|  |  |
| --- | --- |
| **Expert Group on the International Telecommunication Regulations (EG-ITRs)** |  |
| **First meeting – Geneva, 9-10 February 2017** |  |
|  |  |
|  | **Document EG-ITRs 1/9-E** |
| **24 January 2017** |
| **Original: English** |
| **The Czech Republic, Denmark, the Netherlands, Sweden and the United Kingdom** | |
|  | |

**Review of the 2012 International Telecommunication Regulations**

1. The Czech Republic, Denmark, the Netherlands, Sweden and the United Kingdom welcome the opportunity to make a contribution to the first meeting of the Expert Group on the International Telecommunications Regulations (ITRs).
2. We did not sign the 2012 ITRs and we do not intend to do so. Along with many other countries, we continue to abide by the 1988 ITRs. We are not aware of any issues or difficulties that have arisen from differences between the two texts. Operators have not raised any concerns or uncertainties and we are not aware of any concerns about potential issues in the future.

**Progress since 2012**

1. In fact we have observed that since 2012 the development of telecommunications services has continued to advance, particularly in developing countries. Having two sets of ITRs does not appear to have hindered this development. The International Telecommunication Union (ITU) reported in 2016 that 7 billion people (95% of the global population) live in an area covered by a multi-cellular network. The total number of mobile broadband subscriptions continues to grow at double-digit rates in developing countries. By the end of 2015, 83 developing countries had achieved the Broadband Commission’s affordability target.
2. This progress has been made because so many countries have created a stable enabling environment for investment. The outcome document of the review of the World Summit on the Information Society recognised that significant gains in connectivity and sustainable development have been facilitated by approaches such as fostering competition, the creation of transparent, predictable, independent and non-discriminatory regulatory and legal systems, access to finance and multi-stakeholder cooperation.
3. Although progress has been made, developing countries in particular continue to face significant challenges in terms of investment, affordability and capacity-building. We need to continue to make progress in these areas in order to bridge the digital divide.

**The uncertainty that would be caused by another WCIT**

1. We have heard a suggestion that there should be another World Conference on International Telecommunications (WCIT) in order to produce another set of ITRs. We are concerned that such a course of action would cause great uncertainty and that this uncertainty could hinder the investment that is currently taking place. This uncertainty would last for many years because a new WCIT would require a long and detailed preparatory process in which many different issues would be re-opened. It is likely that a new WCIT would create three main areas of uncertainty:

* The scope of the ITRs and whether they should include internet-related matters would be a very difficult issue. We are clear that the ITRs should not include internet-related matters. We know, however, that others do not share this position. During the negotiations many internet-related organisations and businesses that do not currently fall within the scope of the ITRs could find themselves at risk of new international regulation and this could affect planning and investment decisions. There may be pressure to postpone investment and commercial decisions until a new set of ITRs was agreed and the position was clear.
* There would also be uncertainty about content of the new Regulations. All of the existing provisions in the ITRs from 1988 and 2012 would be opened up for re-negotiation and new provisions would be proposed. This means that operators whose activities are currently within the scope of the ITRs will be exposed to uncertainty about the future of the Regulations and they may also decide to delay investment and commercial decisions until any new text was agreed.
* Finally, it is not clear that a third set of ITRs would attract consensus agreement, which could put at risk the ITU’s reputation as an effective international body. Even if a large number of countries signed a new set of ITRs, the ratification and implementation process could take many years and could add to the uncertainty.

The ITU and the international community more broadly face many challenges over the coming years to increase investment in infrastructure and connectivity, to improve affordability, to build capacity and skills and to tackle the digital divide. A new WCIT and another re-negotiation of the ITRs would take away resources and attention from critically important priorities such as realising the 2030 Sustainable Development Goals, delivering the Action Lines of the World Summit on the Information Society and implementing the outcomes of the World Telecommunications Development Conference later this year.

**Conclusion**

1. In summary, we see no difficulties caused by the existence of two sets of ITRs, in fact investment in and access to telecommunications services have continued to develop. Another WCIT would cause significant uncertainty, which might hold back investment and development. Instead, our focus should be on implementing the 2030 Sustainable Development Agenda and fostering new investment and affordable telecommunications, particularly in developing countries.

\_\_\_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**