



Australian Government

Department of Communications and the Arts

# International Telecommunication Union Plenipotentiary Conference 2018 (PP-18) Stakeholder Report

April 2019



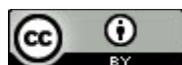
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# Introduction

## Purpose

This report provides information and outcomes from the International Telecommunication Union (ITU) Plenipotentiary Conference 2018 (PP-18). It provides background on the preparatory process, and describes outcomes relating to the ITU elections and key policy issues.

## Background

### International Telecommunication Union

The ITU is the specialised agency of the United Nations (UN) concerned with international cooperation in the use of telecommunications and radio frequency spectrum. One of the principal functions of the ITU is the development of global standards for telecommunications and coordinating the arrangements for radiocommunication services. Discussions within the ITU framework influence and in some cases determine arrangements for:

- the rational use of limited resources, such as radio frequency spectrum and satellite orbit positions (through the Radiocommunication sector)
- network interconnection and interoperability (through the Standardization sector)
- furthering the goal of access to ICTs and services in developing countries, including broadband (through the ICT Development sector)

### Plenipotentiary Conference

Held every four years, the Plenipotentiary Conference is the top policy-making conference of the ITU. The Plenipotentiary Conference has the authority to amend the ITU Constitution and Convention, and to shape the ITU's strategic and financial direction by adopting resolutions on a broad range of issues. The Conference also elects the senior management team of the ITU, the members of Council and the members of the Radio Regulations Board (RRB).

## PP-18 Overview

PP-18 was held in Dubai, United Arab Emirates, from 29 October to 16 November 2018. The Conference was attended by 2,350 delegates from around 180 ITU Member States and 148 additional participants from 55 other entities including regional and international organisations, civil society, scientific organisations and the private sector.

There were 16 contributions from ITU Members States to PP-18, containing over 240 proposals, as well as a number of reports from the ITU Secretariat for consideration by the conference. This resulted in agreement to 53 revised, 11 new and 11 suppressed resolutions.

## Preparations

Asia-Pacific regional preparations for PP-18 were coordinated through the Asia-Pacific Telecommunity (APT), a treaty-based regional telecommunication organisation. The APT organised working groups and a series of meetings dedicated to the development of APT Common Proposals (ACPs). This process provided an opportunity to canvass country proposals and to establish regional consensus on key issues for PP-18.



Five other regional groupings coordinated regional proposals and positions for PP-18:

- The Arab Group
- The African Telecommunications Union (ATU)
- The European Conference of Postal and Telecommunications Administration (CEPT)
- The Inter-American Telecommunications Commission (CITEL)
- The Regional Commonwealth in the Field of Communications (RCC)

The Department of Communications and the Arts led Australia's preparations for PP-18 in consultation with other government agencies and industry stakeholders to assist in the development of Australian policy positions. An information paper was circulated in June 2018 to Australian domestic stakeholders setting out key issues and a videoconference was held in August 2018 to discuss these issues.

## Elections

Each Plenipotentiary Conference elects the senior management team of the ITU, the members of Council and the members of the RRB for the next four year period. Australia has been a member of the ITU Council since 1959.

In March 2018, the Minister for Communications and the Arts and the Minister for Foreign Affairs and Trade jointly announced that Australia would stand for re-election at PP-18. Australia's position on Council enables us to shape the outcomes of issues within the ITU's scope of particular interest and relevance. As a leading financial contributor, Australia's position on Council enables us to ensure the ITU is accountable to the funding Australia contributes.

The Department of Communications and the Arts led a campaign to secure re-election with support from the Department of Foreign Affairs and Trade. The campaign included hosting one of the four regional preparatory meetings for the Asia-Pacific in Melbourne, disseminating promotional material (including a campaign brochure) and hosting a campaign reception at PP-18.

## PP-18 Outcomes

### Elections

Elections were held during the first two weeks of the Conference to elect the senior management team, the members of Council and the members of the RRB.

The Department of Communications and the Arts worked closely with the Department of Foreign Affairs and Trade to conduct a strong campaign, and secured Australia's re-election to Council with 156 votes.

The results of the elections for the senior management team are shown below:

- **Secretary-General of ITU:** Mr Houlin Zhao of China was re-elected with 176 votes in the first round of voting in an uncontested election.
- **Deputy Secretary-General of ITU:** Mr Malcolm Johnson of the United Kingdom was re-elected with 113 votes in the first round of voting.
- **Director of the Telecommunication Standardization Bureau of ITU:** Mr Chaesub Lee of Republic of Korea was re-elected with 174 votes in an uncontested election.
- **Director of the Radiocommunication Bureau of ITU:** Mr Mario Maniewicz of Uruguay was elected with 108 votes in the second round of voting.



- **Director of the Telecommunication Development Bureau of ITU:** Ms Doreen Bogdan-Martin of the United States was elected with 95 votes in the first round of voting.

The results of the Council and RRB elections can be found on the ITU website:  
<https://www.itu.int/web/pp-18/en/home/electionResult>.

## Policy

Australia's policy objectives for PP-18 were developed in consultation with range of stakeholders, approved by the Minister for Communications and the Arts and agreed to by other Ministers with relevant portfolio responsibilities. These policy objectives provided the framework for Australia's participation in the negotiations on key issues at PP-18.

Australia's priorities for PP-18 were to keep the ITU focused on its core mandate, support maximising efficiency in the ITU's budget and administrative operations and promote good governance, accountability and transparency.

Policy discussions were split between Committee Five, Committee Six and the Working Group of the Plenary (WG-PL). Committee Five considered policy and legal matters, Committee Six considered matters relating to administration and management, and the WG-PL considered substantive policy issues, such as contentious issues relating to cyber security, internet governance and Over-the-Top-Technologies (OTTs). To deal with the volume of proposals these committees and the working group established ad hoc groups and informal discussions to facilitate negotiations. Where these groups were not able to achieve consensus, issues were escalated to the Plenary.

### a. Agenda 2030 for Sustainable Development

Agenda 2030 for Sustainable Development recognises the importance of ICTs as an enabler for all 17 Sustainable Development Goals (SDGs) identified in Agenda 2030. This has led some ITU members to embrace a broad interpretation the ITU's role in relation to supporting the implementation of the agenda.

Australia recognises ICTs will play an important role in achieving the SDGs, but does not believe that the ITU should be regarded as the default implementing agency for any activity involving ICTs. Expanding the role of the ITU in this way would lead to duplication of effective efforts already under way in other international and UN organisations and limit the ITU's effectiveness in delivering its existing mandate.

As this was the first Plenipotentiary Conference since the agreement of Agenda 2030, there was a focus on linking the ITU's work to the agenda. However, building on discussions at the ITU World Telecommunication Development Conference 2017, through the Council Working Group Strategic and Financial Plan held in 2017-18, and at the Council Working Group for the World Summit on the Information Society (CWG-WSIS) in the lead up to PP-18, consensus was achieved on the ITU's role and activities regarding the SDGs.



## b. Artificial Intelligence

While Artificial Intelligence (AI) is a technology that utilises digital connectivity, Australia believes that it is neither within the mandate of the ITU to regulate its use nor within its technical capacity.

At PP-18, the CEPT, the Arab Group and the United States submitted proposals for new resolutions on AI. An ad hoc group was established to facilitate negotiations. A key point of difference in the negotiations related to whether or not a resolution on AI should explicitly state that developing regulatory guidance or governance for AI technologies was beyond the remit of the ITU.

Despite the lengthy negotiations and the matter being elevated to the Plenary, no consensus on a new resolution was reached.

## c. Cyber Security

Australia supports the ITU's existing mandate on cyber security, which enables technical assistance and capacity building, provided that this does not extend to international security, national defence, national security, content and cybercrime.

Cyber security discussions at PP-18 proved to be very contentious, and there was a strong push for a UN convention or treaty on cyber security and for an update to the 2007 ITU Global Cybersecurity Agenda (GSA). Australia maintained that it could not support the establishment of, or any process that may lead to the establishment of, of a convention/treaty. Negotiations resulted in a modified resolution being agreed with new actions on cyber security capacity building that fell within the existing mandate of the ITU.

## d. Digital Economy

Australia does not support the establishment of a digital economy agenda in the ITU or a separate digital economy work stream. In our view, the ITU should support the delivery of agreed UN agendas including the WSIS and Agenda 2030, and support the development of the infrastructure on which the digital economy relies.

At PP-18, the APT and the ATU submitted proposals for new resolutions regarding the digital economy. An ad hoc group was established and negotiations resulted in a resolution focused on supporting ICT-centric innovation.

## e. Gender

Gender discussions focused on Resolution 70 (Mainstreaming a Gender Perspective in the ITU and Promotion of Gender Equality and the Empowerment of Women through Information and Communication Technologies).

Australia led on the APT proposal to this resolution, which presented a number of modifications to support gender parity, gender equality and a greater representation of women across the ranks of the ITU. These modifications reflected the UN's system-wide priorities regarding gender, and emphasised the importance of the ITU addressing gender-related issues as a UN specialised agency.

The ATU, CEPT, CITELE and the RCC also submitted proposed modifications to Resolution 70, and an informal consultation group worked to combine the proposals into one draft text. This process required several meetings and proved to be quite difficult due to the length of the resolution and the need to clarify terminologies. There was some opposition to the suggested 50 per cent gender parity target in recruitment by some Member States, however the target was ultimately agreed to after minor text revisions.



## f. Internet-related Issues

Australia advocates for an open, free and secure Internet, achieved through a multi-stakeholder approach to Internet governance that is inclusive, consensus-based, transparent and accountable. Australia believes that the multi-stakeholder model of internet governance has been central to the success of the internet to date. The ITU should remain within its current mandate of capacity building measures, developing technical standards, and discussion on internet-related public policy issues. This is where it is most effective and can make a valuable contribution towards the goal of an inclusive information society.

The ITU's role in internet governance remains contentious, with a number of Member States and regional groups making contributions seeking greater government control over internet numbering and addressing resources and broader international internet public policy issues, and pushing for an expanded role for the ITU.

There are four internet-related resolutions, which were considered together in one ad hoc group during PP-18. Negotiations on these resolutions were among the most difficult of the Conference, reflecting broader geo-political differences on what the global system for managing internet resources should be. During discussions, there were attempts from Member States to:

- Expand the role of the ITU into the technical management of the internet.
- Expand the role of the Council Working Group on International Internet-related Public Policy Issues (CWG-Internet) to effectively replace ICANN's Governmental Advisory Committee.
- Give the ITU a role in 'frontier technologies' (which could include anything from AI and Internet of Things to autonomous vehicles, drones, or renewable energy).
- Include references to the DONA Foundation (which manages Digital Object Architecture (DOA)) alongside ICANN, regional internet registries, the Internet Society and the Internet Engineering Taskforce.

Despite contentious discussions, outcomes were negotiated where the above references were not incorporated into the internet-related resolutions.

## g. International Telecommunication Regulations

The International Telecommunication Regulations (ITRs) is a treaty level document intended to facilitate international interconnection and interoperability of information and communication services, as well as ensuring their efficiency and widespread public usefulness and availability.

A World Conference on International Telecommunications (WCIT) was convened in 2012 to review the ITRs, which considered and agreed to revisions of the 1988 ITRs but failed to reach consensus. The final treaty text did not align with Australia's objectives for the Conference because it placed issues related to internet governance into a negotiated set of international rules. Australia was one of 55 Member States present at the WCIT that did not sign the Final Acts of the Conference<sup>1</sup>.

Resolution 146 allows for the periodic review of the ITRs. In accordance with this resolution, in 2016 the ITU Council created an Expert Group on the ITRs (EG-ITRs), open to all Member States and Sector Members. The terms of reference for the group were to examine the 2012 ITRs to determine their applicability, undertake a legal analysis of the 2012 ITRs, and analyse potential conflicts between the 2012 and 1988 ITRs.

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<sup>1</sup> 89 countries signed the final acts, 55 abstained, and 49 Member States did not attend the Conference.



Following the Final Report of the EG-ITRs presented to Council in 2018, two opposing views emerged:

1. The ITRs should be revised to expand their scope to address issues such as spam, OTTs, the Domain Name System, data routing, traffic management principles and the Internet of Things.
2. The ITRs are increasingly redundant, infrequently used, and have been overwhelmingly replaced by competitive interconnection agreements and should not be revised to address issues currently beyond the scope of the treaty. Any process to revise the ITRs would be resource-intensive and unlikely to succeed given the clearly divergent views on key issues relating to scope.

At PP-18 discussions revolved around revising the ITRs, which would eventuate in another WCIT, or reviewing the ITRs to ascertain their current usefulness and applicability to all countries. Those opposed to revisions argued that the financial and resource intensive exercise of revising the treaty was unfeasible and unnecessary.

It was eventually agreed after various ad hoc and informal meetings between the heads of regional groups that a review, not a revision, of the ITRs would be put forward, with the ITU Council determining the Terms of Reference of the EG-ITRs.

#### h. ITU Constitution and Convention

No proposals were submitted to amend the ITU Constitution and Convention at PP-18. Discussions at the Conference indicate the potential for a renewed focus on these documents at the next Plenipotentiary Conference, in particular regarding the structure of the ITU and elections procedures.

#### i. ITU Management Reforms

Issues regarding improving the ITU's overall effectiveness in implementing its mandate was a key focus for Australia at PP-18. The issue of management reform within the ITU was addressed in a number of Resolutions, notably:

- Resolution 25 on Strengthening the Regional Presence
- Resolution 48 on Human Resources Management and Development
- Resolution 70 on Mainstreaming a Gender Perspective in the ITU and Promotion of Gender Equality and the Empowerment of Women through Information and Communication Technologies (further information located at [e. Gender](#))
- Resolution 71 on Strategic Plan for the Union for 2020-2023 (further information located at [k. Strategic and Financial Plans](#))
- Draft new Decision on the Creation of Council Working Group on Administration and Management

#### Resolution 25 on Strengthening the Regional Presence

Australia presented and led a proposal from the Asia-Pacific region on this resolution to support strengthening the ITU's regional presence and position the ITU to assist with the delivery of the SDGs consistent with its existing mandate and core competencies. The proposed amendments sought to;

- Strengthen, clarify and update the resolution.
- Request the Secretary-General to conduct a review of the ITU's regional presence, and report the findings to Council by 2020 for it to take appropriate action.
- Modify the annex to the resolution to set out the matters that the Secretary General must consider in conducting the review.



The Arab Group, CITEEL and ATU also submitted proposals on Resolution 25, and a drafting group was formed to work through the texts. Although there were differences between the proposals, they were all aiming to strengthen the regional presence and improve the representation of all three ITU sectors.

All elements of the proposal Australia led on were agreed, along with some additional changes from other regions that also served to strengthen regional presence and improve the representation of all three ITU sectors.

#### **Resolution 48 on Human Resources Management and Development**

Australia considers it important that the ITU considers current UN management reform and reflects the priorities of the UN in the goals and strategies of the ITU, including in the management of its human resources and hiring practices. In response, Australia proposed amendments to Resolution 48 through a proposal from the Asia-Pacific region that acknowledge recommendations relevant to human resource management, and support the promotion of gender mainstreaming and the recruitment of women across all levels of the ITU.

There were several proposals from other regions for modifications to this resolution, and as these modifications had similar objectives, a drafting group was formed to combine the texts into a single document. Some concern was raised during discussions regarding the proposed 50 per cent gender parity target included in Annex 2 of the Resolution, however there was final agreement to it when it was made clear this was a target and not a mandatory requirement.

#### **Draft new Decision – Creation of Council Working Group on Administration and Management**

CITEEL submitted a proposal for a new Decision that would create a Council Working Group on Administration and Management. This new group would replace and take on the role of the Council Working Group on Financial and Human Resources (CWG-FHR), as well as reviewing the overall management and administration of the Union. This would include reviewing measures required to modernise and improve the ITU's governance structure, working methods and procedures.

An ad hoc group was formed to work through the proposal, however little progress was made. The matter was escalated to the Plenary. No consensus could be reached so CITEEL withdrew the proposal.

#### **j. Over-the-Top Technologies**

OTTs do not fit neatly within our traditional telecommunications market structures and do not align with many of our existing regulatory frameworks in the sector. Some members seek to address this by empowering the ITU to develop policy and regulation relating to OTTs. Australia believes that the ITU should remain focused on supporting the deployment of telecommunication networks and should not assume a role in relation to the regulation of content/content services, privacy, encryption or authentication.

Proposals for a new resolution on OTTs were submitted by the CEPT, RCC, the Arab States and the United States, with an ad hoc drafting group set up to consider the proposals. The most contentious elements were the efforts of some Member States to provide the ITU with a direct mandate to foster studies on public policy aspects of OTTs. This would enable the CWG-Internet to be used as a venue for developing regulations relating to OTTs.

After extensive debates a new resolution was agreed which provides for the ITU to foster collaboration on OTTs between Member States and relevant organisations and stakeholders, including the private sector.



## k. Radiocommunications

### Resolution 186

The APT and ATU submitted two proposals on Resolution 186 on strengthening the role of the ITU with regard to transparency and confidence-building measures in outer space activities. The APT proposed modifications that would instruct the Director of the Radiocommunication Bureau to continue efforts to distribute information and assist ITU Member States in the application of coordination and notification provisions. The proposal also invited Member States and Sector Members to participate in the ITU regional radiocommunication seminars, promote the development of training programs, and consider promoting cooperation agreements on the use of satellite monitoring facilities. The ATU proposed the consideration of establishing a live database of real satellites launched.

Negotiations involving Resolution 186 were highly technical, with discussions revolving around the difference between real satellite and paper satellite filings, and the technical information required by developing countries for satellite operations. Technical experts from several Member States were against the proposal to establish a live database, arguing that it was unnecessary.

Following extensive and technical discussions, the APT proposal was agreed to and it was determined that the ATU wanted information that was already available, albeit difficult to ascertain, from an existing ITU Radiocommunication website. It was agreed that better communication and user guides could be established to assist Member States navigate and identify necessary information from existing data sets.

## l. Strategic and Financial Plans

The ITU Strategic and Financial Plans were dealt with under the following Decisions and Resolutions:

- Decision 5 on revenue and expenses for the Union for the period 2020-2023
- Resolution 71 on the Strategic Plan for the Union, Annex 1 to Resolution 71 ITU Strategic Plan for 2020-2023, Annex 2 to Resolution 71 – Situational Analysis
- Resolution 72 on linking the strategic, financial and operational planning in the ITU, and
- Resolution 151 on implementation of results based management in the ITU

### Decision 5 on revenue and expenses for the Union for the period 2020-2023

There were submissions from several regions regarding Decision 5, however none were controversial and their main focus was strengthening the Decision and make some editorial changes. An ad hoc group was formed to incorporate all the proposed modifications and finalise the draft financial plan, with final budget figures provided by the ITU in the second week of the conference (following confirmation of Member contributions for the period 2020-2023). The ad hoc group completed the work without any contentious issues being raised.

### Resolution 71 and Annexes

A drafting group was formed to consider the proposals for Resolution 71 and its two Annexes and Resolution 72. The controversial discussions centred on Annex 2 to the Resolution, the Situational Analysis that was a background document to the Strategic Plan.



### Resolution 71

Australia presented modifications to Resolution 71 on behalf of the APT, which sought to ensure that UN reform, other system-wide priorities, and recommendations of the UN Joint Inspection Unit were given due consideration in the ITU. All proposed modifications were accepted with some minor editorial changes.

### Annex 1: ITU Strategic Plan for 2020-2023

Most regions submitted proposals regarding Annex 1, and the two main issues that arose in discussions were the use of terms such as 'digital economy' and 'digital society', and reference to non-discriminatory standards.

Agreement was reached on wording changes to reflect 'digitalisation' rather than 'digital economy', and references to 'digital society' were changed to 'information society' to ensure consistency with other resolutions.

Discussions regarding references to non-discriminatory standards were quite lengthy, with opposing views over the retention of the term in the document. Some Member States argued that the terms implied there could be discriminatory standards, while others argued to retain the term. A compromise on this issue was eventually reached and the term was retained.

### Annex 2: Situational Analysis

Annex 2 caused the most robust discussion. Disagreement centred on paragraphs that made reference to cyber security, online privacy and consumer protection, and the section of the SWOT analysis that listed 'duplication of work' as a threat to the organisation. Consensus was reached by including reference to WSIS Action Line C5 (building confidence and security in the use of ICTs), and rewording parts of the Annex.

### Resolution 72 and Resolution 151

The proposals regarding Resolution 72 centred on strengthening the linkages within ITU planning, and it was also proposed that Resolution 72 and Resolution 151 should be merged in order to assist with the streamlining of resolutions. The proposed modifications all aimed to achieve the same results and agreement was quickly reached on the modifications, the merging of Resolution 72 and 151, and the suppression of Resolution 72.

### m. UNIDROIT Space Protocol

The ITU was invited to become the Supervisory Authority for a new system of registering space assets under the International Institute for the Unification of Private Law (UNIDROIT) Space Protocol. This matter was discussed at the 2014 Plenipotentiary Conference (PP-14) but was delayed until the protocol entered into force.

Although this still had not occurred by PP-18, the matter was discussed at the Conference, with a majority of Member States arguing against the ITU accepting the invitation to become the supervisory authority of UNIDROIT. Arguments for accepting the invitation ranged from cost efficiencies, relevance, technical benefits, and timeliness and international importance, however these arguments were supported by a very small minority of members.

Despite concerns that the discussions would be taken to Plenary, it was eventually agreed that the Council would not accept the role of Supervisory Authority at this time, but would reconsider if another invitation from UNIDROIT was received through the Secretary-General before the next Plenipotentiary Conference.

