bertinotti
	Commission 4 (Plans et programmes)	:	M. D. MacLean <i>Assistante:</i> Mlle J. Butterfield
	Commission 5 (Constitution et Convention)	:	M. A. Guillot <i>Assistante:</i> Mlle M. Campion
	Commission 6 (Personnel)	:	M. J.-P. Baré <i>Assistante:</i> Mme H. Braunschweiger
	Commission 7 (Finances)	:	M. A. Tazi-Riffi <i>Assistante:</i> Mme P. Bertinotti
	Commission 8 (Rédaction)	:	M. P.-A. Traub M. F. Lagraña <i>Assistants:</i> Mlle Ch. Brunet Mlle L. Domingo Mejias

VI. SECRETARIAT GENERAL ET SECTEURS - GENERAL SECRETARIAT AND SECTORS - SECRETARIA GENERAL Y SECTORES

VI.1	Unité de planification stratégique	:	<u>Chef de l'unité:</u> M. D. MacLean M. D. Schuster M. A. Boussaïd
VI.2	Unité des affaires extérieures	:	<u>Chef de l'unité:</u> M. T. Ras-Work <i>Assistante:</i> Mlle H. Tulloch
VI.3	Relations avec les Membres	:	<u>Chef:</u> M. X. Escofet
VI.4	Presse et information publique	:	<u>Chef:</u> Mme F. Lambert <i>Assistante:</i> Mme V. Shahna-Ekman
VI.5	Unité des affaires juridiques	:	<u>Chef de l'unité:</u> M. A. Noll M. A. Guillot
VI.6	Département des finances	:	<u>Chef de département:</u> M. A. Tazi-Riffi M. J. Raade M. V. Muccioli M. J.-P. Lovato M. F. Jemaa Mme A. Paderewska
VI.7	Département du personnel et de la protection sociale	:	<u>Chef de département:</u> M. J.-P. Baré Mme R. Lewis M. M. Rolland Mme C. Darx Mme S. Moore
VI.8	Département des services informatiques	:	<u>Chef de département:</u> M. L. Goelzer M. P. Prasad M. R. La Pietra

VI.9	Département des conférences	:	<u>Chef de département:</u> M. H. Pieterse
VI.10	Service des conférences	:	<u>Chef:</u> M. J. Escudero <i>Assistante:</i> Mme G. Antoniazzi
VI.11	Département des services communs:		<u>Chef de département:</u> M. H. Radjy <i>Assistante:</i> Mme G. Tan-Fluckiger
VI.12	Bureau des radiocommunications	:	<u>Chef de département:</u> M. K. Olms
VI.13	Bureau de normalisation des télécommunications	:	<u>Chef de département:</u> M. T. Arizono
VI. 14	Bureau de développement des télécommunications	:	<u>Chefs de département:</u> M. D. Kurakov M. W. Richter M. D. Stagliano <u>Représentation régionale</u> M. M. Cisse M. J. Zavattiero M. G. Davey M. M. Bairi M. A. Keskivali
VI.15	Telecom		M. T. Dahl-Hansen Mme P. Benoit-Guyot
VII.	SERVICES DE LA CONFERENCE - SERVICES OF THE CONFERENCE - SERVICIOS DE LA CONFERENCIA		
VII.1	Assistante du Président	:	Mme A. Kojima
VII.2	Enregistrement des délégués	:	Mme J. Jones-Ferrer <i>Assistantes:</i> Mlle L. Domingo Mejias Mme G. Tan-Fluckiger
VII.3	Contrôle des documents	:	Mme E. Baron <i>Assistante:</i> Mlle P. Janin
VII.4	Références	:	M. A. Fleuret
VII.5	Service des salles	:	Mlle D. Boccard <i>Assistante:</i> Mme M. Sincholle

VII.6 Division linguistique

a) Traduction

Section française

Mme F. Sala (Responsable)
Assistante: Mme D. Porcelli

Mlle A.-M. Deturche
Mme H. Eckert
M. P. Ferry
M. D. Halpern
Mlle M. Touraud

Section anglaise

M. A. Pitt (Responsable)
Assistante: Mlle S. Scott

M. K. Cowx
M. B. Granger
M. A. Jennings
M. G. Whiting

Section espagnole

M. A. Peñaranda (Responsable)
Assistante: Mme C. Marin

M. F. Garcia-Espina
Mme J. Hieronymi-Moreno
M. J. Mazo
Mme M. Moia
Mme P. Rubio Liman

b) Procès-verbalistes

Mme C. Briand
Mme V. Costarini
M. K. Cowx
M. T. Eldridge
M. R. Ferrat
Mme C. Ferrie-Tenconi

M. S. Garrett
M. P. Gosling
Mme M. Greenstone
Mlle S. Hall
M. J.N. Maire

Mme S. Rossington (Chef)
Mme S. Petter (Chef adjoint)
Assistante: Mlle T. Lucas

M. J.-P. Missire
M. R. Pickering
M. M. Queyrane
Mme N. Roeske
Mme G. Seriot

c) Interprétation

Mme J. Jouffroy (Coordonnatrice)
Assistante: Mme J. Sanchez

Cabine française:

Mme H. Ciokovitch
Mme M. Doble
Mme M. Ducroux
Mme M. Girot
Mme M. Gucasso
Mme W. Minder
M. B. Ponnette

Cabine anglaise:

Mme T. Borowiec
Mme E. Desbonnet
Mme Ch. Edwards
Mme C. Hunter
M. N. Gregory
Mme M. de Gren
M. N. de Gren

Cabine espagnole:

M. J.P. Allain
Mme M. Alvarez
Mme E. Flegenheimer
Mme E. Goldberg
Mme A. Hubner-Vidal
Mme C. Meibergen
Mme R. Posewitz

Cabine française:

Mme D. Porret
Mme Ch. Rojas
Mme M. C. Streuli-Roessler
Mme F. Stuby
Mme W. Quintana

Cabine anglaise:

M. J. Jennings
Mme D. Levias
M. M. Mulvey
Mme E. Nekrouf
Mme I. Stanton

Cabine espagnole:

Mme L. Ramirez
Mme I. Schroeder
Mme F. Tow
M. M.E. Trivino-de-Barthel
Mme J. Udler

Cabine arabe:

Mme S. Abdellatif
M. F. Al Salti
Mme J. Aouad
Mme N. Arafa
Mme Ch. Arnaout
M. A. Attia
M. D. Ben Yedder

Cabine chinoise:

M. A. Chan
M. J. Chi
Mme E. Fan
Mme S. Gao
Mme L. Huang
Mme Y. Jin
Mme Y. Lei

Cabine russe:

Mme L. Alexanderson
Mme C. Bielik
Mme G. Bogdanova
M. A. Dorogoi
Mme A. Gorbunova
Mme I. Khroustaleva
M. N. Krivocheine

Interprétation (cont.)

Cabine arabe:

M. K. Bitar
Mme Ch. El Dalati
M. A. El Guindi
Mme G. Elias
M. A. El Manzalawiy
Mme F. Mastour
M. M. Khallaf
M. Ch. Rayess
Mme J. Sfeir

Cabine chinoise:

M. J.L. Schott
Mme G. Ting
Mme P. Wang-Reiser
Mme X. Wu
Mme Z. Wu
M. J. Yang
M. X. Yang
Mme X. Zeng
Mme L. Zhao

Cabine russe:

Mme C. Litvinov-Gonin
Mme O. Romanova
M. V. Soudovtsev
M. Y. Souvorof
M. A. Tadevossian

Cabine allemande:

Mme A. M. Aebi
M. G. Enk
Mme K. Lebbe
Mme H. McGrew-Walter

VII.7 Composition des documents : Mme D. Duvernay
Assistante: Mme J. Félisaz

Section française

Mme M.-C. Girard (Chef équipe 1)
Mme M.-H. Sane (Chef équipe 2)

Section anglaise

Mlle S. Neal (Chef équipe 1)
Mlle J. Currie (Chef équipe 2)

Section espagnole

Mme L. Scolari (Chef équipe 1)
Mme R. Escudero (Chef équipe 2)

VII.8 Reprographie : M. J. Allinger
Assistante: M. E. Unterlerchner
M. R. Ferrier (Chef d'équipe 1)
M. C. Despond (Chef d'équipe 2)
M. E. Guven (Chef d'équipe 3)

VII.9 Distribution des documents : M. G. Delaye
Assistante: M. C. Bochet
Mlle M. Laplace (Chef d'équipe 1)
M. B. Pihen (Chef d'équipe 2)

VII.10 Communications : M. J. Stouffs

VII.11 Huissiers de salle : M. M. Diaby

VII.12 Messagers : M. A. Brusson
Assistante: M. T. Berrod

VIII. AUTRE PERSONNEL DE L'UIT - OTHER ITU PERSONNEL - OTRO PERSONAL DE LA UIT

M. M. Miura, Membre du RRB

M. G. Turnbull, Président du Conseil du personnel

Pr. Dr. Stojanovic, Conseiller spécial

Mlle M. Allard
Mlle T.-N. Arencibia
Mme C. Arminjon
Mme S. Audouy
Mme M. Balbaro
Mme E. Bosset
Mlle C. Brice
Mme M. Clavel
Mme J. Chausson
Mlle M. Delaroque
Mme K. De Leon Rodriguez
Mlle C. Droux
Mme D. Ducrot
Mme C. Francony
Mme U. Garcia
Mlle C. Geraty
Mlle S. Gichohi
Mme B. Giovannini
Mme J. Grummert
Mme F. Guenier
Mlle M.-C. Julia
Mlle J. Lindsay

M. G. Loyola
Mme E. Lugris
Mlle C. Lyons
Mlle J. Magero
Mme H. Marini
Mme M. Miguet
Mlle M. Miguez Rey
Mlle D. Montero Cue
Mlle M. Murphy
Mlle C. Ochienghs
Mlle S. Peic
Mlle A. Rodriguez
Mme P. Ruscon
M. P. Sallin
Mlle N. Saxod
Mme M.J. Tello de la Rosa
Mme G. Unger
Mlle P. Van den Heuvel
Mlle R. Verney
Mlle V. Vigny
Mlle C. Williams

IX. PERSONNEL DU JAPON - PERSONNEL FROM JAPAN - PERSONAL DE JAPON

IX.1 Secrétariat général

M.	M.	Takahashi	M.	S.	Watanabe
M.	M.	Bando	M.	Y.	Shigeta
M.	Y.	Moriya	M.	T.	Chigama
M.	Y.	Kiyama	M.	G.-I.	Nishimori
M.	M.	Kobayashi	M.	T.	Yamauchi
M.	K.	Nakajima	M.	Y.	Nakano
M.	Y.	Tanaka	M.	T.	Tsubata
Mme	T.	Kurokawa	M.	K.	Fujita
M.	S.	Yamaguchi	M.	M.	Nishioka
M.	S.	Murakami	M.	M.	Aritomo
M.	A.	Takeuchi	M.	S.	Sugimoto
M.	M.	Yoshimatsu	M.	A.	Isemoto
M.	T.	Shibazaki	Mme	M.	Kawamura
M.	M.	Takagi	M.	S.	Otake
M.	M.	Imai	M.	K.	Watanabe
M.	T.	Tanuma	M.	Y.	Miwa
M.	J.-I.	Shimada	M.	I.	Iwamoto
M.	K.	Horiuchi	M.	A.	Asahara
M.	A.	Kojima	M.	J.	Nishimura
Mme	N.	Kamiya			

IX.2 Logistique

M.	Y.	Tachioka	M.	Y.	Nishida
Mme	M.	Motono	M.	K.	Ura
M.	Y.	Sakaguchi	M.	K.	Nakagawa
M.	Y.	Watanabe	M.	T.	Kawamura
M.	T.	Yoshikawa	M.	S.	Okamoto
M.	Y.	Sakaguchi	M.	K.-I.	Sasaki

IX.3 Relations avec les participants

M.	T.	Takahashi	M.	I.	Komori
M.	E.	Watanabe	M.	Y.	Shishikura
M.	T.	Tanada	Mme	H.	Taniguchi
M.	K.	Imai	M.	C.	Nikyu
Mme	N.	Sakai	Mme	T.	Nakahara
M.	T.	Yokogawa	M.	A.	Yoshikawa
M.	M.	Oka	M.	T.	Keida
Mme	T.	Fujita			

IX.4 Transport

M.	H.	Onishi
M.	Y.	Isobe
M.	T.	Egawa
M.	I.	Murase
M.	Y.	Matsuda
M.	K.	Kadoike
M.	M.	Kawasaki
M.	H.	Izumita

M.	Y.	Kumaki
Mme	T.	Yamauchi
M.	S.	Sasaki
M.	M.	Yamashita
M.	T.	Yokoyama
M.	N.	Hamahata
M.	H.	Nisyu

IX.5 Relations extérieures

M.	M.	Ito
M.	K.	Iwaso
M.	T.	Okabe
M.	T.	Takasugi
M.	M.	Endo
M.	S.-I.	Masuyama
Mme	A.	Takashina
M.	M.	Usui

M.	N.	Otsuki
M.	N.	Kawakami
Mme	C.	Sejima
M.	T.	Ishiguro
M.	S.	Miyazawa
M.	M.	Kudo
M.	H.	Ito

IX.6 Central téléphonique

M.	K.	Morishige
M.	S.	Hayashi
M.	K.	Sugi
Mme	K.	Fujiki
Mme	K.	Oki
Mme	K.	Watanabe
Mme	K.	Kazami
Mme	M.	Hasegawa
Mme	Y.	Katayama
Mme	T.	Iwata
Mme	M.	Hayashi
Mme	M.	Hasegawa
M.	M.	Niitsu
Mme	S.	Nishizaki

Mme	K.	Tokushima
Mme	M.	Murase
Mme	Y.	Utsumi
M.	N.	Taida
Mme	M.	Nishimura
Mme	F.	Arai
M.	H.	Tsurii
M.	Y.	Ogawa
M.	Y.	Konno
M.	T.	Tanaka
Mme	Y.	Oikake
Mme	K.	Makita
Mme	S.	Murotani

IX.7 Service - VIP

M.	N.	Numata
M.	H.	Shimada
M.	T.	Yamamoto
M.	T.	Kunihara



PLENIPOTENTIARY CONFERENCE (PP-94)

Document 319-E
1 December 1994

KYOTO, 19 SEPTEMBER - 14 OCTOBER 1994

FINAL LIST OF DOCUMENTS

A. Basic documents of the Conference

	Document		Document		Document
Chairmanship of the Conference	84	COMMITTEE 3 (Budget Control Committee)		COMMITTEE 5 (cont.) Summary Records	
Structure of the Conference	80	Summary Records		7th meeting	233+Corr.1
List of participants	318	1st meeting	115	8th meeting	266
PLENARY MEETING		2nd and last meeting	267+Corr.1	9th meeting	301
Minutes		Report	216	10th and last meeting	305
1st meeting	83+Corr.1	COMMITTEE 4 (Strategic Policy and Plans)		Report	269+Corr.1
2nd meeting	92+Corr.1,2	Summary Records		COMMITTEE 6 (Questions relatives au personnel)	
3rd meeting	94+Corr.1	1st meeting	116	Summary Records	
4th meeting	101+Corr.1	2nd meeting	132+Corr.1	1st meeting	114
5th meeting	107+Corr.1	3rd meeting	137(Rév.1)	2nd meeting	158
6th meeting	111+Corr.1	4th meeting	149+Corr.1	3rd meeting	175
7th meeting	160	5th meeting	161	4th meeting	189
8th meeting	165	6th meeting	173+Corr.1	5th meeting	278
9th meeting	190+Corr.1	7th meeting	188+Corr.1	6th and last meeting	302
10th meeting	198+Corr.1	8th meeting	197	Report	247
11th meeting	207	9th meeting	215+Corr.1	COMMITTEE 7 (Finances of the Union)	
12th meeting	238	10th meeting	231+Corr.1	Summary Records	
13th meeting	239+Corr.1	11th meeting	249	1st meeting	125
14th meeting	240+Corr.1	12th meeting	254	2nd meeting	177+Corr.1
15th meeting	288	13th meeting	261	3rd meeting	202
16th meeting	308	14th meeting	291+Corr.1,2	4th meeting	251+Corr.1
17th meeting	309	15th meeting	303	5th meeting	295
18th meeting	310	16th and last meeting	304	6th meeting	306
19th meeting	311	Report	258+Corr.1	7th and last meeting	307
20th meeting	312	COMMITTEE 5 (Constitution and Convention)		Report	186(Rév.1)
21st meeting	313	Summary Records		COMMITTEE 8 (Editorial Committee)	
22nd meeting	314	1st meeting	118+Corr.1,2	Summary Record	
23rd meeting	315	2nd meeting	146+Corr.1	1st and last meeting	123
24th and last meeting	316	3rd meeting	178+Corr.1	Report	317
COMMITTEE 2 (Credentials Committee)		4th meeting	193+Corr.1		
Summary Records		5th meeting	206+Corr.1		
1st meeting	122	6th meeting	208+Corr.1		
2nd and last meeting	274				
Report	229+ Corr.1,2,3				

B. Complete list of documents in numerical order (1-319)

No.	Origin	Title	Destination
1	SG	Agenda of the Conference	PL
2	SG	Credentials of delegations to Conferences	PL
3	SG	Elections	PL
4	SG	Candidacies for the post of Director of the Radiocommunication Bureau	PL
5	SG	Candidacy for the post of Secretary-General	PL
6 + Add.1-3	SG	Candidacies for the post of Deputy Secretary-General	PL
7	MEX	Proposals for the work of the Conference	PL
8	J	Proposals for the work of the Conference	PL
9	USA	Proposals for the work of the Conference	PL
10+Add.1-3	SG	Candidacies for the post of Director of the Telecommunication Development Bureau (BDT)	PL
11	RUS	Proposals for the work of the Conference	PL
12	SG	General Staff Policy and Management	PL
13	SG	Candidacy for the post of Director of the Telecommunication Standardization Bureau	PL
14	SG	Regional Telecommunication Development Conferences for the period 1989-1994	PL
15	SG	Examination of the financial management of the Union by the Plenipotentiary Conference (years 1989 to 1992)	PL
16+ Add.1-10	SG	Candidacies for the post of member of the Radio Regulations Board	PL
17	MDG	Proposals for the work of the Conference	PL
18	S	Proposals for the work of the Conference	PL
19(Rev.7)	SG	Candidatures for the elections to the ITU Council	PL
20	SG	Report of the Council to the Plenipotentiary Conference (Kyoto, 1994)	PL
21+Corr.1	SG	Remuneration and representation allowances of ITU Elected Officials	PL
22	SG	Business Planning for ITU Telecom	PL
23	SG	Standard Basic Executing Agency Agreement between the UNDP and the ITU Cooperation Agreement between UNESCO and the ITU	PL
24	SG	Actuarial situation of the ITU Staff Superannuation and Benevolent Fund	PL
25	SG	Report on the need to establish a forum to discuss telecommunication strategies and policies (Resolution 15, Geneva, 1992)	PL
26	E	Proposals for the work of the Conference	PL
27	CHL	Proposals for the work of the Conference	PL
28	SG	Training and human resources development	PL

No.	Source	Title	Destination
29	SG	Recruitment of ITU staff and experts for technical assistance missions	PL
30+Corr.1	SG	Implementation of APP-92 Resolution 12 "Rules of Procedure of Conferences and Meetings of the International Telecommunication Union"	PL
31+Corr.1	MRC	Proposals for the work of the Conference	PL
32+Corr.1	BEL, HOL, POR	Proposals for the work of the Conference	PL
33	SG	Draft Strategic Plan 1995-99	PL
34	SG	Draft Strategic Plan: personnel management issues	PL
35+Add.1	SG	Report on the participation of entities and organizations other than Administrations in the activities of the Union (Resolution 4, Geneva, 1992)	PL
36	SG	Summary of decisions on the implementation of the HLC/BAH Recommendations	PL
37	SG	Grouping of ITU Members by Region	PL
38	SG	Future Conferences of the Union	PL
39+Corr.1	D, DNK, E, FIN, ISL, NOR, POR, S	Proposals for the work of the Conference	PL
40(Rév.1)	SG	Agreement between the Government of Japan and the Secretary-General of the International Telecommunication Union	PL
41+Corr.1-7	[¹]	Proposals for the work of the Conference	PL
42	AUS	Proposals for the work of the Conference	PL
43+Corr.1-2	ALG, ARS, EGY, UAE, JOR, KWT, LBN, QAT, SYR, SDN, TUN	Proposals for the work of the Conference	PL
44	SG	Convocation of the Conference	PL
45+Corr.1	ALG, JOR	Proposals for the work of the Conference	PL
46	KOR	Proposals for the work of the Conference	PL
47	RUS	Proposals for the work of the Conference	PL
48	BEN	Proposals for the work of the Conference	PL
49+Corr.1-3	BHR, UAE, KWT, QAT, SYR	Proposals for the work of the Conference	PL
50	SG	List of documents (1-50)	-
51	SG	Plenipotentiary Conference Budget	C3
52	SG	Implementation of Resolution 64 of the Nice 1989 Plenipotentiary Conference	PL
53	SG	Review of Decisions, Resolutions, Recommendations and Opinions (Nice, 1989 and Geneva, 1992)	PL, C4, C5, C7

¹ D, BEL, HRV, DNK, FIN, F, GRC, I, LIE, LUX, MLT, MCO, NOR, HOL, POR, G, S, SUI
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No.	Source	Title	Destination
54	SG	Contributions by Union Members - Democratic Republic of Sao Tome and Principe	C7
55	SG	Contributions by Union Members - Republic of Iraq	C7
56	SG	Contributions by Union Members - Republic of Chad	C7
57+Add.1-4	SG	Telecommunication facilities in the Republic of Cyprus	PL
58	SG	The Buenos Aires Action Plan for the global development of telecommunication	PL, C4
59(Rev.1)	SG	Priorities in the implementation of the Buenos Aires Action Plan	PL, C4
60	SG	Arrears and Special Arrears Accounts	C7
61	INS	Proposals for the work of the Conference	C4
62+Corr.1	[2]	Proposals for the work of the Conference	PL
63	SG	Secretariat of the Conference	PL
64	SEN	Proposals for the work of the Conference	PL, C4
65	SG	Resolutions adopted by the World Telecommunication Development Conference (WTDC-94), Buenos Aires, 1994	C4
66	CAN	Proposals for the work of the Conference	C4, C5, C6, C7
67+Corr.1	IND	Proposals for the work of the Conference	PL, C4, C7
68	ARG	Proposals for the work of the Conference	PL, C4, C5, C7
69	SG	The TELECOM 95 programme for development	C4
70	SG	Report on the ITU Regional Presence	PL
71	SG	Increase of class of contribution by Portugal	C7
72	SG	Grouping of ITU Members by regions	PL
73	SG	ITU Reserve Account	C7
74	SG	ITU financial management system	C7
75(Rev.1) ³	SG	Rules, procedures and financial arrangements for voluntary contributions and trust funds	C4
76	SG	Premises at the Seat of the Union - Construction of the "Montbrillant Building"	PL
77+Corr.1	ALG,ARS,EGY, UAE,JOR,KWT, LBN,SYR,TUN	Proposal for the work of the Conference	C4
78(Rev.9)	SG	Loss of the right to vote	PL
79	SG	Allocation of documents	-
80	SG	Structure of the Plenipotentiary Conference	-
81	SG	General schedule of the work of the Conference	-

² D, BEL, BUL, HRV, DNK, E, FIN, F, GRC, I, NOR, HOL, POL, POR, G, S, SUI.

³ The revised version concerns the French text only.

No.	Source	Title	Destination
82	SG	Minutes of the Official Opening Ceremony	-
83+Corr.1	PL	Minutes of the first Plenary Meeting	PL
84	SG	Chairmanship of the Conference	-
85	CHN	Proposals for the work of the Conference	C7
86(Rev.1)	Chairman/C4	Proposed organization and working methods for Committee 4	C4
87	Chairman/C7	Organization of the work of Committee 7	C7
88	SG	Procedures for the election of the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux of the Sectors and the members of the Radio Regulations Board	PL
89	Chairman	Deadline for the deposit of candidacies	-
90	POL	Proposals for the composition of the administrative regions	PL
91	SG	Contributions of organizations to the expenses of the Union	C3
92+Corr.1-2	PL	Minutes of the second Plenary Meeting	PL
93	CAN	Background document regarding draft Resolution CAN/2	C4
94+Corr.1	PL	Minutes of the third Plenary Meeting	PL
95	--	Not allocated	--
96	BAH	Proposals for the work of the Conference	PL
97	SG	Procedure for the election of the Members of the Council	PL
98	C6	First series of text from Committee 6 to the Editorial Committee	C8
99+Corr.1-2	[4]	Proposals for the work of the Conference	C4
100	SG	List of documents (51-100)	-
101+Corr.1	PL	Minutes of the fourth Plenary Meeting	PL
102	SG	Transfer of powers: Kazakhstan - Ukraine	PL
103	SG	Transfer of powers: Kyrgyzstan - Russia	PL
104	SG	Transfer of powers: Liechtenstein - Switzerland	PL
105	SG	Transfer of powers: Turkmenistan - Belarus	PL
106	SG	Transfer of powers: Mozambique - Cape Verde	PL
107+Corr.1	PL	Minutes of the fifth Plenary Meeting	PL
108	SG	Transfer of powers: Botswana - Malawi	PL
109+Add.1	SG	Candidacies for the posts of Secretary-General, Deputy Secretary-General, Directors of the Bureaux of the Sectors and Members of the Radio Regulations Board	PL
110	SG	Increase of class of contribution by the Republic of South Africa	PL, C7
111+Corr.1	PL	Minutes of the sixth Plenary Meeting	PL
112	SG	Transfer of powers: Belize - Guyana	PL
113	SG	Transfer of powers: El Salvador - United States	PL

⁴ AUS, BGD, BRU, CHN, KOR, IND, INS, IRN, MLA, MNG, NZL, PAK, PNG, PHL, SNG, THA, TON, VTN.
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No.	Source	Title	Destination
114	C6	Summary record of the first meeting of Committee 6	C6
115	C3	Summary record of the first meeting of Committee 3	C3
116	C4	Summary record of the first meeting of Committee 4	C4
117	SG	Letter from the Republic of Bosnia and Herzegovina	PL
118+ Corr.1-2	C5	Summary record of the first meeting of Committee 5	C5
119+ Corr.1-6	[⁵]	Proposals for the work of the Conference	C4
120	SG	Letter from the Republic of Croatia	PL
121	C6	Second series of texts from Committee 6 to the Editorial Committee	C8
122	C2	Summary record of the first meeting of Committee 2	C2
123	C8	Summary record of the first and last meeting of Committee 8	C8
124	C5	First series of texts submitted by Committee 5 to the Editorial Committee	C8
125	C7	Summary record of the first meeting of Committee 7	C7
126	SG	Transfer of powers: Czech Republic - Slovakia	PL
127	Chairman	Allocation plan for Committees to review the Decisions, Resolutions and Recommendations of previous Plenipotentiary Conferences	PL
128	SG	Extract from the summary record of thirteenth Plenary Meeting of the May 1994 session of Council	C4
129(Rev.2)	Chairman/ WG 4/2	Note by the Chairman of Working Group 4/2 to the Chairman of Committee 4	C4
130	SG	Transfer of powers: Tajikistan - Uzbekistan	PL
131	C7	First series of texts submitted by Committee 7 to the Editorial Committee	C8
132+Corr.1	C4	Summary record of the second meeting of Committee 4	C4
133+Corr.1	[⁶]	Proposals for the work of the Conference	PL
134	SG	Transfer of powers: Comoros - Burkina Faso	PL
135	SG	Transfer of powers: Monaco - France	PL
136	SG	Transfer of powers: Uzbekistan - Poland	PL
137(Rev.1)	C4	Summary record of the third meeting of Committee 4	C4
138+Add.1	SG	Preliminary outline of the ITU Financial Plan 1995-99	C7
139	C7	Second series of texts submitted by Committee 7 to the Editorial Committee	C8
140	SG	Transfer of powers: Georgia - Bulgaria	PL

⁵ ARS, AUS, BGD, BTN, BFA, CME, CAN, KOR, DNK, SLV, E, EST, USA, ETH, FJI, F, GRC, IND, IRL, I, J, LVA, LBN, MLT, NZL, HOL, PHL, POL, POR, SYR, AFS, G, SMR, SNG, SUI, SWZ, THA, TON, ZMB

⁶ D, BLR, BUL, NOR, POL, SVK, G, CZE, RUS, UKR
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No.	Source	Title	Destination
141	C8	B.1 - First reading - First series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
142	WG 4/1	Note by the Chairman of Working Group 4/1 to the Chairman of Committee 4	C4
143	WG 2A	First report by Working Group 2A to Committee 2	C2
144+Corr.1	C6	Third series of texts submitted by Committee 6 to the Editorial Committee	C8
145	[⁷]	Proposals for the work of the Conference	C5
146+Corr.1	C5	Summary record of the second meeting of Committee 5	C5
147	C6	Fourth series of texts submitted by Committee 6 to the Editorial Committee	C8
148	C6	Fifth series of texts submitted by Committee 6 to the Editorial Committee	C8
149+Corr.1	C4	Summary record of the fourth meeting of Committee 4	C4
150	SG	List of documents (101-150)	-
151	[⁸]	Proposals for the work of the Conference	C4
152	SG	Transfer of powers: Suriname - Indonesia	PL
153(Rev.1) ⁹ +Corr.1-2	[¹⁰]	Proposals for the work of the Conference	C6
154	Chairman/C7	Note by the Chairman of Committee 7 to the Chairman of Committee 5	C5
155+Corr.1	[¹¹]	Proposals for the work of the Conference	C4
156	SG	Transfer of powers: Croatia - Germany	PL
157	SG	Transfer of powers: Monaco - France	PL
158	C6	Summary record of the second meeting of Committee 6	C6
159	Chairman/C7	Note by the Chairman of Committee 7 to the Chairmen of Committees 4, 5 and 6	C4, C5, C6
160	PL	Minutes of the seventh Plenary Meeting	PL
161	C4	Summary record of the fifth meeting of Committee 4	C4
162	C4	Draft Resolution - Recognition of the rights and obligations of all Members of the Sectors of the Union	C4
163(Rev.1)	Chairman/ WG 4/3	Note by the Chairman of Working Group 4/3 to the Chairman of Committee 4 - Policy Forum	C4

⁷ BAH, UAE, USA, KWT, MRC, HOL, POR, QAT, G

⁸ BAH, BRB, BLZ, GUY, JMC, VCT, SUR, TRD

⁹ The revised version concerns the French text only.

¹⁰ ALG, AUS, BAH, BRB, BLZ, B, BUL, BFA, CME, CAN, CPV, CHN, CTI, CUB, E, F, GMB, GRC, GUI, GUY, IND, I, KEN, KWT, LBN, MLI, MRC, MCO, PHL, POL, SVK, ROU, VCT, SMR, SEN, SUR, TZA, TCD, THA, TGO, TUN, YEM

¹¹ BGD, BEN, BTN, BFA, BDI, CME, CPV, CAF, COM, DJI, ETH, GAB, GMB, GHA, GUI, KEN, LSO, LBR, MWI, MLI, MTN, NMB, NGR, NIG, UGA, SEN, AFS, SWZ, TZA, TCD, TOG

No.	Source	Title	Destination
164	SG	Information document on the WorldTel project	C4
165	PL	Minutes of the eighth Plenary Meeting	PL
166 ¹²	Chairman/C4	Draft Resolution - Strategic Plan for the Union, 1995-99	C4
167	C5	Second series of texts submitted by Committee 5 to the Editorial Committee	C8
168	C7	Third series of texts submitted by Committee 7 to the Editorial Committee	C8
169	BRB	Proposals for the work of the Conference	C7
170	Chairman/C4	Note by the Chairman of Committee 4	C4
171+Corr.1	C6	Interim report of the Chairman of Committee 6 (Staff matters) to the Plenary Meeting and to Committee 7	PL, C7
172	SG	Elements for defining priorities in BDT future activities	C4
173+Corr.1	C4	Summary record of the sixth meeting of Committee 4	C4
174	SG	Transfer of powers: Lithuania - Denmark	PL
175	C6	Summary record of the third meeting of Committee 6	C6
176	SG	Resolution 13 (APP-92) - Improved use of the technical and data storage/dissemination facilities of the Radiocommunication Bureau	C4
177+Corr.1	C7	Summary record of the second meeting of Committee 7	C7
178+Corr.1	C5	Summary record of the third meeting of Committee 5	C5
179	CAN	Proposals for the work of the Conference	C5
180	C8	B.2 - First reading - Second series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
181	C8	R.1 - Second reading - First series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
182	SG	Information on TDAB membership, activities and costs	C4
183	Chairman/C4	Draft Resolution - Review of the rights and obligations of all Members of the Sectors of the Union	C4
184	Chairman/C4	Draft Resolution - Establishment of a Forum to discuss strategies and policies in the changing telecommunications environment	C4
185	WG 2A	Second report by Working Group 2A to Committee 2	C2
186(Rev.1)	C7	Report by Committee 7 to the Plenary Meeting	PL
187	C5	Third series of texts submitted by Committee 5 to the Editorial Committee	C8
188+Corr.1	C4	Summary record of the seventh meeting of Committee 4	C4
189	C6	Summary record of the fourth meeting of Committee 6	C6
190+Corr.1	PL	Minutes of the ninth Plenary Meeting	PL
191	C4	Note by the Chairman of Committee 4 to the Chairman of Committee 7	C7
192	[13]	Proposals for the work of the Conference	C6

¹² Clean and marked-up versions.
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No.	Source	Title	Destination
193+Corr.1	C5	Summary record of the fourth meeting of Committee 5	C5
194+Corr.1+ Add.1	SEN	Proposals for the work of the Conference	C4, C7
195	C8	B.3 - First reading - Third series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
196+ Corr.1-2	[¹⁴]	Proposals for the work of the Conference	PL
197	C4	Summary record of the eighth meeting of Committee 4	C4
198+Corr.1	PL	Minutes of the tenth Plenary Meeting	PL
199+Corr.1	[¹⁵]	Proposals for the work of the Conference	C4
200	SG	List of documents (151-200)	-
201	WG PL/A	Note from the Chairman of the ad hoc Working Group PL/A	PL
202	C7	Summary record of the third meeting of Committee 7	C7
203	C5	Report from the Chairman of the informal Working Group of Committee 5 on "observership of non-elected Members to the Council" to the Chairman of Committee 5	C5
204	C4	Report by the Chairman of the ad hoc Group on Non-Discriminatory Access to Modern Telecommunication Facilities and Services	C4
205	ARG, IND, I, LBN	Proposals for the work of the Conference	C4
206+Corr.1	C5	Summary record of the fifth meeting of Committee 5	C5
207	PL	Minutes of the eleventh Plenary Meeting	PL
208+Corr.1	C5	Summary record of the sixth meeting of Committee 5	C5
209	C4	First series of texts from Committee 4 to the Editorial Committee	C8
210	C4	Note from the Chairman of the ad hoc Group 4/5 to the Chairman of Committee 4	C4
211	C4	Note from the Chairman of ad hoc Working Group COM4/6 - Draft Resolution	C4
212	C4	Note by the Chairman of Committee 4 to the Chairman of the Conference - Resolution 1: Future conferences of the Union	PL
213	NZL	Proposals for the work of the Conference	C5
214	CAN	Report from the Coordinator on support to United Nations peacekeeping operations to the Chairman of Committee 4	C4
215+Corr.1	C4	Summary record of the ninth meeting of Committee 4	C4
216	C3	Report of Committee 3 to the Plenary Meeting	PL

¹³ BAH, BGD, BRB, BUL, CAN, CME, CTI, DJI, F, GRC, GUI, GUY, LBN, PNG, SUI, TON, UGA

¹⁴ ALG, ARS, BGD, BEN, BIH, BRU, BUL, CHN, HRV, DJI, EGY, GMB, INS, IRN, JOR, KWT, LBN, MLA, MLI, MRC, MTN, OMA, PAK, QAT, SYR, SEN, SDN, TUN, TUR, YEM

¹⁵ BEN, BFA, CME, CPV, COM, DJI, GAB, GUI, KEN, MWI, MLI, NGR, UGA, SEN, SWZ, TZA, TCD
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No.	Source	Title	Destination
217	C5	Note by the Chairman of Committee 5 - Amended text for No. 50 of the Convention	C5
218(Rev.1) ¹⁶	C5	Note by the Chairman of Committee 5 - Amended text for No. 118 of the Convention	C5
219	C4	Report from the Chairman of the Informal Working Group of Committee 4 on "Relations between the ITU and the World Trade Organization" to the Chairman of Committee 4	C4
220 ¹⁷	C6	Report of the Chairman of Committee 6 to the Chairman of Committee 4 - Draft strategic plan 1995-99	C4
221	C4	Note from the Chairman of ad hoc Working Group COM4/7 - Resolution 14(Rev.1)	C4
222	C3	First series of texts submitted by Committee 3 to the Editorial Committee	C8
223	C4	Draft note by the Chairman of ad hoc Working Group 4 to the Chairman of Committee 4 - Regional presence	C4
224	[¹⁸]	Proposals for the work of the Conference	C4
225	AUS, USA	Proposals for the work of the Conference	C4
226	C4	Report from the Chairman of the informal group of Committee 4 on strengthening the ITU's relationship with regional organizations	C4
227	C4	Report by the Chairman of ad hoc Working Group COM4/8 - Draft Resolution: Refinement of the ITU-R and ITU-T Sectors	C4
228	C4	Report from the Coordinator of the informal group of Committee 4 on "Review of the ITU's Frequency Coordination and Planning Framework for Satellite Services" to the Chairman of Committee 4	C4
229+ Corr.1-3	C2	Report by Committee 2 to the Plenary Meeting	PL
230	D	Proposals for the work of the Conference	C4
231+Corr.1	C4	Summary record of the tenth meeting of Committee 4	C4
232	WG PL/A	First series of texts from Working Group PL/A to Editorial Committee	C8
233+Corr.1	C5	Summary record of the seventh meeting of Committee 5	C5
234	C4	Note from the Chairman of Committee 4 to the Chairman of Committee 5	C5
235	C4	Second series of texts from Committee 4 to the Editorial Committee	C8
236	C6	Organizational structure and grading in the ITU	C7
237	PL	Note from the Chairman of the ad hoc Group of the Plenary - Languages	PL
238	PL	Minutes of the twelfth Plenary Meeting	PL

¹⁶ The revised version concerns the Spanish text only.

¹⁷ Clean and marked-up versions.

¹⁸ ARS, BAH, BHR, BGD, CLM, UAE, EQA, E, IND, IRN, KWT, MRC, OMA, PRU, QAT, SYR, SEN, TZA, URG
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No.	Source	Title	Destination
239+Corr.1	PL	Minutes of the thirteenth Plenary Meeting	PL
240+Corr.1	PL	Minutes of the fourteenth Plenary Meeting	PL
241	SG	Text for the additional provision "No. 262bis e)" in Article 23 of the Convention	C5
242	C5	Date of entry into force of the amendments	C5
243+Corr.1	C5	Fourth series of texts submitted by Committee 5 to the Editorial Committee	C8
244	C6	Sixth series of texts from Committee 6 to the Editorial Committee	C8
245	C4	Note by the Chairman of Committee 4 to the Chairman of Committee 7	C7
246	C6	Seventh series of texts from Committee 6 to the Editorial Committee	C8
247	C6	Report of the Chairman of Committee 6 to the Plenary Meeting and to Committee 7	PL, C7
248	C4	Note from the Chairman of Committee 4 to the Chairman of Committee 7	C7
249	C4	Summary record of the eleventh meeting of Committee 4	PL
250	SG	List of documents (201-250)	-
251+Corr.1	C7	Summary record of the fourth meeting of Committee 7	C7
252(Rev.1)	BAH, BRB, CHN, GUY, I, NZL	Proposals for the work of the Conference	C7
253	C4	Third series of texts from Committee 4 to the Editorial Committee	C8
254	C4	Summary record of the twelfth meeting of Committee 4	C4
255	Chairman/C4	Note from the Chairman of Committee 4 to the Chairman of Committee 7	C7
256	Chairman/C4	Note from the Chairman of Committee 4 to the Chairman of Committee 8	C8
257	C8	Fourth series of texts from Committee 4 to the Editorial Committee	C8
258+Corr.1	Chairman/C4	Report by the Chairman of Committee 4 to the Plenary Meeting	PL
259	Chairman/C4	Note by the Chairman of Committee 4 to the Chairman of the Conference	PL
260+Corr.1	BRU,INS,MLA, NOR,HOL,PHL, G,SUI,THA	Proposals for the work of the Conference	C5
261	C4	Summary record of the thirteenth meeting of Committee 4	C4
262	C8	B.4 - First reading - Fourth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
263	C8	B.5 - First reading - Fifth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
264	C8	B.6 - First reading - Sixth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
265	C8	B.7 - First reading - Seventh series of texts submitted by the Editorial Committee to the Plenary Meeting	

No.	Source	Title	Destination
266	C5	Summary record of the eighth meeting of Committee 5	C5
267+Corr.1	C3	Summary record of the second and last meeting of Committee 3	C3
268	Chairman	Note by the Chairman of the Conference	PL
269+Corr.1	Chairman/C5	Report of the Chairman of Committee 5 to the Plenary Meeting	PL
270	C5	Fifth series of texts from Committee 5 to the Editorial Committee	C8
271	Chairman/C4	Note from the Chairman of Committee 4 to the Chairman of the Conference	PL
272	Chairman/ WG PL	Report by the Chairman of the Informal Working Group of the Plenary Meeting	PL
273	C8	B.8 - First reading - Eighth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
274	C2	Summary record of the second and last meeting of Committee 2	C2
275	C8	R.2 - Second reading - Second series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
276	C8	R.3 - Second reading - Third series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
277	C8	R.4 - Second reading - Fourth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
278	C6	Summary record of the fifth meeting of Committee 6	C6
279	C8	B.9 - First reading - Ninth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
280+ Corr.1,2	[¹⁹]	Proposals for the work of the Conference	PL
281	C8	R.5 - Second reading - Fifth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
282	PL	Future Conferences of the Union	PL
283	C7	Third series of texts submitted by Committee 7 to the Editorial Committee	C8/PL
284	C4	Note from the Chairman of Committee 4 to the Chairman of the Conference	PL
285	SG	Final days of the Conference	--
286	Chairman	Note by the Chairman of the Conference	PL
287	BIH	Draft Resolution [BIH/1]	PL
288	PL	Minutes of the fifteenth Plenary Meeting	PL
289	C8	B.10 - First reading - Tenth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
290+ Corr.1,2	[²⁰]	Proposals for the work of the Conference	PL

¹⁹ ALG, BEN, BFA, BDI, CME, COM, COG, DJI, EGY, GHA, JOR, LSO, MWI, MLI, MRC, NGR, UGA, SEN, SWZ, TZA, TCD, TOG, TUN, ZAI

²⁰ B, CAN, CHN, EGY, USA, F, IND, ISR, I, JOR, KEN, NOR, HOL, PHL, G, RUS, SUI, THA, TUN
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No.	Source	Title	Destination
291+Corr.1,2	C4	Summary record of the fourteenth meeting of Committee 4	C4
292	C8	R.6 - Second reading - Sixth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
293	C8	R.7 - Second reading - Seventh series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
294	C8	B.11 - First reading - Eleventh series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
295	C7	Summary record of the fifth meeting of Committee 7	C7
296	SG	Signing Ceremony	--
297+Corr.1	C8	R.8 - Second reading - Eighth series of texts submitted by the Editorial Committee to the Plenary Meeting	PL
298	C8	B.12 - First reading - Twelfth series of texts submitted by the Editorial Committee to the Plenary Meeting	
299	--	Declarations and Reservations	PL
300	--	Additional Declarations	PL
301	C5	Summary record of the ninth meeting of Committee 5	C5
302	C6	Summary record of the sixth meeting of Committee 6	C6
303	C4	Summary record of the fifteenth meeting of Committee 4	C4
304	C4	Summary record of the sixteenth and last meeting of Committee 4	C4
305	C5	Summary record of the tenth and last meeting of Committee 5	C5
306	C7	Summary record of the sixth meeting of Committee 7	C7
307	C7	Summary record of the seventh and last meeting of Committee 7	C7
308	PL	Minutes of the sixteenth Plenary Meeting	PL
309	PL	Minutes of the seventeenth Plenary Meeting	PL
310	PL	Minutes of the eighteenth Plenary Meeting	PL
311	PL	Minutes of the nineteenth Plenary Meeting	PL
312	PL	Minutes of the twentieth Plenary Meeting	PL
313	PL	Minutes of the twenty-first Plenary Meeting	PL
314	PL	Minutes of the twenty-second Plenary Meeting	PL
315	PL	Minutes of the twenty-third Plenary Meeting	PL
316	PL	Minutes of the twenty-fourth and last Plenary Meeting	PL
317	C8	Report of Committee 8 (Editorial Committee)	PL
318	SG	Final list of participants	--
319	SG	Final list of documents	--