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Côte d’Ivoire

COMMENTS from african region ON DRAFT REPORT 2.0

**1 Introduction**

This Contribution gives the position of the African Region regarding the draft report 2.0 of the Expert Group on the ITRs (EG-ITRs). This position was adopted by ATU members during 2nd PP18 APM for Africa held in Abuja from 12 to 15 March 2018.

**2 Applicability of ITR**

The applicability of the 2012 ITRs is grounded in the fact that they are technology and service neutral, still recognize the sovereignty of Member States to regulate their telecommunications, while allowing commercial arrangements by operating agencies and, recognizing market conditions in the provision of international telecommunication services where private enterprises are more active than before. The ITRs can be appropriately be further modified to deal with these issues and currently provide a broad framework for these issues to be attended to. Given the points above, which are just a few of the existing examples, the ITRs have remained relevant to telecommunications.

**3 Potential conflict**

The 2012 ITRs are an attempt to update the 1988 ITRs in line with technological evolution which has seen the emergence of new services and other trends that were not addressed by the 1988 ITRs.

Having two multilateral treaties (1988 and 2012) dealing with the same subject is not neat and hence there is need for a single comprehensive compendium on the subject. In any case, there are obviously conflicting provisions in the two treaties that needs to be harmonized.

One version of ITR will be of benefit for the whole union and the telecommunication/ICT environment.

**4 Holding another WCIT**

Issues mainly to do with cyber security and emerging services, in particular Over-The-Top services, are very contentious among Member States. Such issues are transboundary in nature and hence consensus needs to be reached on how they should be treated before a revision of ITRs can be undertaken.

The African region is proposing to modify resolution 146 to allow the Expert Group on ITRs to continue its work and to revise his TOR with a view for it to deliberate and reach consensus on the contentious issues as a precondition for holding another WCIT.