

## About the International Telecommunication Union (ITU)

→ United Nations specialized agency.

- coordinate telecommunication operations and services throughout the world.
- information and communication technologies – ICTs.
- Beyond its first area of expertise (the telegraph), ITU activities and work now cover the whole ICT sector, from digital broadcasting to the Internet, and from mobile technologies to 3D TV.

### ICTs:

Global radio spectrum allocation

Satellite orbits allocation

ICT support → emergency services, water supplies, power networks, food distribution chains, health care, education, government services, financial markets, transportation systems, e-commerce platforms, environmental management.

→ Originally founded in 1865 (Paris, 20 States), as the International Telegraph Union. The oldest existing international organization. It took its present name in 1932. 1947 → specialized agency of the United Nations.

→ Headquarters: Geneva, Switzerland.

→ currently has 193 Member States and almost 900 private-sector entities (companies, universities, and international and regional organizations).

→ The ITU consists of three sectors:

**Radiocommunication (ITU-R):** ensures optimal, fair and rational use of the radio frequency (RF) spectrum;

**Telecommunication Standardization (ITU-T):** formulates recommendations for standardizing telecommunication operations worldwide;

**Telecommunication Development (ITU-D):** assists countries in developing and maintaining internal communication operations.

→ Main documents: **Constitution, Convention, Radio Regulations.**

« *The International Telegraph (later Telecommunication) Convention, today the Constitution and Convention of ITU, is the basic treaty that establishes the legal basis for the Union and defines its purpose and structure.*

*The first International Telegraph Convention signed in 1865 established the basic principles for international telegraphy. In order to keep up with advances in telegraphy, the Member States met regularly to revise the Convention and the annexed International Service Regulations (also known as the Telegraph Regulations).*

*For a brief period from 1906 to 1932, the regulation of radiotelegraph (“wireless”) communications was managed by a separate, but related, treaty – the International Radiotelegraph Convention.*

*In 1932, the International Telegraph Convention and the International Radiotelegraph Convention were merged into a single new convention, **the International Telecommunication Convention**. This new Convention covered the three fields of telegraphy, telephony and radio.*

*The International Telecommunication Convention was revised regularly until 1989, when the Plenipotentiary Conference in Nice agreed to establish a stable Constitution and Convention. The 1989 Constitution and Convention of the International Telecommunication Union never received the required number of ratifications, however,*

*and so it never came into effect. It is not included in the list below for this reason.*

*A thoroughly revised Constitution and Convention of the International Telecommunication Union was adopted at the 1992 Additional Plenipotentiary Conference held in Geneva. Subsequent plenipotentiary conferences have adopted only amending instruments to the 1992 documents. The Constitution and Convention currently in force are the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as amended by subsequent plenipotentiary conferences » ([see https://www.itu.int/en/history/Pages/ConstitutionAndConvention.aspx](https://www.itu.int/en/history/Pages/ConstitutionAndConvention.aspx))*

**\*\*\* Last amendment: adopted by the 2010 Plenipotentiary Conference.**

**[History of amendments:** The Constitution (CS) and Convention (CV) and their respective Annexes are those adopted by the Additional Plenipotentiary Conference (Geneva, 1992), incorporating the amendments adopted by the Plenipotentiary Conference (Kyoto, 1994), the Plenipotentiary Conference (Minneapolis, 1998), the Plenipotentiary Conference (Marrakesh, 2002), the Plenipotentiary Conference (Antalya, 2006) and the Plenipotentiary Conference (Guadalajara, 2010). The CS and CV have not been amended either by the Plenipotentiary Conference (Busan, 2014) or by the Plenipotentiary Conference (Dubai, 2018)].

## ITU Constitution

### Preamble

**While fully recognizing the sovereign right of each State to regulate its telecommunication** and **having regard to the growing importance of telecommunication for the preservation of peace and the economic and social development of all States**, the States Parties to this Constitution, as the basic

instrument of the International Telecommunication Union, and to the Convention of the International Telecommunication Union (hereinafter referred to as “the Convention”) which complements it, **with the object of facilitating peaceful relations, international cooperation among peoples and economic and social development by means of efficient telecommunication services**, have agreed as follows:

## Purposes

### Article 1 para. 1 CONST

The purposes of the Union are:

a) to maintain and extend international cooperation among all its Member States for the improvement and rational use of telecommunications of all kinds;

...

c) to promote the **development** of **technical** facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, **generally available to the public**;

d) to promote the extension of the benefits of the new telecommunication technologies to all the world’s inhabitants;

e) to promote the use of telecommunication services with the objective of **facilitating peaceful relations; ...**

### Art. 1 para. 2 CONST

To this end, the Union shall in particular:

a) effect **allocation** of bands of the radio-frequency spectrum, the **allotment** of radio frequencies and the registration of radio-frequency **assignments** and, for **space services**, of **any associated orbital position in the geostationary-**

satellite orbit or of any associated characteristics of satellites in other orbits, in order to avoid harmful interference between radio stations of different countries;

b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio-frequency spectrum for radiocommunication services and of the geostationary-satellite and other satellite orbits;

c) facilitate the worldwide standardization of telecommunications, with a satisfactory quality of service; ...

## ARTICLE 2

### Composition of the Union

The International Telecommunication Union is an intergovernmental organization in which **Member States** and **Sector Members**, having well-defined rights and obligations, cooperate for the fulfilment of the purposes of the Union...

## ARTICLE 3

### Rights and Obligations of Member States and Sector Members

1 Member States and Sector Members shall have the rights and shall be subject to the obligations provided for in this Constitution and the Convention.

2 Rights of **Member States** in respect of their participation in the conferences, meetings and consultations of the Union are:

a) all Member States shall be entitled to participate in conferences, shall be eligible for election to the Council and shall have the right to nominate candidates for election as officials of the Union or as members of the Radio Regulations Board;

b) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall have one vote at all plenipotentiary conferences, all world conferences and all Sector assemblies and

study group meetings and, if it is a Member State of the Council, all sessions of that Council...

4 In respect of their participation in activities of the Union, **Sector Members** shall be entitled to participate fully in the activities of the Sector of which they are members, subject to relevant provisions of this Constitution and the Convention:

a) they may provide chairmen and vice-chairmen of Sector assemblies and meetings and world telecommunication development conferences;

b) they shall be entitled, subject to the relevant provisions of the Convention and relevant decisions adopted in this regard by the Plenipotentiary Conference, to take part in the adoption of Questions and Recommendations and in decisions relating to the working methods and procedures of the Sector concerned.

## **ARTICLE 7**

### **Structure of the Union**

The Union shall comprise:

a) the **Plenipotentiary Conference**, which is the supreme organ of the Union;

b) the **Council**, which acts on behalf of the Plenipotentiary Conference;

c) World conferences on international telecommunications;

d) the Radiocommunication Sector, including world and regional radiocommunication conferences, radiocommunication assemblies and the Radio Regulations Board;

e) the Telecommunication Standardization Sector, including world telecommunication standardization assemblies;

f) the Telecommunication Development Sector, including world and regional telecommunication development conferences;

g) the General Secretariat.

- **Plenipotentiary Conference:** shall be composed of delegations representing Member States. It shall be convened every four years (Art. 8 para.1).
- Determines general policies;
- Considers Council reports on activity since the previous PC;
- Establishes strategic plan and the basis for the budget;
- Provides general directives as regards ITU staff;
- Examines and approves ITU accounts;
- Elects members of the Council;
- Elects Secretary General, Deputy SG, Directors of the Bureaux of the Sectors.
- **The Council:** shall be composed of Member States elected by the Plenipotentiary Conference in accordance with the provisions of No. 61 of this Constitution (Art. 10 para. 1).
- In the interval between Plenipotentiary Conferences, the Council shall act, as governing body of the Union, on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter (Art. 10 para. 3).
- 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 (Art. 9 para. 1 (a) – No 61).
- **The General Secretariat:** directed by a Secretary-General, assisted by one Deputy Secretary-General. SG → shall act as the legal representative of the Union (Art. 11).
- **Duties (inter alia) (Art. 11 para. 2):**
  - a) coordinate the Union's activities, with the assistance of the Coordination Committee;
  - b) prepare, with the assistance of the Coordination 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;
- c) take all the actions required to ensure economic use of the Union's resources and be responsible to the Council for all the administrative and financial aspects of the Union's activities;
  - **Radiocommunication Conferences and Radiocommunication Assemblies (Art. 13):** A world radiocommunication conference (WRC) may partially or, in exceptional cases, completely, revise the Radio Regulations and may deal with any question of a worldwide character within its competence and related to its agenda;
    - WRCs → normally be convened every three to four years; however, following the application of the relevant provisions of the Convention,
    - such a conference need not be convened or an additional one may be convened.
    - **Radiocommunication assemblies** shall also normally be convened every three to four years, and may be associated in place and time with world radiocommunication conferences so as to improve the efficiency and effectiveness of the Radiocommunication Sector. Provide the necessary technical bases for the work of the WRCs
    - and respond to all requests from world radiocommunication conferences. Duties specified in the Convention.
  - **(Para. 4:)** *The decisions of a world radiocommunication conference, of a radiocommunication assembly and of a regional radiocommunication conference shall in all circumstances be in conformity with this Constitution and the Convention. The decisions of a radiocommunication assembly or of a regional radiocommunication conference shall also in all circumstances be in conformity with the Radio Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.*
  - **The Radio Regulations Board (Art.14):** The RRB consists of elected members “thoroughly qualified in the field of radiocommunications and possessing practical experience in the

assignment and utilization of frequencies”. “They shall perform their duties for the Union independently and on a part-time basis”.

- Composition: not more than either 12 members, or of a number corresponding to 6% of the total number of Member States, whichever is the greater.
- **Duties:** a) approval of Rules of Procedure, which include technical criteria, in accordance with the Radio Regulations. 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; b) the consideration of any other matter that cannot be resolved through the application of the above Rules of Procedure;