

INSTRUMENT AMENDING THE CONSTITUTION
OF THE INTERNATIONAL
TELECOMMUNICATION UNION
(GENEVA, 1992)

as amended by the
Plenipotentiary Conference (Kyoto, 1994),
by the
Plenipotentiary Conference (Minneapolis, 1998)
and by the
Plenipotentiary Conference (Marrakesh, 2002)

(Amendments adopted by the
Plenipotentiary Conference (Antalya, 2006))

CONSTITUTION OF THE
INTERNATIONAL TELECOMMUNICATION UNION*
(GENEVA, 1992)

PART I – Foreword

By virtue of and in implementation of the relevant provisions of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), by the Plenipotentiary Conference (Minneapolis, 1998) and by the Plenipotentiary Conference (Marrakesh, 2002), in particular those in Article 55 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Antalya, 2006) has adopted the following amendments to the said Constitution:

* The language used in the basic instruments of the Union (Constitution and Convention) is to be considered as gender neutral.

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CS/Art. 11

CHAPTER I

Basic Provisions

ARTICLE 11

General Secretariat

ADD* 73bis The Secretary-General shall act as the legal representative of the Union.

SUP* 76

CS/Art. 13

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CHAPTER II

Radiocommunication Sector

ARTICLE 13

**Radiocommunication Conferences
and Radiocommunication Assemblies**

- MOD 90** 2 World radiocommunication conferences shall 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.
PP-98
- MOD 91** 3 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. Radiocommunication assemblies shall provide the necessary technical bases for the work of the world radiocommunication conferences and respond to all requests from world radiocommunication conferences. The duties of the radiocommunication assemblies are specified in the Convention.
PP-98

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CS/Art. 28

CHAPTER V

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

ARTICLE 28

Finances of the Union

MOD 161C 2) The Secretary-General shall inform the Member States
PP-98 and Sector Members of the provisional amount of the contributory unit as determined under No. 161B above and invite the Member States to notify, no later than four weeks prior to the date set for the opening of the plenipotentiary conference, the class of contribution they have provisionally chosen.

MOD 161E 4) Bearing in mind the draft financial plan as revised, the
PP-98 plenipotentiary conference shall, as soon as possible, determine the
PP-02 definitive upper limit of the amount of the contributory unit and set the date, which shall be at the latest on Monday of the final 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 29

Languages

MOD 171 1) The official languages of the Union shall be Arabic,
Chinese, English, French, Russian and Spanish.

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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 2008 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), by the Plenipotentiary Conference (Minneapolis, 1998) and by the Plenipotentiary Conference (Marrakesh, 2002).

Done at Antalya, 24 November 2006

INSTRUMENT AMENDING THE CONVENTION
OF THE INTERNATIONAL
TELECOMMUNICATION UNION
(GENEVA, 1992)

**as amended by the
Plenipotentiary Conference (Kyoto, 1994),
by the
Plenipotentiary Conference (Minneapolis, 1998)
and by the
Plenipotentiary Conference (Marrakesh, 2002)**

**(Amendments adopted by the
Plenipotentiary Conference (Antalya, 2006))**

CONVENTION OF THE
INTERNATIONAL TELECOMMUNICATION UNION*
(GENEVA, 1992)

PART I – Foreword

By virtue of and in implementation of the relevant provisions of the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), by the Plenipotentiary Conference (Minneapolis, 1998) and by the Plenipotentiary Conference (Marrakesh, 2002), in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Antalya, 2006) has adopted the following amendments to the said Convention:

* The language used in the basic instruments of the Union (Constitution and Convention) is to be considered as gender neutral.

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CV/Art. 2

CHAPTER I

Functioning of the Union

SECTION 1

ARTICLE 2

Elections and Related Matters**Elected officials**

- MOD 13** 1 The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux shall take up their duties on the dates determined by the Plenipotentiary Conference at the time of their election. They shall normally remain in office until dates determined by the following plenipotentiary conference, and they shall be eligible for re-election once only for the same post. Re-election shall mean that it is possible for only a second term, regardless of whether it is consecutive or not.

Members of the Radio Regulations Board

- MOD 20** 1 The members of the Radio Regulations Board shall take up their duties on the dates determined by the Plenipotentiary Conference at the time of their election. They shall remain in office until dates determined by the following plenipotentiary conference, and shall be eligible for re-election once only. Re-election shall mean that it is possible for only a second term, regardless of whether it is consecutive or not.

CV/Art. 4

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SECTION 2

ARTICLE 4

The Council

SUP 58

MOD 60B
PP-02

9 *ter*) Sector Members may attend, as observers, 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.

MOD 73
PP-98
PP-02

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. The Council shall carry out an annual review of income and expenditure with a view to effecting adjustments, where appropriate, in accordance with resolutions and decisions of the Plenipotentiary Conference;

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CV/Art. 5**MOD 80**
PP-94

14) be responsible for effecting the coordination with all international organizations referred to in Articles 49 and 50 of the Constitution and, to this end, conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 50 of the Constitution and in Nos. 269B and 269C of this Convention, and with the United Nations in application of the Agreement between the United Nations and the International Telecommunication Union; these provisional agreements shall be submitted to the Plenipotentiary Conference in accordance with the relevant provision of Article 8 of the Constitution;

SECTION 3**ARTICLE 5****General Secretariat**

MOD 96 *m)* prepare recommendations for the first meeting of the heads of delegation referred to in No. 49 of the General Rules of conferences, assemblies and meetings of the Union, taking into account the results of any regional consultation;

MOD 100 *q)* after consultation with the Coordination Committee and making all possible economies, prepare and submit to the Council a biennial draft budget covering the expenditures of the Union, taking account of the financial limits laid down by the Plenipotentiary Conference. This draft shall consist of a consolidated budget, including cost-based and results-based budget information for the Union, prepared in accordance with the budget guidelines issued by the Secretary-General, and comprising two versions. One version shall be for zero growth of the contributory unit, the other for a growth less than or equal to any limit fixed by the Plenipotentiary Conference, after any drawing on the Reserve Account. The budget resolution, after approval by the Council, shall be sent for information to all Member States;

CV/Art. 6**21**

- MOD 105** 2 The Secretary-General or the Deputy Secretary-General may participate, in an advisory capacity, in conferences of the Union; the Secretary-General or his representative may participate in an advisory capacity in all other meetings of the Union.

SECTION 4**ARTICLE 6****Coordination Committee**

- MOD 111** 4 A report shall be made of the proceedings of the Coordination
PP-02 Committee and shall be made available to the Member States.

SECTION 5**Radiocommunication Sector****ARTICLE 12****Radiocommunication Bureau**

- MOD 178** b) exchange with Member States and Sector Members data in
PP-98 machine-readable and other forms, prepare and keep up to date any documents and databases of the Radiocommunication Sector, and arrange with the Secretary-General, as appropriate, for their publication in the languages of the Union in accordance with No. 172 of the Constitution;

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CV/Art. 15

SECTION 6

Telecommunication Standardization Sector

ARTICLE 15

Telecommunication Standardization Bureau

- MOD 203 d) exchange with Member States and Sector Members data in
PP-98 machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Standardization Sector, and arrange with the Secretary-General, as appropriate, for their publication in the languages of the Union in accordance with No. 172 of the Constitution;

SECTION 7

Telecommunication Development Sector

ARTICLE 16

Telecommunication Development Conferences

- MOD 209 a) world telecommunication development conferences shall establish work programmes and guidelines for defining telecommunication development questions and priorities and shall provide direction and guidance for the work programme of the Telecommunication Development Sector. They shall decide, in the light of the above-mentioned programmes of work, on the need to maintain, terminate or establish study groups and allocate to each of them the questions to be studied;

CV/Art. 17A

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ARTICLE 17A

Telecommunication Development Advisory Group

MOD 215C1 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, and will act through the Director.

ARTICLE 18

Telecommunication Development Bureau

MOD 220 c) exchange with members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Development Sector, and arrange with the Secretary-General, as appropriate, for their publication in the languages of the Union in accordance with No. 172 of the Constitution;

SECTION 8

Provisions Common to the Three Sectors

ARTICLE 19

Participation of Entities and Organizations Other than Administrations in the Union's Activities

(MOD) 235 5 Any request from any entity or organization listed in No. 231 above (other than those referred to in Nos. 269B and 269C of this Convention) to participate in the work of a Sector shall be sent to the Secretary-General and acted upon in accordance with procedures established by the Council.

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CV/Art. 21

(MOD) 236 6 Any request from an organization referred to in Nos. 269B to 269D of this Convention to participate in the work of a Sector shall be sent to the Secretary-General, and the organization concerned shall be included in the lists referred to in No. 237 below.

(MOD) 237 7 The Secretary-General shall compile and maintain lists of all entities and organizations referred to in Nos. 229 to 231 and Nos. 269B to 269D of this Convention that are authorized to participate in the work of each Sector and shall, at appropriate intervals, publish and distribute these lists to all Member States and Sector Members concerned and to the Director of the Bureau concerned. That Director shall advise such entities and organizations of the action taken on their requests, and shall inform the relevant Member States.

MOD 240 10 Any Sector Member has the right to denounce such participation by notifying the Secretary-General. Such participation may also be denounced, where appropriate, by the Member State concerned or, in case of the Sector Member approved pursuant to No. 234C above, in accordance with criteria and procedures determined by the Council. Such denunciation shall take effect at the end of six months from the date when notification is received by the Secretary-General.

ARTICLE 21

**Recommendations from One
Conference to Another**

(MOD) 251 2 Such recommendations shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in No. 44 of the General Rules of conferences, assemblies and meetings of the Union.

CV/Art. 23

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CHAPTER II

**Specific Provisions Regarding
Conferences and Assemblies**

ARTICLE 23

PP-02 Admission to Plenipotentiary Conferences

MOD 269 *d)* observers of the following organizations, agencies and entities, to
PP-94 participate in an advisory capacity:
PP-02

MOD 269E *e)* observers from the Sector Members referred to in Nos. 229 and
PP-02 231 of this Convention.

ARTICLE 24

PP-02 Admission to Radiocommunication Conferences

MOD 278 *b)* observers of organizations and agencies referred to in Nos. 269A
PP-02 to 269D of this Convention, to participate in an advisory capacity;

MOD 279 *c)* observers of other international organizations invited in
PP-02 accordance with the relevant provisions of Chapter I of the
General Rules of conferences, assemblies and meetings of the
Union, to participate in an advisory capacity;

MOD 280 *d)* observers from Sector Members of the Radiocommunication
PP-98 Sector;

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CV/Art. 25

ARTICLE 25

PP-98 **Admission to Radiocommunication Assemblies,**
PP-02 **World Telecommunication Standardization**
 Assemblies and Telecommunication
 Development Conferences

ADD 296*bis b)* representatives of Sector Members concerned;

MOD 297 *c)* observers, to participate in an advisory capacity, from:
PP-02

ADD 297*bis* *i)* the organizations and agencies referred to in Nos. 269A to
 269D of this Convention;

SUP 298A

SUP 298B

(MOD) *ii)* any other regional organization or other international
298C organization dealing with matters of interest to the assembly
PP-02 or conference.

SUP 298D

SUP 298E

SUP* 298F

CV/Art. 33

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CHAPTER IV

Other Provisions

ARTICLE 33

Finances

MOD 468 1 1) The scale from which each Member State, subject to the
PP-98 provisions of No. 468A below, and Sector Member, subject to the provisions of No. 468B below, shall choose its class of contribution, in conformity with the relevant provisions of Article 28 of the Constitution, shall be as follows:

40 unit class 8 unit class
 35 unit class 6 unit class
 30 unit class 5 unit class
 28 unit class 4 unit class
 25 unit class 3 unit class
 23 unit class 2 unit class
 20 unit class 1 1/2 unit class
 18 unit class 1 unit class
 15 unit class 1/2 unit class
 13 unit class 1/4 unit class
 11 unit class 1/8 unit class
 10 unit class 1/16 unit class

MOD 476 4 1) The organizations referred to in Nos. 269A to 269E of this
PP-94 Convention and other organizations also specified in Chapter II thereof
PP-98 (unless they have been exempted by the Council, subject to reciprocity)
PP-02 and Sector Members referred to in No. 230 of this Convention 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.

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CV/Art. 33

(MOD)
480A
PP-98

5 bis) When a Sector Member contributes to defraying the expenses of the Union under No. 159A of the Constitution, the Sector for which the contribution is made should be identified.

ADD 480B

5ter) Under exceptional circumstances, the Council may authorize a reduction in the number of contributory units when so requested by a Sector Member which has established that it can no longer maintain its contribution at the class originally chosen.

ANNEX

Definition of Certain Terms Used in this Convention and the Administrative Regulations of the International Telecommunication Union

MOD 1002
PP-94
PP-98

Observer: A person sent by a Member State, organization, agency or entity to attend a conference, assembly or meeting of the Union or the Council, without the right to vote and in accordance with the relevant provisions of the basic texts of the Union.

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 2008 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), by the Plenipotentiary Conference (Minneapolis, 1998) and by the Plenipotentiary Conference (Marrakesh, 2002).

Done at Antalya, 24 November 2006

* *Note by the General Secretariat:* The signatures following the instrument amending the Convention (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994), by the Plenipotentiary Conference (Minneapolis, 1998) and by the Plenipotentiary Conference (Marrakesh, 2002) are the same as those shown on pages 8 to 16.