

**AUTHORITY OF THE PLENIPOTENTIARY CONFERENCE REGARDING THE  
INTERNATIONAL TELECOMMUNICATION REGULATIONS**

The VIII Meeting of Permanent Consultative Committee I: Telecommunications,

**RECOGNIZING:**

- a) That Resolution 121 of the ITU Plenipotentiary Conference of 2002 establishes that “the ITU should continue a process of reviewing the ITRs and that a world conference on international telecommunications be convened at the seat of the Union in 2007 or 2008, on the basis of the recommendations arising from this process of review”;
- b) The outcome obtained in the Working Group of the Council, created under the above-mentioned Resolution 121, and
- c) That due to the lack of consensus in the Working Group of the Council, the Member States of ITU and regional organizations will present their own proposals to the Plenipotentiary Conference of 2006 with regards to the revision of the ITRs,

**TAKING INTO ACCOUNT:**

That, a contribution was presented for consideration at the next 2006 ITU Plenipotentiary Conference, which contains the Common European Proposals (Document 12), including a specific proposal suggesting to give the Plenipotentiary Conference express authority to revise and partially or totally abrogate the ITRs,

**CONSIDERING:**

- a) That the International Telecommunication Regulations is a binding instrument which establishes the general principles applicable to the provision and operation of international telecommunications services, and that it is deemed in article 4 of the ITU Constitution as one of the Administrative Regulations of the Union;
- b) That article 4 of the Constitution of the ITU establishes that the International Telecommunication Regulations, together with the Radio Regulations, constitute the Administrative Regulations of the Union;
- c) That the Constitution of ITU itself, in article 25 considers World Conferences on International Telecommunications as the sole forum for the revision of the International Telecommunication Regulations;
- d) That the proposal to give authority to the Plenipotentiary Conference to revise or abrogate the ITR could bring several negative implications, such as setting a precedent to have any other administrative regulation of the Union revised or abrogated by a non-authorized entity, different from the ones established in the Constitution of the ITU,

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<sup>1</sup> Document CCP.I-TEL/doc.847/06

## **CONSIDERING FURTHER:**

That the Conference Preparatory Working Group of CITEI has among others, the authority to coordinate the preparation and presentation of Inter-American Proposals to the Plenipotentiary Conference of the ITU,

## **RESOLVES:**

1. To send, to the Conference Preparatory Working Group of CITEI for its consideration, the proposals included in the Annex to this Resolution.
2. To request the Chair of the Permanent Consultative Committee I to inform the Chair of the Conference Preparatory Working Group of CITEI of the content of this Resolution and its Annex, requesting to study the feasibility to prepare an Inter-American Proposal in this sense.

### **ANNEX TO RESOLUTION PCC.I/RES. 95 (VIII-06)**

#### **Proposals:**

#### **ARTICLE 8 (Constitution)**

##### **Plenipotentiary Conference**

<b>NOC</b>	... k)	deal with such other telecommunication questions as may be necessary.
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#### **ARTICLE 25 (Constitution)**

##### **World Conferences on International Telecommunications**

<b>NOC</b>	1	A world conference on international telecommunications may partially, or in exceptional cases, completely revise the International Telecommunication Regulations and may deal with any question of a worldwide character within its competence and related to its agenda.
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