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| Note by the Secretary-General | |
| CONTRIBUTION FROM THE UNITED STATES OF AMERICA  United States views on the final report on the review of the internAtional Telcommunication Regulations | |

I have the honour to transmit to the Member States of the Council a contribution submitted by the **United States of America**.

Houlin ZHAO  
 Secretary-General

## CONTRIBUTION FROM THE UNITED STATES OF AMERICA

United States views on the final report on the review of the internAtional TelEcommunication Regulations

**Introduction**

The United States is pleased to have participated in the review of the International Telecommunication Regulations (ITRs). We thank the EG-ITRs participants for providing their perspectives on the three key areas for review, the applicability of the ITRs in today’s telecommunications environment, legal analysis of the ITRs, and potential conflicts between the 2012 and the 1988 ITRs. As the report presented by the Chairman of the EG-ITRs shows, the review of the ITRs concluded with divergent views on all three issues. This lack of consensus should be reflected in Council’s report to the 2018 Plenipotentiary.

**Discussion**

In accordance with ITU Plenipotentiary Resolution 146 (Rev. Busan, 2014), the ITU Council, at its 2016 Session, adopted Resolution 1379, which created the EG‑ITRs to review the 2012 ITRs. The EG-ITRs was charged to submit its final report to Council 2018 for examination and comment with subsequent submission to the 2018 Plenipotentiary Conference with the Council’s comments.

As the Unites States noted in its contributions to the EG-ITRs, we believe that the ITRs are no longer applicable or relevant to most international communications traffic. The ITR provisions that were essential for the interoperability, exchange, termination, and settlement of international traffic between state-owned monopolies have been replaced by commercially-negotiated arrangements to terminate and exchange traffic between competitive networks. Our contributions to the EG-ITRs also stated our belief that having two versions of the ITRs in effect has not created any legal or practical conflicts. Moreover, if any conflicts were to arise from application of different versions of the ITRs, they could be addressed by existing international treaties such as the Vienna Convention on the Law of Treaties.

The United States appreciates that its views are reflected in the report presented by the Chairman of the EG-ITRs. We are also cognizant that some other participants in the EG-ITRs have a different perspective. Given the lack of consensus resulting from the review of the ITRs, the United States is of the view that any comments provided by Council to the EG-ITRs report should include the view that another World Conference on International Telecommunications (WCIT) would not result in consensus and would only serve to divert valuable ITU resources away from more constructive work to promote, facilitate, and foster access to and increased use of telecommunications/ICTs and to bridge the digital divide. Rather than unifying ITU Members behind one ITRs, another WCIT could conclude with three versions being in force at the same time. Such an outcome could undermine the ITU’s reputation and would yield no benefits for ITU Members.