



Miscellaneous Series No. 3 (2016)

# Instruments Amending

the Constitution of the International Telecommunication Union (Geneva, 1992) and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998) (Amendments adopted by the Plenipotentiary Conference (Marrakesh, 2002))

Adopted Marrakesh, 18 October 2002

[The Amendments have not been ratified by the United Kingdom]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
July 2016*



© Crown copyright 2016

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [www.nationalarchives.gov.uk/doc/open-government-licence/version/3/](http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk)

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.uk/government/publications](http://www.gov.uk/government/publications)

Any enquiries regarding this publication should be sent to us at Treaty Section, Foreign and Commonwealth Office, King Charles Street, London, SW1A 2AH

Print ISBN 9781474135894

Web ISBN 9781474135900

Printed in the UK by the Williams Lea Group on behalf of the Controller of Her Majesty's Stationery Office

ID P002820473 56268 07/16

Printed on paper containing 30% recycled fibre content minimum

**INSTRUMENTS AMENDING THE CONSTITUTION OF THE  
INTERNATIONAL TELECOMMUNICATION UNION (GENEVA, 1992)  
AND THE CONVENTION OF THE INTERNATIONAL  
TELECOMMUNICATION UNION (GENEVA, 1992) AS AMENDED BY  
THE PLENIPOTENTIARY CONFERENCE (KYOTO, 1994) AND BY THE  
PLENIPOTENTIARY CONFERENCE (MINNEAPOLIS, 1998)  
(AMENDMENTS ADOPTED BY THE PLENIPOTENTIARY  
CONFERENCE (MARRAKESH, 2002))**

**EXPLANATORY NOTES**

**Symbols used in the Instruments**

The symbols given in the margin indicate changes adopted by the Plenipotentiary Conference (Marrakesh, 2002) in relation to the texts of the Constitution and Convention (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998), and have the following meaning:

ADD	=	addition of a new provision
MOD	=	modification of an existing provision
(MOD)	=	editorial modification of an existing provision
SUP	=	deletion of an existing provision
SUP*	=	provision moved to another place in the Final Acts
ADD*	=	an existing provision moved from another place in the Final Acts to the place indicated

These symbols are followed by the number of the existing provision. For new provisions (symbol ADD), the point at which they are to be inserted is shown by the number of the preceding provision, followed by a letter.

**INSTRUMENT AMENDING THE CONSTITUTION OF THE  
INTERNATIONAL TELECOMMUNICATION UNION<sup>1</sup> (GENEVA, 1992)  
AS AMENDED BY THE PLENIPOTENTIARY CONFERENCE (KYOTO,  
1994) AND BY THE PLENIPOTENTIARY CONFERENCE  
(MINNEAPOLIS, 1998) (AMENDMENTS ADOPTED BY THE  
PLENIPOTENTIARY CONFERENCE (MARRAKESH, 2002))**

**PART I**

**Foreword**

By virtue of and in implementation of the relevant provisions of the Constitution of the International Telecommunication Union (Geneva, 1992)<sup>2</sup>, as amended by the Plenipotentiary Conference (Kyoto, 1994)<sup>3</sup> and by the Plenipotentiary Conference (Minneapolis, 1998)<sup>4</sup>, in particular those in Article 55 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) has adopted the following amendments to the said Constitution:

CHAPTER I

**Basic Provisions**

ARTICLE 8

**Plenipotentiary Conference**

**MOD 51 c)** in the light of its decisions taken on the reports referred to in No. 50 above, establish the strategic plan for the Union and the basis for the budget of the Union, and determine related financial limits, until the next plenipotentiary conference, after considering all relevant aspects of the work of the Union in that period;

**PP-98**

**MOD 58A *jbis*)** adopt and amend the General Rules of conferences, assemblies and meetings of the Union;

**PP-98**

---

<sup>1</sup> In accordance with Resolution 70 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference on gender mainstreaming in ITU, the language used in the texts of the basic instruments of the Union (Constitution and Convention) is to be considered gender neutral.

<sup>2</sup> Treaty Series No. 024 (1996) Cm 3145

<sup>3</sup> Treaty Series No. 065 (1997) Cm 3779

<sup>4</sup> Miscellaneous No. 02 (2016) Cm 9306

## ARTICLE 9

### Principles Concerning Elections and Related Matters

- (MOD)** 61 a) the Member States of the Council are elected with due regard to the need for equitable distribution of the seats on the Council among all regions of the world;
- MOD** 62 b) the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux shall be elected among the candidates proposed by Member States as their nationals and shall all be nationals of different Member States, and at their election due consideration should be given to equitable geographical distribution amongst the regions of the world; due consideration should also be given to the principles embodied in No. 154 of this Constitution;
- PP-94**
- PP-98**
- MOD** 63 c) the members of the Radio Regulations Board shall be elected in their individual capacity from among the candidates proposed by Member States as their nationals. Each Member State may propose only one candidate. The members of the Radio Regulations Board shall not be nationals of the same Member State as the Director of the Radiocommunication Bureau; at their election, due consideration should be given to equitable geographical distribution amongst the regions of the world and to the principles embodied in No. 93 of this Constitution.
- PP-94**
- PP-98**
- MOD** 64 2 Provisions relating to taking up duties, vacancy and re-eligibility are contained in the Convention.

## ARTICLE 10

### The Council

- (MOD)** 66 2) Each Member State of the Council shall appoint a person to serve on the Council who may be assisted by one or more advisers.
- SUP\*** 67
- MOD** 70 2) The Council shall consider broad telecommunication policy issues in accordance with the guidelines given by the Plenipotentiary Conference to ensure that the Union's policies and strategy fully respond to changes in the telecommunication environment.
- PP-98**

- ADD**      **70A 2bis)** The Council shall prepare a report on the policy and strategic planning recommended for the Union, together with their financial implications, using the specific data prepared by the Secretary-General under No. 74A below.

## ARTICLE 11

### **General Secretariat**

- MOD**      **74A b)**      prepare, with the assistance of the Coordination  
**PP-98**                      Committee, and provide to the Member States and Sector Members, such specific information as may be required for the preparation of a report on the policies and strategic plan for the Union, and coordinate the implementation of the plan; this report shall be communicated to the Member States and Sector Members for review during the last two regularly scheduled sessions of the Council before a plenipotentiary conference;

## CHAPTER II

### **Radiocommunication Sector**

## ARTICLE 14

### **Radio Regulations Board**

- MOD**      **95 a)**      the approval of Rules of Procedure, which include  
**PP-98**                      technical criteria, in accordance with the Radio Regulations and with any decision which may be taken by competent radiocommunication conferences. These Rules of Procedure shall be used by the Director and the Bureau in the application of the Radio Regulations to register frequency assignments made by Member States. These Rules shall be developed in a transparent manner and shall be open to comment by administrations and, in case of continuing disagreement, the matter shall be submitted to the next world radiocommunication conference;

**ADD** CHAPTER IVA

**ADD** **Working Methods of the Sectors**

**ADD** 145A The radiocommunication assembly, the world telecommunication standardization assembly and the world telecommunication development conference may establish and adopt working methods and procedures for the management of the activities of their respective Sectors. These working methods and procedures must be compatible with this Constitution, the Convention and the Administrative Regulations, and in particular Nos. 246D to 246H of the Convention.

CHAPTER V

**Other Provisions Concerning the Functioning  
of the Union**

ARTICLE 28

**Finances of the Union**

**MOD** 159D *2ter* Expenses incurred by the regional conferences referred  
**PP-98** to in No. 43 of this Constitution shall be borne:

**ADD** 159E *a)* by all the Member States of the region concerned, in  
accordance with their class of contribution;

**ADD** 159F *b)* by any Member States of other regions which have  
participated in such conferences, in accordance with their  
class of contribution;

**ADD** 159G *c)* by authorized Sector Members and other authorized  
organizations which have participated in such conferences,  
in accordance with the provisions of the Convention.

**MOD** 161E 4) Bearing in mind the draft financial plan as revised,  
**PP-98** the plenipotentiary conference shall, as soon as possible,  
determine the definitive upper limit of the amount of the  
contributory unit and set the date, which shall be a date  
within the penultimate week of the plenipotentiary  
conference, by which Member States, upon invitation by  
the Secretary-General, shall announce their definitive  
choice of class of contribution.

## ARTICLE 32

### **MOD**                    **General Rules of Conferences, Assemblies and Meetings of the Union**

**MOD**     **177**   **1**     The General Rules of conferences, assemblies and  
**PP-98**           meetings of the Union adopted by the Plenipotentiary  
Conference shall apply to the preparation of conferences  
and assemblies and to the organization of the work and  
conduct of the discussions of conferences, assemblies and  
meetings of the Union, as well as to the election of Member  
States of the Council, of the Secretary-General, of the  
Deputy Secretary-General, of the Directors of the Bureaux  
of the Sectors and of the members of the Radio Regulations  
Board.

**MOD**     **178**   **2**     Conferences, assemblies and the Council may adopt  
**PP-98**           such rules as they consider to be essential in addition to  
those in Chapter II of the General Rules of conferences,  
assemblies and meetings of the Union. Such additional  
rules must, however, be compatible with this Constitution,  
the Convention and the aforesaid Chapter II; those adopted  
by conferences or assemblies shall be published as  
documents of the conference or assembly concerned.

## CHAPTER VII

### **Special Provisions for radio**

## ARTICLE 44

### **Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite and Other Satellite Orbits**

**(MOD)**   **195**   **1**     Member States shall endeavour to limit the number of  
frequencies and the spectrum used to the minimum  
essential to provide in a satisfactory manner the necessary  
services. To that end, they shall endeavour to apply the  
latest technical advances as soon as possible.



CHAPTER VIII

**Relations With the United Nations, Other International Organizations and Non-Member States**

ARTICLE 50

**Relations With Other International Organizations**

- MOD**      **206**    In furtherance of complete international coordination on matters affecting telecommunication, the Union should cooperate with international organizations having related interests and activities.

CHAPTER IX

**Final Provisions**

ARTICLE 55

**Provisions for Amending this Constitution**

- MOD**      **224**    1      Any Member State may propose any amendment to this Constitution. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the plenipotentiary conference. The Secretary-General shall, as soon as possible, but not later than six months prior to the latter date, publish any such proposal for the information of all the Member States.
- PP-98**
- MOD**      **228**    5      Unless specified otherwise in the preceding paragraphs of this Article, which shall prevail, the General Rules of conferences, assemblies and meetings of the Union shall apply.
- PP-98**

ARTICLE 58

**Entry into Force and Related Matters**

**MOD**      **238** 1      This Constitution and the Convention, adopted by the Additional Plenipotentiary Conference (Geneva, 1992), shall enter into force on 1 July 1994 between Member States having deposited before that date their instrument of ratification, acceptance, approval or accession.

## **PART II**

### **Date of Entry into Force**

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 2004 between Member States being at that time parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present amending instrument.

**IN WITNESS WHEREOF**, the respective plenipotentiaries have signed the original of the present instrument amending the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998).

Done at Marrakesh, 18 October 2002

**INSTRUMENT AMENDING THE CONVENTION OF THE  
INTERNATIONAL TELECOMMUNICATION UNION<sup>5</sup> (GENEVA, 1992)  
AS AMENDED BY THE PLENIPOTENTIARY CONFERENCE (KYOTO,  
1994) AND BY THE PLENIPOTENTIARY CONFERENCE  
(MINNEAPOLIS, 1998) (AMENDMENTS ADOPTED BY THE  
PLENIPOTENTIARY CONFERENCE (MARRAKESH, 2002))**

**PART I**

**Foreword**

By virtue of and in implementation of the relevant provisions of the Convention of the International Telecommunication Union (Geneva, 1992)<sup>6</sup>, as amended by the Plenipotentiary Conference (Kyoto, 1994)<sup>7</sup> and by the Plenipotentiary Conference (Minneapolis, 1998)<sup>8</sup>, in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Marrakesh, 2002) has adopted the following amendments to the said Convention:

CHAPTER I

**Functioning of the Union**

SECTION 1

ARTICLE 2

**Elections and Related Matters**

**The Council**

- (MOD) 11 a)** when a Member State of the Council does not have a representative in attendance at two consecutive ordinary sessions of the Council;

---

<sup>5</sup> In accordance with Resolution 70 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference on gender mainstreaming in ITU, the language used in the texts of the basic instruments of the Union (Constitution and Convention) is to be considered gender neutral.

<sup>6</sup> Treaty Series No. 024 (1996) Cm 3145

<sup>7</sup> Treaty Series No. 065 (1997) Cm 3779

<sup>8</sup> Miscellaneous No. 02 (2016) Cm 9306

## **Members of the Radio Regulations Board**

- (MOD)** 21 2 If, in the interval between two plenipotentiary conferences, a member of the Board resigns or is no longer in a position to perform his duties, the Secretary-General, in consultation with the Director of the Radiocommunication Bureau, shall invite the Member States of the region concerned to propose candidates for the election of a replacement at the next session of the Council. However, if the vacancy occurs more than 90 days before a session of the Council or after the session of the Council preceding the next plenipotentiary conference, the Member State concerned shall designate, as soon as possible and within 90 days, another national as a replacement who will remain in office until the new member elected by the Council takes office or until the new members of the Board elected by the next plenipotentiary conference take office, as appropriate. The replacement shall be eligible for election by the Council or by the Plenipotentiary Conference, as appropriate.
- MOD** 22 3 A member of the Radio Regulations Board is considered no longer in a position to perform his duties after three consecutive absences from the Board meetings. The Secretary-General shall, after consultation with the Board's Chairman as well as the member of the Board and the Member State concerned, declare existence of a vacancy in the Board and shall proceed as stipulated in No. 21 above.

## ARTICLE 3

### **Other Conferences and Assemblies**

- MOD** 47 7 In the consultations referred to in Nos. 42, 46, 118, 123  
**PP-98** and 138 of this Convention and in Nos. 26, 28, 29, 31 and 36 of the General Rules of conferences, assemblies and meetings of the Union, Member States which have not replied within the time-limits specified by the Council shall be regarded as not participating in the consultations, and in consequence shall not be taken into account in computing the majority. If the number of replies does not exceed one-half of the Member States consulted, a further consultation shall take place, the results of which shall be decisive regardless of the number of votes cast.

## SECTION 2

### ARTICLE 4

#### **The Council**

- MOD PP-98**    **57**    **6**    Only the travelling, subsistence and insurance expenses incurred by the representative of each Member State of the Council, belonging to the category of developing countries, the list of which is established by the United Nations Development Programme, in that capacity at Council sessions, shall be borne by the Union.
- MOD PP-98**    **60A**    *9 bis*    A Member State which is not a Member State of the Council may, with prior notice to the Secretary-General, send one observer at its own expense to meetings of the Council, its committees and its working groups. An observer shall not have the right to vote.
- ADD**        **60B**    *9ter*    Sector Members may be represented as observers at meetings of the Council, its committees and its working groups, subject to the conditions established by the Council, including conditions relating to the number of such observers and the procedures for appointing them.
- ADD**        **61A**    *10bis*    While at all times respecting the financial limits as adopted by the Plenipotentiary Conference, the Council may, as necessary, review and update the strategic plan which forms the basis of the corresponding operational plans and inform the Member States and Sector Members accordingly.
- ADD\***      **61B**    *10ter*    The Council shall adopt its own Rules of Procedure.
- ADD**        **62A**      1)    receive and review the specific data for strategic planning that is provided by the Secretary-General as noted in No. 74A of the Constitution and, in the last but one ordinary session of the Council before the next plenipotentiary conference, initiate the preparation of a draft new strategic plan for the Union, drawing upon input from Member States, Sector Members and the Sector advisory groups, and produce a coordinated draft new strategic plan at least four months before that plenipotentiary conference;

- ADD**      **62B**      1 *bis*) establish a calendar for the development of strategic and financial plans for the Union, and of operational plans for each Sector and for the General Secretariat, so as to allow for the development of appropriate linkage among the plans;
- MOD**      **73**      7) review and approve the biennial budget of the Union, and consider the budget forecast (included in the financial operating report prepared by the Secretary-General under No. 101 of this Convention) for the two-year period following a given budget period, taking account of the decisions of the Plenipotentiary Conference in relation to No. 50 of the Constitution and of the financial limits set by the Plenipotentiary Conference in accordance with No. 51 of the Constitution; it shall ensure the strictest possible economy but be mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible. In so doing, the Council shall take into account the priorities established by the Plenipotentiary Conference as expressed in the strategic plan for the Union, the views of the Coordination Committee as contained in the report by the Secretary-General mentioned in No. 86 of this Convention and the financial operating report mentioned in No. 101 of this Convention;
- MOD**      **79**      13) take any necessary steps, with the agreement of a majority of the Member States, provisionally to resolve questions not covered by the Constitution, this Convention and the Administrative Regulations and which cannot await the next competent conference for settlement;
- MOD**      **81**      15) send to Member States, within 30 days after each of its sessions, summary records on the activities of the Council and other documents deemed useful;

## SECTION 3

### ARTICLE 5

#### **General Secretariat**

- MOD PP-98** 87A *d bis*) prepare annually a four-year rolling operational plan of activities to be undertaken by the staff of the General Secretariat consistent with the strategic plan, covering the subsequent year and the following three-year period, including financial implications, taking due account of the financial plan as approved by the plenipotentiary conference; this four-year operational plan shall be reviewed by the advisory groups of all three Sectors, and shall be reviewed and approved annually by the Council;

## SECTION 4

### ARTICLE 6

#### **Coordination Committee**

- (MOD)** 111 4 A report shall be made of the proceedings of the Coordination Committee and will be made available on request to Member States of the Council.

## SECTION 5

#### **Radiocommunication Sector**

### ARTICLE 8

#### **Radiocommunication Assembly**

- ADD** 129A *1 bis* The radiocommunication assembly is authorized to adopt the working methods and procedures for the management of the Sector's activities in accordance with No. 145A of the Constitution.
- ADD** 136A 7) decide on the need to maintain, terminate or establish other groups and appoint their chairmen and vice-chairmen;



**ADD**      **136B**      8)    establish the terms of reference for the groups referred to in No. 136A above; such groups shall not adopt questions or recommendations.

**MOD**      **137A** 4      A radiocommunication assembly may assign specific matters within its competence, except those relating to the procedures contained in the Radio Regulations, to the radiocommunication advisory group indicating the action required on those matters.  
**PP-98**

## ARTICLE 10

### **Radio Regulations Board**

**MOD**      **140** 2      In addition to the duties specified in Article 14 of the Constitution, the Board shall:

1)    consider reports from the Director of the Radiocommunication Bureau on investigations of harmful interference carried out at the request of one or more of the interested administrations, and formulate recommendations with respect thereto;

2)    also, independently of the Radiocommunication Bureau, at the request of one or more of the interested administrations, consider appeals against decisions made by the Radiocommunication Bureau regarding frequency assignments.

**MOD**      **141** 3      The members of the Board shall participate, in an advisory capacity, in radiocommunication conferences. In this case, they shall not participate in these conferences as members of their national delegations.

**ADD**      **141A** *3bis*    Two members of the Board, designated by the Board, shall participate, in an advisory capacity, in plenipotentiary conferences and radiocommunication assemblies. In these cases, the two members designated by the Board shall not participate in these conferences or assemblies as members of their national delegations.

- ADD**        **142A 4bis** The members of the Board shall, while in the exercise of their duties for the Union, as specified in the Constitution and Convention, or while on mission for the Union, enjoy functional privileges and immunities equivalent to those granted to the elected officials of the Union by each Member State, subject to the relevant provisions of the national legislation or other applicable legislation in each Member State. Such functional privileges and immunities are granted to members of the Board for the purposes of the Union and not for their personal advantage. The Union may and shall withdraw the immunity granted to a member of the Board whenever it considers that such immunity is contrary to the orderly administration of justice and its withdrawal is not prejudicial to the interests of the Union.
- MOD**        **145 2)**     The Board shall normally hold up to four meetings a year, of up to five days' duration, generally at the seat of the Union, at which at least two-thirds of its members shall be present, and may carry out its duties using modern means of communication. However, if the Board deems necessary, depending upon the matters to be considered, it may increase the number of its meetings. Exceptionally, the meetings may be of up to two weeks' duration.

#### ARTICLE 11A

**PP-98**

#### **Radiocommunication Advisory Group**

- MOD**        **160A**        1     The radiocommunication advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups and other groups, and will act through the Director.
- PP-98**
- MOD**        **160C**        1)     review priorities, programmes, operations, financial matters and strategies related to radiocommunication assemblies, study groups and other groups and the preparation of radiocommunication conferences, and any specific matters as directed by a conference of the Union, a radiocommunication assembly or the Council;
- PP-98**

- ADD**     **160C A**    1bis) review the implementation of the operational plan of the preceding period in order to identify areas in which the Bureau has not achieved or was not able to achieve the objectives laid down in that plan, and advise the Director on the necessary corrective measures;
- ADD**     **160I**        7)    prepare a report for the Radiocommunication Assembly on the matters assigned to it in accordance with No. 137A of this Convention and transmit it to the Director for submission to the assembly.

## ARTICLE 12

### **Radiocommunication Bureau**

- MOD**     **164** a)    coordinate the preparatory work of the study groups and other groups and the Bureau, communicate to the Member States and Sector Members the results of this preparatory work, collect their comments and submit a consolidated report to the conference which may include proposals of a regulatory nature;
- PP-98**
- MOD**     **165** b)    participate as of right, but in an advisory capacity, in the deliberations of radiocommunication conferences, of the radiocommunication assembly and of the radiocommunication study groups and other groups. The Director shall make all necessary preparations for radiocommunication conferences and meetings of the Radiocommunication Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council in carrying out these preparations;
- MOD**     **169** b)    distribute to all Member States the Rules of Procedure of the Board, collect comments thereon received from administrations and submit them to the Board;
- MOD**     **170** c)    process information received from administrations in application of the relevant provisions of the Radio Regulations and regional agreements and their associated Rules of Procedure and prepare it, as appropriate, in a form suitable for publication;

- MOD** 175 3) coordinate the work of the radiocommunication study groups and other groups and be responsible for the organization of that work;
- MOD** 175B 3ter) take practical measures to facilitate the participation of  
**PP-98** developing countries in the radiocommunication study groups and other groups.
- MOD** 180 d) submit to the world radiocommunication conference a report on the activities of the Radiocommunication Sector since the last conference; if a world radiocommunication conference is not planned, a report on the activities of the Sector covering the period since the last conference shall be submitted to the Council and, for information, to Member States and Sector Members;
- MOD** 181A f) prepare annually a rolling four-year operational plan  
**PP-98** that covers the subsequent year and the following three-year period, including financial implications of activities to be undertaken by the Bureau in support of the Sector as a whole; this four-year operational plan shall be reviewed by the radiocommunication advisory group in accordance with Article 11A of this Convention, and shall be reviewed and approved annually by the Council;

## SECTION 6

### Telecommunication Standardization Sector

## ARTICLE 13

### **PP-98** World Telecommunication Standardization Assembly

- ADD** 184A 1bis The world telecommunication standardization assembly is authorized to adopt the working methods and procedures for the management of the Sector's activities in accordance with No. 145A of the Constitution.
- MOD** 187 a) consider the reports of study groups prepared in  
**PP-98** accordance with No. 194 of this Convention and approve, modify or reject draft recommendations contained in those reports, and consider the reports of the telecommunication standardization advisory group in accordance with Nos. 197H and 197I of this Convention;
- ADD** 191 bis f) decide on the need to maintain, terminate or establish other groups and appoint their chairmen and vice-chairmen;

**ADD**      **191** *ter g)* establish the terms of reference for the groups referred to in No. 191 *bis* above; such groups shall not adopt questions or recommendations.

**MOD**      **191B 5**      A world telecommunication standardization assembly shall be presided over by a chairman designated by the government of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a chairman elected by the assembly itself. The chairman shall be assisted by vice-chairmen elected by the assembly.  
**PP-98**

#### ARTICLE 14A

#### **PP-98**                      **Telecommunication Standardization Advisory Group**

**MOD**      **197A**      1      The telecommunication standardization advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups and other groups.  
**PP-98**

**ADD**      **197CA**      *1bis)* review the implementation of the operational plan of the preceding period in order to identify areas in which the Bureau has not achieved or was not able to achieve the objectives laid down in that plan, and advise the Director on the necessary corrective measures;

#### ARTICLE 15

#### **Telecommunication Standardization Bureau**

**MOD**      **200** *a)*      update annually the work programme approved by the world telecommunication standardization assembly, in consultation with the chairmen of the telecommunication standardization study groups and other groups;  
**PP-98**

**MOD**      **201** *b)*      participate, as of right, but in an advisory capacity, in  
**PP-98**                      the deliberations of world telecommunication  
standardization assemblies and of the telecommunication  
standardization study groups and other groups. The  
Director shall make all necessary preparations for  
assemblies and meetings of the Telecommunication  
Standardization Sector in consultation with the General  
Secretariat in accordance with No. 94 of this Convention  
and, as appropriate, with the other Sectors of the Union, and  
with due regard for the directives of the Council concerning  
these preparations;

**MOD**      **205A** *g)*      prepare annually a rolling four-year operational plan  
**PP-98**                      that covers the subsequent year and the following three-  
year period, including financial implications of activities to  
be undertaken by the Bureau in support of the Sector as a  
whole; this four-year operational plan shall be reviewed by  
the telecommunication standardization advisory group in  
accordance with Article 14A of this Convention, and shall  
be reviewed and approved annually by the Council;

## SECTION 7

### Telecommunication Development Sector

## ARTICLE 16

### Telecommunication Development Conferences

**ADD**      **207A**      1      The world telecommunication development  
conference is authorized to adopt the working  
methods and procedures for the management of the  
Sector's activities in accordance with No. 145A of the  
Constitution.

**ADD**      **209A**      *a bis)* decide on the need to maintain, terminate or establish  
other groups and appoint their chairmen and vice-  
chairmen;

**ADD**      **209B**      *a ter)* establish the terms of reference for the groups  
referred to in No. 209A above; such groups shall not  
adopt questions or recommendations.

- MOD**      **210** *b)*      regional telecommunication development conferences shall consider questions and priorities relating to telecommunication development, taking into account the needs and characteristics of the region concerned, and may also submit recommendations to world telecommunication development conferences;
- MOD**      **213A** *3*      A telecommunication development conference may assign specific matters within its competence to the telecommunication development advisory group, indicating the recommended action on those matters.  
**PP-98**

ARTICLE 17A

**PP-98**                      **Telecommunication Development  
Advisory Group**

- MOD**      **215C** *1*      The telecommunication development advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen and vice-chairmen of study groups and other groups.  
**PP-98**
- ADD**      **215EA**      *1 bis)*review the implementation of the operational plan of the preceding period in order to identify areas in which the Bureau has not achieved or was not able to achieve the objectives laid down in that plan, and advise the Director on the necessary corrective measures.
- ADD**      **215JA**      *6 bis)*prepare a report for the world telecommunication development conference on the matters assigned to it in accordance with No. 213A of this Convention and transmit it to the Director for submission to the conference.

ARTICLE 18

**PP-98 Telecommunication Development Bureau**

**MOD 218 a)** participate as of right, but in an advisory capacity, in the deliberations of the telecommunication development conferences and of the telecommunication development study groups and other groups. The Director shall make all necessary preparations for conferences and meetings of the Telecommunication Development Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council in carrying out these preparations;

**MOD 223A g)** prepare annually a rolling four-year operational plan that covers the subsequent year and the following three-year period, including financial implications of activities to be undertaken by the Bureau in support of the Sector as a whole; this four-year operational plan shall be reviewed by the telecommunication development advisory group in accordance with Article 17A of this Convention, and shall be reviewed and approved annually by the Council;

CHAPTER II

**MOD PP-98 Specific Provisions Regarding Conferences and Assemblies**

ARTICLE 23

**MOD Admission to Plenipotentiary Conferences**

**SUP\* 255 to 266**

**(MOD) 267 1** The following shall be admitted to plenipotentiary conferences:

**ADD 268A b)** the elected officials, in an advisory capacity;

**ADD 268B c)** the Radio Regulations Board, in accordance with No. 141A of this Convention, in an advisory capacity;



<b>MOD</b> <b>PP-94</b>	<b>269</b>	<i>d)</i>	observers of the following organizations, agencies and entities:
<b>ADD*</b>	<b>269A</b>	<i>i)</i>	the United Nations;
<b>ADD*</b>	<b>269B</b>	<i>ii)</i>	regional telecommunication organizations mentioned in Article 43 of the Constitution;
<b>ADD*</b>	<b>269C</b>	<i>iii)</i>	intergovernmental organizations operating satellite systems;
<b>ADD*</b>	<b>269D</b>	<i>iv)</i>	the specialized agencies of the United Nations and the International Atomic Energy Agency;
<b>ADD*</b>	<b>269E</b>	<i>v)</i>	Sector Members referred to in Nos. 229 and 231 of this Convention and organizations of an international character representing them.
<b>ADD*</b>	<b>269F</b>	<b>2</b>	The General Secretariat and the three Bureaux of the Union shall be represented at the conference in an advisory capacity.

#### ARTICLE 24

<b>MOD</b>	<b>Admission to Radiocommunication Conferences</b>		
<b>SUP*</b>	<b>270 to 275</b>		
<b>(MOD)</b>	<b>276</b>	<b>1</b>	The following shall be admitted to radiocommunication conferences:
<b>(MOD)</b>	<b>278</b>	<i>b)</i>	observers of organizations and agencies referred to in Nos. 269A to 269D of this Convention;
<b>MOD</b>	<b>279</b>	<i>c)</i>	observers of other international organizations invited by the government and admitted by the conference in accordance with the relevant provisions of Chapter I of the General Rules of conferences, assemblies and meetings of the Union;
<b>SUP*</b>	<b>281</b>		
<b>(MOD)</b> <b>PP-98</b>	<b>282</b>	<i>e)</i>	observers of Member States participating in a non-voting capacity in a regional radiocommunication conference of a region other than that to which the said Member States belong;

**ADD\***    **282A** *f)*    in an advisory capacity, the elected officials, when the conference is discussing matters coming within their competence, and the members of the Radio Regulations Board.

ARTICLE 25

**MOD PP-98**    **Admission to Radiocommunication Assemblies,  
World Telecommunication Standardization  
Assemblies and Telecommunication  
Development Conferences**

**SUP\***    **283 to 294**

**(MOD)**    **295** 1    The following shall be admitted to the assembly or conference:

**MOD**    **297** *b)*    observers of the following organizations and agencies:

**SUP\***    **298**

**ADD\***    **298A**    *i)*    regional telecommunication organizations mentioned in Article 43 of the Constitution;

**ADD\***    **298B**    *ii)*    intergovernmental organizations operating satellite systems;

**ADD\***    **298C**    *iii)*    any other regional organization or other international organization dealing with matters of interest to the assembly or conference;

**ADD\***    **298D**    *iv)*    the United Nations;

**ADD\***    **298E**    *v)*    the specialized agencies of the United Nations and the International Atomic Energy Agency;

**ADD\***    **298F** *c)*    representatives of Sector Members concerned.

**ADD**    **298G** 2    The elected officials, the General Secretariat and the Bureaux of the Union, as appropriate, shall be represented at the assembly or conference in an advisory capacity. Two members of the Radio Regulations Board, designated by the Board, shall participate in radiocommunication assemblies in an advisory capacity.

SUP\* ARTICLE 26

SUP\* ARTICLE 27

SUP\* ARTICLE 28

SUP\* ARTICLE 29

SUP\* ARTICLE 30

ARTICLE 31

### **Credentials for Conferences**

**MOD**      **334**   **5**      Credentials shall be deposited with the secretariat of  
**PP-98**      the conference as early as possible; to that end, Member  
States should send their credentials, prior to the opening  
date of the conference, to the Secretary-General who shall  
transmit them to the secretariat of the conference as soon as  
the latter has been established. The committee referred to in  
No. 68 of the General Rules of conferences, assemblies and  
meetings of the Union shall be entrusted with the  
verification thereof and shall report on its conclusions to the  
Plenary Meeting within the time specified by the latter.  
Pending the decision of the Plenary Meeting thereon, any  
delegation shall be entitled to participate in the conference  
and to exercise the right to vote of the Member State  
concerned.

## CHAPTER III

### Rules of Procedure

#### ARTICLE 32

**MOD**                    **General Rules of Conferences, Assemblies  
and Meetings of the Union**

**MOD**     **339A** 1    The General Rules of conferences, assemblies and  
**PP-98**                    meetings of the Union are adopted by the Plenipotentiary  
Conference. The provisions governing the procedure for  
amending those Rules and the entry into force of  
amendments are contained in the Rules themselves.

**MOD**     **340** 2    The General Rules of conferences, assemblies and  
**PP-98**                    meetings of the Union shall apply without prejudice to the  
amendment provisions contained in Article 55 of the  
Constitution and in Article 42 of this Convention.

## CHAPTER IV

### Other Provisions

#### ARTICLE 33

##### Finances

**MOD**     **476** 4    1)    The organizations referred to in Nos. 269A to  
**PP-94**                    269E of this Convention and other organizations  
**PP-98**                    of an international character (unless they have been  
exempted by the Council, subject to reciprocity) and  
Sector Members which participate, in accordance  
with the provisions of this Convention, in a  
plenipotentiary conference, in a conference, assembly  
or meeting of a Sector of the Union, or in a world  
conference on international telecommunications, shall  
share in defraying the expenses of the conferences,  
assemblies and meetings in which they participate on  
the basis of the cost of these conferences and  
meetings and in accordance with the Financial  
Regulations. Nevertheless, Sector Members will not  
be charged separately for their attendance at a  
conference, assembly or meeting of their respective  
Sectors, except in the case of regional  
radiocommunication conferences.

CHAPTER VI

**Arbitration and Amendment**

ARTICLE 42

**Provisions for Amending this Convention**

**MOD**      **523** 5      Unless specified otherwise in the preceding paragraphs  
**PP-98**      of this Article, which shall prevail, the General Rules of  
conferences, assemblies and meetings of the Union shall  
apply.

## **PART II**

### **Date of Entry into Force**

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 2004 between Member States being at that time parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present amending instrument.

**IN WITNESS WHEREOF**, the respective plenipotentiaries have signed the original of the present instrument amending the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary (Minneapolis, 1998).

Done at Marrakesh, 18 October 2002

ISBN 978-1-4741-3589-4



9 781474 135894