UN FREEDOM OF INFORMATION POLICIES

INTERNATIONAL TELECOMMUNICATION UNION (ITU)

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1. **Does your organization have an access to information policy? If so, please provide a link or copy of it. Please also respond to the following questions, as appropriate:**

At its 2016 session, ITU Council adopted the ITU information/document access policy which will enter into force on 1st January 2017 for interim implementation, pending final approval by the next ITU Plenipotentiary Conference in 2018. The policy can be found in annex 1.

2. **What are or were the key considerations supporting your organization's decision to develop an access to information policy?**

The Organization believes that public access to information/documents contributes to a better awareness and understanding of its unique mission. Better public access to information held, managed or generated by the organization facilitates transparency and accountability of the organization's activities.

3. **Please describe the process that led to the adoption of the policy, including any internal processes and external consultations. To what extent have your organization's Member States and Observers, and the general public, been involved in its development? Did your organization face any constraints or challenges in creating the policy?**

3.1 The ITU general conference, the ITU Plenipotentiary Conference in October 2014 decided:

- To provide public access to all input and output documents of all conferences and assemblies of the Union starting from the beginning of year 2015 unless where disclosure would cause potential harm to a legitimate private or public interest that outweighs the benefits of accessibility.
- To instruct the Council Working Group on Financial and Human resources, through the Council to:
  - o   i) continue to review document access policy in ITU to determine the extent to which documentation should be made publicly accessible and to prepare a draft document access policy for submission to Council;
  - o   ii) consider the necessity to establish a dedicated group for that purpose.
- To instruct the Council Working Group on Financial and Human Resources, through the Council to transmit the proposed access policy to Council for its consideration and provisional approval and its implementation, as appropriate.
- To instruct and authorize Council to consider the report of the Council Working Group and as appropriate approve and implement the policy on an interim basis.

- To instruct the Council to submit the policy to 2018 Plenipotentiary Conference for final decision.

3.2 At its meeting on 5 February 2015, the Council Working Group on Financial and Human Resources resolved to create a dedicated group to review the document access policy. The dedicated group has the following Terms of Reference:

a)   Agree on the elements for an ITU information/document access policy, based on the principle of public access, in light of a review of policies and practices in the UN, in other U.N. Specialized Agencies and other intergovernmental organizations as well as other entities such as standards development-related organizations, as appropriate, while taking into account ITU specificities.

b)   Prepare a draft information/document access policy for submission to the 2016 meeting of the Council Working Group on Financial and Human Resources.

Participation: The dedicated group was open to all Member States and Sector Members.

The public was not involved in its development

Methods of work:

To facilitate the discussion, and agree on the elements for an ITU information/document access policy, the chairman of the dedicated group together with the secretariat prepared a food for thought document structured around three groups of information/documents:

Group 1: information/documents related to the governance and management of the Union.

Group 2: information/documents related to the internal management of the Union; and

Group 3: information/documents related to the business of the Union.

Challenges:

- Respect ITU's specificities and the benefits of ITU's membership;
- Provide a positive list of the types of information for which there is agreement n pubic access;
- Provide a list of exception to access precise and easy to apply
- Role of the originator/author of the information

Web site of the group: http://www.itu.int/en/council/cwg-fhr/Pages/access-policy.aspx

3.3 The dedicated group met twice in 2015 and presented to the Council Working Group on Financial and Human Resources in February 2016 a draft ITU information/document access policy.

3.4 The Council Working Group on Financial and Human Resources agreed to recommend the draft ITU information/document access policy to the Council session in May 2016 for its endorsement for interim implementation pending final approval by ITU Plenipotentiary Conference 2018.

4.   If your policy does not provide such information, please indicate the practical arrangements made by your organization to ensure that the right of access to information can be effectively exercised. For instance, who or what office in your organisation has the responsibility to respond to the requests made by the public?

Council 2016 endorsed the draft policy for interim implementation pending final approval by the Plenipotentiary Conference 2018. Council 2016 also instructed the ITU Secretary-General to develop the necessary procedures and processes and begin implementing the policy by 1 January 2017 and further instruct the Secretary-General to report to Council 2017 and 2018 on the implementation of the policy, including any suggestions for ways the policy could be improved.

The procedures for implementation will detail for instance who or what office has the responsibility to respond to the requests made by the public

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5. Please provide any data related to the implementation of the policy, including information on (i) the number of requests your organisation has received under the policy; (ii) the type of applicants seeking information (e.g. individuals, organizations, private sector, etc…); (iii) the type of information requested; and (iv) the percentage of requests that are denied.

Data are not available yet. A first report on the implementation will be made available for Council 2017.

ANNEX 1

ITU INFORMATION/DOCUMENT ACCESS POLICY

AS AGREED DURING THE CWG-FHR MEETING AND APPROVED BY COUNCIL 2016

I.   INTRODUCTION

1.1   The International Telecommunication Union ("ITU") believes that public access to information/documents (hereinafter called "information") contributes to a better awareness and understanding of ITU's unique mission. Better public access to information held, managed or generated by ITU facilitates transparency and accountability of ITU's activities.

1.2   Compliance with this policy is the responsibility of the ITU Secretary-General.

II.   PUBLIC ACCESS

2.1   ITU's information/document access policy determines the extent to which documentation should be made publicly accessible and ensures access by the public to information held, managed or generated by ITU. The following general categories of information are covered by this policy:

- General information about the mandate, activities and history of ITU
- Information of ITU treaty-making conferences
- Information related to the governance and management of ITU
- Information on ITU's operational activities

2.2   Subject to Section III below, the types of information made available to the public are enumerated in Annex 1.

III.   NON-DISCLOSURE

3.1   While ITU is committed to improve public access to information, there are compelling reasons to protect certain types of information. ITU does not provide public access to information where disclosure might cause potential harm to a legitimate private or public interest. For instance, ITU does not provide public access to the information listed below.

3.1.1 Personal information such as:

   a) Information whose disclosure is likely to endanger the safety or security of any individual, violate his or her rights, or invade his or her privacy

   b) Personal, medical, safety, security or employment-related information concerning staff. This includes, among others, performance evaluations, personal medical information, information relating to staff appointment and selection processes, and personal communications

3.1.2 Information related to legal, disciplinary or investigative matters such as:

a)   Information related to investigation reports or to disciplinary proceedings

b)   Information covered by legal privilege including, among other things, communications provided and/or received by ITU's Legal Affairs Unit

3.1.3 Information that would compromise safety and security such as:

a)   Information whose disclosure is likely to endanger the security of members of ITU or prejudice the security or proper conduct of any operation or activity of ITU

3.1.4 Commercial and financial information such as:

a)   Commercial, financial, scientific or technical information where disclosure would harm either the financial interests of ITU or members of ITU

3.2   Submitters of information to ITU conferences, assemblies and meetings are solely responsible for identifying if the information, or portion thereof, contains information falling into any of the categories listed above or is otherwise sensitive and therefore marking the document for restricted access. In those cases, submitters are encouraged to provide a redacted version for public access whenever possible.

3.3   Restricted information shall remain restricted until it no longer meets the criteria listed in one of the exceptions outlined above or until the submitter notifies the ITU that it may be made publicly available.

IV.   IMPLEMENTATION

4.1   ITU disseminates information to the public through various means, including the ITU public-access website (www.itu.int), the ITU Publications Sales Service, United Nations Global Market Place (www.ungm.org), news releases and spokespersons.

4.2   Any person or organization may request information mentioned in Annex 1 that is not already available through ITU's public-access website, the ITU Publications Sales Service or other means. Such requests should be submitted in writing to [contact point] and must include the requester's full name and address. ITU may charge a fee for material and labour costs.

4.3   ITU reserves the right to refuse any request that would require ITU to create, develop, or collate information or data that does not already exist or is not available in ITU's information systems.

4.4   ITU will post the information/document access policy on its website

Entry into force

This Policy shall enter into force on a provisional basis on 1st January 2017.

Version: 25 February 2016

ANNEX 1 TO THE POLICY

Information subject to public access

Subject to Section III of the Information/document access policy, the following types of information are made available to the public.

A. *General information about the mandate, activities and history of ITU disseminated through a variety of media*

B. *Information of treaty-making conferences*

- Plenipotentiary Conferences (PP)

    o Basic Texts including the Constitution and Convention of ITU, the General Rules of conferences, assemblies and meetings, the Optional Protocol, decisions, resolutions and recommendations in force
    o Final acts
    o Output documents

    o Input documents subject to the decision of the submitter as per Article 3.2 of the policy

- World and Regional Radiocommunication Conferences (WRC and RRC)

    o Editions of the Radio Regulations and of regional Agreements
    o Final acts
    o Output documents

    o Input documents subject to the decision of the submitter as per Article 3.2 of the policy

- World Conference on International Telecommunications (WCIT)

    o Editions of the International Telecommunication Regulations
    o Final acts
    o Output documents

    o Input documents subject to the decision of the submitter as per Article 3.2 of the policy

C. *Information related to the governance and management of ITU*

- Official communication with membership

    o Circular letters
    o Administrative circulars

- Council sessions

  - Rules of Procedures of the Council

  - Resolutions and Decisions of the Council

  - Output documents

  - Input documents subject to the decision of the submitter as per Article 3.2 of the policy

- Council Working Group meetings

  - Output documents

  - Input documents subject to the decision of the submitter as per Article 3.2 of the policy

- Radiocommunication Assemblies (RA), World Telecommunication Standardization Assemblies (WTSA), World Telecommunication Development Conferences (WTDC)

  - WTSA Proceedings; Book of ITU-R Resolutions; Final Report of WTDC
  - Output documents
  - Input documents subject to the decision of the submitter as per Article 3.2 of the policy

  - Output documents of regional preparatory meetings for WTDC

  - Input documents of regional preparatory meetings for WTDC subject to the decision of the submitter as per Article 3.2 of the policy

- Sector Advisory Groups' meetings

  - Output documents

  - Input documents subject to the decision of the submitter as per Article 3.2 of the policy
- Strategy and planning

  - Strategic plans
  - Operational plans

- Financial and human resources management

  - Financial Regulations and Financial Rules
  - Staff Regulations and Staff Rules
  - Organizational chart
  - Financial plans

- o Approved budgets
- o Financial operating reports
- o Vacancy notices

- Oversight

  - o Reports of the Independent Management Advisory Committee (IMAC)
  - o Reports of the External Auditor
  - o Annual reports of the Internal Auditor

- Procurement

  - o Public tenders as well as contract awards for any purchase with estimated expenses above CHF 20 000

D. Information on ITU's operational activities

- Developing standards, manuals and guidelines

  - o Procedures and working methods of study groups
  - o Documents of ITU-T focus groups
  - o Recommendations, Reports, Questions, Opinions, and handbooks

- Managing allocation and use of the radio frequency spectrum and satellite orbits

  - o Service publications and information related to frequency assignments, notifications and coordination requests for space/terrestrial systems/stations, (BR IFIC, MARS, GLAD, SNS, SNL)
  - o Outputs of the Radio Regulations Board (RRB) (summary of decisions, approved minutes and Rules of Procedures)

- Providing registrar functions

  - o Lists of numbering resources
  - o Operational Bulletin
  - o List of Recognized Operating Agencies (ROAs)

- Coordinating and implementing telecommunication development activities and projects

  - o List of assistance projects
  - o Toolkits, guidelines, handbooks, case studies and strategy reports

- Organizing forums, symposia, workshops and exhibitions

  - o World Telecommunication Policy Forum (WTPF) documents
  - o World Summit on the Information Society (WSIS) Forum documents

- o TELECOM highlights and outcome reports
- o Other ITU forums, symposia and workshops: documents as prepared by the event
- Monitoring and analysing the telecommunication/ICT markets and trends

    - o Statistics and indicators
    - o Surveys
    - o Reports on ICT trends

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