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| **Expert Group on International Telecommunication Regulations (EG‑ITRs)** |  |
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| Mexico | |
| Position regarding the work OF THE EXPERT GROUP ON THE INTERNATIONAL TELECOMMUNICATION REGULATIONS (EG-ITRs) | |

Introduction

Mexico recognizes that the International Telecommunication Regulations (ITRs) establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services.

At the last meeting of the Expert Group, it was agreed to proceed with a step by step approach, as indicated in the Chairman’s report, and that the next step would be to identify any challenges that may arise from the implementation of the 2012 ITRs, in accordance with the terms of reference of the Group, and Member States and Sector Members were invited to submit contributions to this meeting. Accordingly, the position of the Administration of Mexico regarding the three items identified in § 2 of the terms of reference of the Expert Group are presented herein.

# 1 Applicability of the ITRs

Mexico considers that some items in the ITRs continue to be of current relevance within the international telecommunication sector environment, in so far as they promote regulatory consistency and generate trust in international telecommunications. They include:

• The security and robustness of international telecommunication networks as an individual and collective obligation for Member States, which must pursue the harmonious development of international telecommunication services offered to the public.

Promotion of investment in international telecommunication networks.

The establishment of provisions to ensure international calling line identification.

The appropriate use of numbering resources.

The creation of enabling environments for the implementation of regional telecommunication traffic exchange points.

The Mexican Administration is of the view that these current provisions of the ITRs are complemented by the present environment in which telecommunication markets have transited to scenarios under which authorized operating agencies have bilateral agreements and competition is constantly increasing, generating lower prices and increased access to telecommunication services.

# 2 Legal analysis

Mexico considers that, unlike the existing international legal instruments such as treaties on free trade, which do not always cover current issues and trends in the telecommunication sector, the ITRs have greater scope in that they recognize the importance of international standards for the global compatibility and interoperability of telecommunication networks and services and undertake to promote such standards through the work of competent international organizations including the International Telecommunication Union.

Moreover, unlike other international instruments, the ITRs include provisions on safety-of-life with respect to distress telecommunications, security and robustness of networks, suspension of services, e-waste and accessibility matters.

On the other hand, taking into consideration the WTO Agreement on Technical Barriers to Trade, and in particular Article 2, § 2.2, thereof, it is noted that the ITRs provide necessary regulatory elements and principles that do not affect trade and promote the removal of technical barriers to it.

# 3 Analyses of any potential conflicts between the obligations of signatories to the 2012 ITRs and signatories to the 1988 ITRs with respect to implementation of provisions of both instruments

Mexico considers that ITU has already analysed the conflicts stemming from applying both instruments, noting that, in the event that it is sought to establish a relationship between Member States signatories to the 1988 ITRs and another Member State signatory to the 2012 ITRs, both parties are bound by the 1988 treaty.

Certain provisions of the new treaty, however, would not be applicable between the Parties, for example transparency in mobile roaming prices, accessibility, reduction of e-waste, cooperation in combating unsolicited bulk electronic communications, and so forth.

In view of the foregoing, both the 1988 ITRs and the 2012 ITRs are applicable as explained.

# 4 Position of the Administration de Mexico regarding the holding of a new world conference

Mexico considers that **a new world conference on international telecommunications (WCIT) to revise the 2012 ITRs should not be held** because, as observed by other administrations, **not only would the holding of another WCIT not generate consensus, it would probably generate greater disagreement between participants and produce results that would do little to encourage the signing of the new text.**

In addition, the Administration of Mexico deems a revision to be unnecessary, as various aspects deriving from the evolution of telecommunications are foreseen in the internal work of the three ITU Sectors, are embedded in the bilateral agreements between companies, and are strengthened by current market realities.

# 5 Structure of the Final Report on the study on the 2012 ITRs

Mexico considers that the sections composing the structure of EG-ITRs’ Final Report should be consistent with the Terms of Reference of EG-ITRs as established in Annex 1 to Resolution 1379 of Council-16.

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