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| small APTlogogreen | ASIA-PACIFIC TELECOMMUNITY |  | |  |
| **The 2nd APT Preparatory Meeting for PP-14 (PP14-2)** | | **Document:**  **PP14-2/INP-xx** | |
| 28 – 30 October 2013, Gold Coast, Australia | | **28 October 2013** | |

Chairman, Working Group 2

**issues for consideration under working group 2:**

**( Legal and Policy issues )**

1. **INTRODUCTION**

According to the decision made by the 1st Preparatory meeting for ITU PP-14 of APT, which was held in Seoul / Republic of Korea, 2-3 April 2013, WG 2 has developed this Issue Paper to facilitate effective discussion on legal and policy issues of ITU. This issue paper intends to stimulate regional discussion on these issues of interest to the Asia-Pacific region. This issue paper covers the outcomes of PP-10, subsequent sessions of the ITU Council, and major ITU Conferences and Assemblies pertaining to the Terms of Reference of WG 2 (*See Annex A for the ToR of WG2*). This version also covers the issues of the Constitution (CS) and Convention (CV), given contribution on the CS and CV must be submitted to ITU no later than 8 months prior to PP-14 (i.e., 20th February 2014).

(Note) The issues of stabilizing the ITU Constitution are specially discussed in the Sub WG on ITU Stable Constitution.

Based on the outcome of discussions with APT Members in the lead up to and at the 2nd APT PP-14 Preparatory meeting in October 2013, WG 2 will identify possible items for APT common proposals.

The key issues presented in this paper are:

* Discussions and Proposals to amend to the ITU Constitution and Convention including:

1) Definition of Telecommunication/ICT

2) Proposals for amendments arising from the other Working Groups

3) Other proposals for amendments

* ITU’s role in implementing the outcomes of the World Summit on the Information Society (WSIS) and WSIS+10 review process
* International Internet-related public policy issues (Resolution 101, 102, 133, outcomes of WTPF-13)
* Issues arising from the World Conference on International Telecommunication (WCIT-12)
* Possible role of ITU as a Supervisory Authority of the future international registration system for space assets (UNIDROIT)
* Strengthening the role of ITU in building confidence and security in the use of ICTs
* Conformance and Interoperability
* Members’ proposals to the previous meeting

1) ICT Convergence and IoT deployment

* Issues related with other working groups

***Invitation to APT Members:***

APT member countries are encouraged to actively participate in the discussion and provide comments regarding these key issues.

1. **DISCUSSION ON ISSUES**

* 1. **Issue 1: Definitions – Telecommunications/ICT**
     1. Introduction/Background

Plenipotentiary Resolution 140 (Rev. Guadalajara, 2010)[[1]](#footnote-1) requests the Council “to elaborate through the Sector study groups and submit a *working definition* of the term "ICT" to the Council and working groups of the Council, for possible transmission to PP-14”.

ITU CS1012 (telecommunication) says:

*Telecommunication: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.*

A debate on the above definition of ‘Telecommunication’ in relation with Information and Communication Technology (ICT) has been a substantial issue for a long time in ITU history.

Pursuant to Resolution 142 (Antalya, PP-06)[[2]](#footnote-2), ITU Council-09 discussed two options: (a) to include a possible definition of ICT in either the CS or CV; or (b) to retain flexibility reflecting the changing impact of ICT and ICT applications in ITU (document [C09/09](http://www.itu.int/md/S09-CL-C-0009/en)). As a result of the PP-10 discussions, it was decided the *status quo* would be maintained in so far as the texts of the Union's basic instruments were concerned, although several Member States pointed out that questions of terminology were specifically rooted in the Union's broad range of activities, and that the diversity needed to be reflected in the Constitution and the Convention.

WCIT-12 also discussed a similar issue, which was to define ‘Telecommunication/ICT’ as a new terminology within the [International Telecommunication Regulations (ITRs)](http://www.itu.int/pub/S-CONF-WCIT-2012/en). One of the proposed definitions is as follows:

***ADD*** *xxx/7/21*

*14A 2.1bis Telecommunication/ICT: Any transmission, emission or reception,* ***including processing,*** *of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.*

Several Member States argued that the definition of that terminology has a strong relationship with ‘Telecommunication,’ which is defined by ITU CS (CS1012), and they thus proposed that discussions to define the terminology should be held at PP instead of WCIT.

* + 1. Current Status at ITU

In relation to the working definition of ‘ICT’, Council-11 instructed the Director of the Telecommunication Development Bureau (BDT) “to conduct consultations with the chairmen of ITU-D study groups and the Telecommunication Development Advisory Group (TDAG) for the creation of a group for elaboration of a working definition of the term ‘ICT’ open for the participation of other Sector membership, and the Directors of the Radiocommunication Bureau (BR) and Telecommunication Standardization Bureau (TSB) to conduct consultations with the chairmen of ITU-R and ITU-T study groups, the Radio Advisory Group (RAG) and Telecommunication Standardization Advisory Group (TSAG) regarding the participation of representatives of their Sector study groups in that activity and report to the Council session 2012.”

The 2012 meeting of TDAG invited “Study Group 1 to set up the Working Group by September 2012 and to submit the results of its work for consideration by ITU-D Study Groups 1 and 2 as well as TDAG in 2013. TDAG further invited the BDT Director to inform Council 2012 that such an activity has been initiated and report to Council 2014 on the outcomes on this work.”

The Working Group had a meeting on 8th September 2013, and concluded the following working definition of ICTs:

*Information and Communication Technologies(ICTs): Technologies and equipment that handle(e.g. access, create, collect, store, transmit, receive and disseminate) information and communication.*

The above working definition of ICT will be reported to Council-14 and PP-14, so APT member countries need to consider the definition.

APT continuously favors the status quo of the definition of ‘Telecommunication’ at PP-06 and PP-10 and no addition of terminology on ‘Telecommunication/ICT’ in the ITRs at WCIT-12.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note previous discussions on the APT’s position at ITU conferences.  **Recommendation:** Taking into consideration previous APT positions and outcomes of working groups on the working definition of ICT, APT members need to discuss the position that should be taken. |

* 1. **Issue 2: ITU’s role in implementing the outcomes of the World Summit on the Information Society (WSIS) and WSIS+10 review process** 
     1. Introduction/Background

ITU is the organization designated as facilitator for the Action Lines C2 (Information and communication infrastructure), C5 (Building confidence and security in the use of ICTs) and C6 (Enabling environment).

Resolution 140 (Rev. Guadalajara, 2010) instructs the Secretary-General and the Directors of the Bureaux to prepare and submit a final and comprehensive report on the ITU activities for WSIS implementation to the next plenipotentiary conference in 2014. Furthermore, Resolution 172 (Guadalajara, 2010)[[3]](#footnote-3) instructs the Council to report to PP-14 on preparations for the final overall review of the implementation of the WSIS outcomes and formulate proposals for further activities.

Pursuant to Resolution 140 (Rev. Guadalajara, 2010) and Resolution 172 (Guadalajara, 2010), the Council and its Working Group have monitored the status of the implementation of the outcomes of WSIS under ITU’s mandate (Action Lines C2, C5 and C6). In this context, Council [Resolution 1332](http://www.itu.int/md/S11-CL-C-0095/en)[[4]](#footnote-4) and [1334](http://www.itu.int/md/S13-CL-C-0108/en)[[5]](#footnote-5) have been adopted and revised subsequently.

Council Resolution 1334 resolves to support a high-level event on the Overall Review (WSIS+10) to be held in Sharm el Sheikh, Egypt in April 2014 in conjunction with the World Telecommunication Development Conference.

Resolution 1334 also resolves that the ITU-coordinated WSIS+10 High-Level Event should review the WSIS Outcomes (2003 and 2005) under ITU’s responsibilities and develop proposals on a new vision beyond 2015, potentially including new targets and an action plan beyond 2015 in the area of ITU’s responsibility. This should be implemented taking into account decisions of the 68th Session of the UN General Assembly and will be followed by further review and decision by PP-14, if any.

* + 1. Current Status at ITU

At Council-13, it was decided to use the opportunity of regional preparatory meetings for WTDC-14 to hold additional meetings, within the existing budgetary limits, that should be intergovernmental and inclusive to all WSIS stakeholders, within their respective roles to consider regional views on the implementation of the WSIS outcomes, and a vision beyond 2015, taking into account financial implications, accreditation, operational challenges, providing equal opportunities for stakeholders from developed and developing countries, as well as taking into account the modalities to be decided by the General Assembly of the United Nations.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the discussions of the ITU Council and CWG-WSIS.  **Recommendation:** Taking into account the preparatory meeting schedule for WSIS+10, APT member countries are encouraged to participate in the preparatory process. |

* 1. **Issue 3: International Internet-Related Public Policy Issues** 
     1. Introduction/Background

Plenipotentiary Conferences adopted Resolutions pertaining to Internet-related public policy issues, which are:

* Resolution 101 – *Internet Protocol-based networks*
* Resolution 102 – *ITU’s role with regard to international public policy issues pertaining to the Internet and the management of Internet resources, including domain names and addresses*
* Resolution 133 – *Role of administrations of Member States in the management of internationalized (multilingual) domain names*

Resolution 102 instructs the Council to report to PP-14 on the activities undertaken and achievements on the objectives of that resolution, including proposals for further consideration as appropriate.

WCIT-12 adopted a Resolution related to the Internet, which is:

* Resolution 3 *– to foster an enabling environment for the greater growth of the Internet*

The World Telecommunications/ICT Policy Forum (WTPF) was held in 2013 to discuss Internet-related public policy issues and come up with the following six Opinions:

* Opinion 1 - *Promoting Internet Exchange Points (IXPs) as a long term solution to advance connectivity*
* Opinion 2 - *Fostering an enabling environment for the greater growth and development of broadband connectivity*
* Opinion 3 - *Supporting Capacity Building for the deployment of IPv6*
* Opinion 4 - *In Support of IPv6 Adoption and Transition from IPv4*
* Opinion 5 - *Supporting Multi-stakeholderism in Internet Governance*
* Opinion 6 - *On supporting operationalizing the Enhanced Cooperation Process*
  + 1. Current Status at ITU

WTPF-13 did consider [the new Draft Opinion on *the Role of Government in the Multistakeholder Framework for Internet Governance*](http://www.itu.int/md/S13-WTPF13-C-0005/en)submitted by Brazil.

Many delegates expressed the view that the topic was very important but also complex, and that there was insufficient time left for WTPF-13 to consider all aspects in detail. WTPF-13 concluded this discussion could be continued within the Council Working Group on international Internet-related public policy issues.

At Council-13, document [C13/64](http://www.itu.int/md/S13-CL-C-0064/en), which contained a draft resolution relating to the conclusion aforementioned, was discussed. The draft Resolution intended to expand the composition of the Council Working Group on international Internet-related public policy issues (CWG-Internet) to all stakeholders -not only ITU Member States constituted by Resolution 102 but also any interested parties. Since such a decision was up to PP-14, it was proposed that the Council recommend to PP-14 that the composition of CWG-Internet be expanded but implement that recommendation on an interim trial basis at CWG-Internet meetings prior to PP-14. However, due to the divergent view on that issue, Council-13 was unable to adopt the resolution.

The role of government in the multistakeholder framework is the essence of this issue and different views still exist. APT Member Countries have not set up a common position regarding this issue.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the discussion of the ITU Council and CWG on international Internet-related public policy issues.  **Recommendation:** International Internet-related public policy issues would be a substantial matter to be discussed at the upcoming PP-14, so APT member countries are strongly encouraged to set a common view including, but not limited to:   * The role of Government in the Multistakeholder Framework * The composition of the ITU Council working group on international Internet public policy issues |

* 1. **Issue 4: Issues arising from WCIT**

During WCIT-12, some issues pertaining to the deliberation of PP-14 arose:

* International Internet-related public policy issues *(see section 2.3 above)*
* Authorized Operating Agency vs. Recognized Operating Agency vs. Operating Agency
* Periodicity of WCIT (WCIT Resolution 4)

< PART A: Authorized Operating Agency vs. Recognized Operating Agency vs. Operating Agency >

* + 1. Introduction/Background

During WCIT-12, the term ‘Authorized Operating Agency’ was adopted to be used within the ITRs in order to compromise between the camps who preferred Operating Agency (OA)[[6]](#footnote-6) vs. Recognized Operating Agency (ROA)[[7]](#footnote-7). Clause 1.1 b) of Article 1 of the [ITRs](http://www.itu.int/pub/S-CONF-WCIT-2012/en) says:

*1.1 b) These Regulations also contain provisions applicable to those operating agencies, authorized or recognized by a Member State, to establish, operate and engage in international telecommunications services to the public, hereinafter referred as "authorized operating agencies".*

The new term, Authorized Operating Agency, has a significant relationship with the definition contained in the CV, since Authorized Operating Agency caused a contradiction between the CV and ITRs. The ITRs form a part of the Administrative Regulations of ITU, and should be consistent with the CS and CV, which are ITU’s basic instruments . Clause 2.5 (Service Telecommunication) of Article 2 of the ITRs contains Authorized Operating Agency, while the CV includes ROA instead of Authorized Operating Agency. CV 1006 (Service Telecommunication) says:

1006 *Service Telecommunication: A telecommunication that relates to public international telecommunications and that is exchanged among the following:*

*- administrations,*

*-* ***recognized operating agencies****, and*

*- the Chairman of the Council, the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux, the members of the Radio Regulations Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.*

* + 1. Current Status at ITU

According to Article 4 (Instrument of the Union) of the ITU CS, the CV shall prevail in the event of inconsistency between a provision of the CV and a provision of the ITRs.

Therefore, in this context, PP-14 needs to consider how to deal with this inconsistency.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the discussions that were held during WCIT-12.  **Recommendation:** APT member countries need to discuss how to keep the CV and ITRs in line with each other in relation to the definition of ‘service telecommunication’. |

< PART B: Periodicity of WCIT >

* + 1. Introduction/Background

WCIT Resolution 4, titled *‘*[*Periodic review of the International Telecommunication Regulations*](#_Toc351560121)*’*, resolves to invite PP-14 to consider this resolution and to take necessary action, as appropriate, to convene periodically (for example every eight years) a World Conference on International Telecommunications to revise the ITRs, taking into account the financial implications for the Union.

* + 1. Current Status at ITU

The task of reviewing the ITRs is a prerogative held by WCIT according to clause 146 of Article 25 of the CS, and WCIT shall be held upon decision by the PP according to clause 48 of Article 3 of the CV. In this regard, PP-14 is expected to discuss this issue.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the outcomes of WCIT, in particular ‘Periodic review of the ITRs’.  **Recommendation:** APT member countries are encouraged to set a common view on the periodicity of WCIT. |

* 1. **Issue 5: Possible role of ITU as a Supervisory Authority of the future international registration system for space assets (UNIDROIT)**
     1. Introduction/Background

The [*draft Space Protocol*](http://www.itu.int/council/C2011/link/026e_protocol.pdf) is part of a family of international treaties beginning with the [Convention on International Interests in Mobile Equipment](http://www.unidroit.org/english/conventions/mobile-equipment/main.htm) and [the Protocol on Matters specific to Aircraft Equipment](http://www.unidroit.org/english/conventions/mobile-equipment/main.htm), both opened for signature in Cape Town on 16 November 2001. The [*draft Space Protocol*](http://www.itu.int/council/C2011/link/026e_protocol.pdf)is an instrument designed to facilitate asset-based financing for the acquisition and use of space assets, such as satellites and transponders that move beyond frontiers.

At [the final session of the UNIDROIT Committee of governmental experts](http://www.unidroit.org/english/documents/2011/study72j/cge-session5/cge-5-report-e.pdf), held in Rome from 21 to 25 February 2011, the States participating in the work of the Committee took note with interest of ITU’s potential as a candidate to exercise the functions of Supervisory Authority.

In this context, a series of sessions of the ITU Council have discussed the matter, as to whether ITU should serve as a supervisory authority or not. Some councilors were already willing to agree in principle to the possibility of ITU performing the function of supervisory authority, pointing out that ITU must seize the opportunity that lay before it to be a key player in a sphere associated with satellite operations; that in order to find out what the function of supervisory authority entailed, reference could be made to the precedent constituted by the system put in place for the establishment of the International Registry for aircraft objects and that the Protocol would be of real value. Other councilors, on the other hand, felt that it was, for many reasons, still too early to be taking a decision in principle on the performance by ITU of the function of supervisory authority. The text of the draft Space Protocol was not yet final and there were numerous questions to which the Legal Adviser would have to respond. Many councilors thus considered it premature to announce at the present time that ITU was a candidate.

The Councils agreed to authorize the Secretary-General to continue to express interest in ITU becoming the supervisory authority, and to authorize the Secretary-General or his representative to participate in the work of the Preparatory Commission as an observer. Council-13 also concluded that PP-14 would decide whether or not ITU would take on the role of supervisory authority. The various questions raised by ITU Councilors would need to be answered by the ITU Secretariat at the upcoming Council-14, so that ITU Member States would be in a position to take such a decision at PP-14.

* + 1. Current Status at ITU

The ITU Secretary-General is authorized to participate in the work of the Preparatory Commission as an observer and to express interest in ITU becoming the supervisory authority. There is no consensus among the ITU Council members, and the decision would be made at PP-14.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the discussion of the ITU Council *(see* [*Document C11/26,*](http://www.itu.int/md/S11-CL-C-0026/en)[*C12/36*](http://www.itu.int/md/S12-CL-C-0036/en)*,* [*C13/55*](http://www.itu.int/md/S13-CL-C-0055/en)*).*  **Recommendation:** APT member countries are encouraged to participate in discussions at Council-14 taking into account the legal and financial implications, which will be covered by the report from the ITU Secretariat. |

* 1. **Issue 6: Strengthening the role of ITU in building confidence and security in the use of ICTs**
     1. Introduction/Background

PP Resolution 130 (Rev, Guadalajara, 2010)[[8]](#footnote-8) says the following:

* *resolves to continue to give this work high priority within ITU, in accordance with its competences and expertise;*
* *resolves to give high priority to the work in ITU described under bearing in mind above, in accordance with its competences and areas of expertise, while being mindful of the need to avoid duplicating work among the Bureaux or the General Secretariat or work which more appropriately falls within the mandates of other intergovernmental and relevant international bodies;*
* *resolves that ITU shall focus resources and programmes on those areas of cybersecurity within its core mandate and expertise, notably the technical and development spheres, and not including areas related to Member States’ application of legal or policy principles related to national defense, national security, content and cybercrime, which are within their sovereign rights, although this does not however exclude ITU from carrying out its mandate to develop technical recommendations designed to reduce vulnerabilities in the ICT infrastructure, nor from providing all the assistance that was agreed upon at WTDC-10, including Programme 2 activities such as “assisting Member States, in particular developing countries, in the elaboration of appropriate and workable legal measures relating to protection against cyberthreats” and in activities under Question 22-1/1*

Pursuant to Resolution 130, various activities have been conducted by ITU Sectors and the General Secretariat, including the Global Cybersecurity Agenda, the Child Online Protection initiative, the development of technical recommendations, etc.

During the deliberation of ITU Councils, most councilors welcomed the work done by ITU on the technical aspects of cybersecurity and as part of its mandate, emphasizing the importance of awareness-raising, training and capacity-building activities. However, a common understanding of ITU’s mandate on cybersecurity still needs to be reached among ITU Member States. During WCIT-12 some Member States proposed divergent aspects of cybersecurity including national defense, cyber terrorism and cyber crime. In addition, during Council-13, one councilor added one more argument underscoring that cybersecurity activities have to be conducted with due respect for human rights, including individual liberties.

During PP-14, discussions are expected to be held on the mandate of ITU beyond technical aspects pertaining to cybersecurity.

* + 1. Current Status at ITU

PP-10 attempted to define ‘cybersecurity’ within the CS/CV or a resolution and after substantial discussions Resolution 181 (Guadalajara, 2010)[[9]](#footnote-9) was adopted. APT Members were one of the proponents to propose that cybersecurity be defined under a new resolution of PP-10. Resolution 181, however, merely contains a reference of the definition contained within Recommendation ITU-T X.1205.

During Council-13, Indonesia introduced Document [C13/89](http://www.itu.int/md/S13-CL-C-0089/en), proposing a common understanding of cybersecurity to strengthen cybersecurity measures. It was also proposed for the Council to initiate and develop efforts on cybersecurity. However, the contribution was submitted too late for discussion, so it was agreed that the contribution would be further discussed at Council-14.

(Note) The outcomes of ‘Seoul Conference on Cyberspace 2013,’ which will be held in Seoul, Republic of Korea from 17 to 18 October 2013, may be incorporated in this issue paper if the outcomes have legal and policy implications for PP-14.

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the discussion of the previous PPs, ITU Councils and relevant conferences*.*  **Recommendation:** Recognizing the importance of this issue, APT member countries are encouraged to reach a common understanding on ITU’s mandate of cybersecurity. |

* 1. **Issue 7: Conformance and Interoperability (C&I)**
     1. Introduction/Background

Resolution 177 (Guadalajara, 2010)[[10]](#footnote-10) instructs the Council to report to PP-14 on the progress made with respect to that resolution.

Pursuant to the Resolution, four pillars have been identified and implemented, which are: (1) conformance assessment; (2) interoperability events; (3) human resource capacity building; and (4) establishment of test centers and C&I regimes in developing countries. A series of ITU Council sessions have articulated the C&I to be deployed, and consequently Council-12 adopted a relevant business plan contained at [C12/37](http://www.itu.int/md/S12-CL-C-0037/en). There is no dispute among the Member States for ITU to pursue pillars (2) to (4), but concerning pillar (1), conformance assessment, many councilors underscored that thorough market surveys and legal studies need to be conducted before its implementation.

* + 1. Current Status at ITU

Various activities have been conducted through ITU-T and ITU-R study groups (see [C13/24](http://www.itu.int/md/S13-CL-C-0024/en)).

* + 1. *Further Action Required*

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| APT member countries are encouraged to note the various activities taken by ITU sectors and discussions under the Council*.*  **Recommendation:** APT member countries are encouraged to reach a common understanding on the issue in order to hold a common view on whether or not Resolution 177 needs to be modified taking into account ITU’s activities. |

* 1. **Issue 8: ICT Convergence and IoT Deployment**
     1. Introduction/Background

During the 1st APT Preparatory meeting for PP-14, the Republic of Korea proposed contributions: telecommunication/ICT convergence and Internet of Things (IoT) deployment.

Korea expressed their view that ITU will be able to make contributions and provide support to the convergence with telecommunication/ICT that is taking place in other industry sectors, based on its expertise and knowledge as well as diverse experience in the areas of telecommunication/ICT and convergence *(see* [*PP14-1/INP-08(Rev.1)*](http://www.apt.int/sites/default/files/2013/04/PP14-1-INP-08Rev.1_KOR-1.docx)

Korea also stressed that ITU should recognize the importance of IoT’s technical, social and economic implications, which are key factors in the networked future. Therefore, as the special agency of the UN in this area, ITU should perform its role and fulfill its responsibility by further strengthening the current IoT activities of ITU-T; recognizing the role and responsibility of ITU-R and ITU-D in this area and reflecting it on each sector’s action plans synthetically, so that all three sectors can cooperate in harmony *(see* [*PP14-1/INP-09(Rev.1)*](http://www.apt.int/sites/default/files/2013/04/PP14-1-INP-09Rev.1_KOR-2.docx)

General support was shown toward those contributions and the meeting decided to invite the Republic of Korea to contribute concrete texts such as draft resolutions at the 2nd APT Preparatory meeting.

* + 1. Current Status at ITU

With regard to telecommunication/ICT convergence, ITU has kept up with the progress of this sector, and played a role in the related areas. As stipulated in the Strategic Plan for the Union for 2012-2015 adopted at PP-10, ITU recognizes that there is a necessity to respond to diverse changes induced by the development of technology and acceleration of convergence.

At PP-10, ITU adopted and revised resolutions such as monitoring and management in emergency and disaster situations (Resolution 136), climate change (Resolution 182) and e-health (Resolution 183), underlining the diverse issues related to ICT convergence.

Aside from this, WTDC-10 also recognized the necessity for an ecologic approach including diverse ICT applications and service availability for building an information society, and adopted the Hyderabad Action Plan and WTDC Resolution 54.

In relation to IoT deployment, Joint Coordination Activity on IoT (JCA-IoT) has conducted its work under ITU-T initiatives*(see* [*http://www.itu.int/en/ITU-T/jca/iot/Pages/default.aspx*](http://www.itu.int/en/ITU-T/jca/iot/Pages/default.aspx)*).*  In addition, ITU-T is currently conducting relevant research, as seen in the Recommendation ITU-T Y.2060, IoT Global Standard Initiative (JCA-IoT).

* + 1. *Further Action Required*

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| The Republic of Korea is invited to submit relevant contributions at the 2nd APT Preparatory meeting and APT member countries are encouraged to discuss them.  **Recommendation**: If there is a common view on these items, these two items are possible candidates for an APT Common Proposal targeting PP-14 Resolutions. |

* 1. **Issue 9: Issues related with other working groups**
     1. This issue paper will be updated, if necessary, before the 3rd APT Preparatory meeting in order to cope with remaining issues and issues related with other working groups, such as:
* Child online protection;
* Free Online Access to ITU Publications;
* Accessibility;
* Climate Change and e-Waste;
* Gender Mainstreaming, etc.

1. **POINTS TO BE CONSIDERED FOR THE ISSUES AT THE PP14-2 MEETING**
   1. **Summary of proposals for further discussion and action**

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| **Issues** | **Description** | **Recommendation** |
| 1. Definition – Telecommunication/ICT | Term ‘ICT’ in ITU’s basic instrument | Note ITU discussions and - possible APT common proposal |
| 2. WSIS | WSIS+10 review process | Note ITU discussions |
| 3. International Internet-related public policy issues | Resolution 101, 102, 133 | Note ITU discussions-possible APT common proposal |
| 4. WCIT | Authorized Operating Agency | Note ITU discussions |
| Periodic review of the ITRs | Possible APT common proposal |
| 5. UNIDROIT | Supervisory Authority of space assets | Note ITU discussions |
| 6. Building confidence and security in the use of ICT | Mandate of ITU in cybersecurity | Note ITU discussions -possible APT common proposal |
| 7. Conformance and interoperability | How to implement the four pillars, in particular, pillar (1) (conformity assessment) | Note ITU discussions -possible APT common proposal |
| 8. ICT convergence and IoT deployment | Crosssectoral issues to implement ICT convergence and IoT | Possible APT common proposals |

1. **Conclusion**
   1. This issue paper aims to facilitate the discussion pertaining to WG2 in order to identify possible APT common proposals to change the provisions of the CS/CV and to submit candidates for PP resolutions
   2. Comments are welcomed through the email reflector ([aptpp@apt.int](mailto:aptpp@apt.int)), and the contact information of WG2 Chairs is as follows:

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| --- | --- |
| Chairman | Vice Chairman |
| Mr. Sanghak LEE  Ministry of Science, ICT and Future Planning, Republic of Korea  Tel: +82 2 2110 2680  Fax: +82 2 2110 0280  Email: [leesh@msip.go.kr](mailto:leesh@msip.go.kr) | Ms. Mari Ichikawa  Ministry of Internal affairs and Communications, Japan  Tel: +81 3 5253 6165  Fax: +81 3 5253 5924  Email: [m3.ichikawa@soumu.go.jp](mailto:m3.ichikawa@soumu.go.jp) |

## ***Annex A***

## Terms of Reference of WG 2

Terms of Reference of WG2 are:

* Review and proposed amendments to the Council’s outcome on the Draft of Stable ITU Constitution, General Provisions and Rules including proposed consequence of changes
* Review the Report of the Council on Resolution 163 (Guadalajara, 2010) relating to the output of the Council Working Group on Stable Constitution
* Review, in consultation with other Working Groups and propose amendments to the Constitution (CS), and” Convention (CV)/(now provisionally labeled(General Provisions and Rules),in particular, the Draft APT Common Proposals submitted to PP-10 as an Annex to the APT Common Proposal relating to Stable Constitution
* Review PP Decisions, Resolutions and Recommendations relevant to the activities of WG2
* Consider issues relating to the implementation of the outcome of WSIS.
* Consider the issue of possible role of the ITU as Supervisory Authority of the future international registration system for space assets under the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets under preparation by UNIDROIT
* Review contributions and proposals to PP-14 from other regions and countries on any policy, structure, or legal issues.
* Review where necessary of General Rules for ITU Conferences, Assemblies and Meetings and those of Optional Protocol, taking into account the outcome from the review of the Stable Constitution. Particular attention to be paid to the need to provide sufficient stability to the ITU Constitution
* Consider holding the future World Conference on International Telecommunication with the regular interval (every 8 years) taking into account the outcome from WCIT-12
* Review contributions and proposals to PP-14 from other regions relevant to the activities of the WG
* Consider any other issues determined by the Group in its work for the preparation to PP-14 or referred to the Group by the APT Preparatory Meetings

In relation to this work, WG2 will consider the work and outputs of the Council Working Groups with implications on policy, structure and legal issues of the ITU, if any.

## ***Annex B***

## PP Resolutions for WG2

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| Res. No. | Resolution Title | Note |
| 2 | World telecommunication/information and communication technology  policy forum |  |
| 30 | Special measures for the least developed countries, small island developing states, landlocked developing countries and countries with economies in transition | w/ WG3 |
| 32 | Technical assistance to the Palestinian Authority for the development of telecommunications | w/ WG3 |
| 33 | Assistance and support to Bosnia and Herzegovina for rebuilding its telecommunication network | w/ WG3 |
| 34 | Assistance and support to countries in special need for rebuilding their telecommunication sector | w/ WG3 |
| 35 | Telecommunication support for the protection of the environment |  |
| 36 | Telecommunications/information and communication technologies in the service of humanitarian assistance | w/ WG3 |
| 37 | Training of refugees | w/ WG3 |
| 64 | Non-discriminatory access to modern telecommunication/information and communication technology facilities, services and applications, including applied research and transfer of technology, on mutually agreed terms | w/ WG3 |
| 68 | World Telecommunication and Information Society Day |  |
| 70 | Gender mainstreaming in ITU and promotion of gender equality and the empowerment of women through information and communication technologies |  |
| 98 | The use of telecommunications for the safety and security of humanitarian personnel in the field |  |
| 99 | Status of Palestine in ITU |  |
| 101 | Internet Protocol-based networks |  |
| 102 | ITU’s role with regard to international public policy issues pertaining to the Internet and the management of Internet resources, including domain names and addresses |  |
| 118 | Use of spectrum at frequencies above 3 000 GHz | w/ WG3 |
| 123 | Bridging the standardization gap between developing and developed countries | w/ WG3 |
| 124 | Support for the New Partnership for Africa’s Development | w/ WG3 |
| 125 | Assistance and support to the Palestinian Authority for rebuilding its telecommunication networks | w/ WG3 |
| 126 | Assistance and support to the Republic of Serbia for rebuilding its destroyed public broadcasting system | w/ WG3 |
| 127 | Assistance and support to the Government of Afghanistan for rebuilding its telecommunication system | w/ WG3 |
| 128 | Support for the Agenda for Connectivity in the Americas and Quito Action Plan | w/ WG3 |
| 130 | Strengthening the role of ITU in building confidence and security in the use of information and communication technologies |  |
| 131 | Information and communication technology index and community connectivity indicators | w/ WG3 |
| 133 | Role of administrations of Member States in the management of internationalized (multilingual) domain names |  |
| 135 | The role of the International Telecommunication Union in the development of telecommunications/information and communication technologies, in providing technical assistance and advice to developing countries1, and in implementing relevant national, regional and inter-regional projects | w/ WG3 |
| 136 | The use of telecommunications/information and communication technologies for monitoring and management in emergency and disaster situations for early warning, prevention, mitigation and relief | w/ WG3 |
| 137 | Next-generation network deployment in developing countries | w/ WG3 |
| 138 | The Global Symposium for Regulators | w/ WG3 |
| 139 | Telecommunications/information and communication technologies to bridge the digital divide and build an inclusive information society | w/ WG3 |
| 140 | ITU’s role in implementing the outcomes of the World Summit on the Information Society | w/ WG3 |
| 143 | Extending the provisions in ITU documents relating to developing countries to apply to countries with economies in transition | w/ WG3 |
| 146 | Review of the International Telecommunication Regulations |  |
| 159 | Assistance and support to Lebanon for rebuilding its telecommunication networks (fixed and mobile) | w/ WG3 |
| 160 | Assistance to Somalia | w/ WG3 |
| 161 | Assistance and support for the Democratic Republic of the Congo for rebuilding its telecommunication network | w/ WG3 |
| 163 | Establishment of a Council working group on a stable ITU Constitution |  |
| 171 | Preparations for the 2012 world conference on international telecommunications | w/ WG3 |
| 172 | Overall review of implementation of the outcomes of the World on the Information Society | w/ WG3 |
| 173 | Piracy and attacks against fixed and cellular telephone networks in Lebanon |  |
| 174 | ITU's role with regard to international public policy issues relating to the risk of illicit use of information and communication technologies |  |
| 175 | Telecommunication/information and communication technology accessibility for persons with disabilities, including age-related  disabilities | w/ WG3 |
| 176 | Human exposure to and measurement of electromagnetic fields | w/ WG3 |
| 177 | Conformance and interoperability |  |
| 178 | ITU role in organizing the work on technical aspects of telecommunication networks to support the Internet |  |
| 179 | ITU's role in child online protection |  |
| 180 | Facilitating the transition from IPv4 to IPv6 |  |
| 181 | Definitions and terminology relating to building confidence and security in the use of information and communication technologies |  |
| 182 | The role of telecommunications/information and communication technologies in regard to climate change and the protection of the environment |  |
| 183 | Telecommunication/ICT applications for e-health |  |
| 184 | Facilitating digital inclusion initiatives for indigenous peoples | w/ WG3 |

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1. Resolution 140 (Rev. Guadalajara, 2010): *“ITU’s role in implementing the outcomes of the World Summit on the Information Society”* [↑](#footnote-ref-1)
2. Resolution 142 (Antalya, 2006): “*Review of terminology used in the ITU Constitution and Convention”* (Suppressed at PP-10) [↑](#footnote-ref-2)
3. Resolution 172 (Guadalajara, 2010): *“Overall review of implementation of the outcomes of the World Summit on the Information Society”* [↑](#footnote-ref-3)
4. Council Resolution 1332: *“ ITU role in the implementation of the WSIS outcomes up to 2015 and future activities beyond WSIS+10”* [↑](#footnote-ref-4)
5. Council Resolution 1334: *“ITU Role in the Overall Review of the Implementation of the Outcomes of the World Summit on the Information Society”* [↑](#footnote-ref-5)
6. CS*1007 Operating Agency: Any individual, company, corporation or governmental agency which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service.* [↑](#footnote-ref-6)
7. CS*1008 Recognized Operating Agency: Any operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 6 of this Constitution are imposed by the Member State in whose territory the head office of the agency is situated, or by the Member State which has authorized this operating agency to establish and operate a telecommunication service on its territory.* [↑](#footnote-ref-7)
8. Resolution 130 (Rev, Guadalajara, 2010): *“Strengthening the role of ITU in building confidence and security in the use of information and communication technologies”* [↑](#footnote-ref-8)
9. Resolution 181 (Guadalajara, 2010): *“Definitions and terminology relating to building confidence and security in the use of information and communication technologies”* [↑](#footnote-ref-9)
10. Resolution 177 (Guadalajara, 2010): *“Conformance and Interoperability”* [↑](#footnote-ref-10)