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| **Expert Group on the International Telecommunication Regulations (EG-ITRs)** |  |
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| Comments on the Comprehensive Review from Preamble to Article 4  of the International Telecommunication Regulations | |

# 1 Preamble

According to Resolution 146 (Rev. Dubai, 2018) adopted by PP-18, the "International Telecommunications Regulations" should normally be reviewed periodically; and to conduct a comprehensive review of the ITRs with a view to achieving consensus on the way forward in respect of the ITRs. To implement Resolution 146, the Council 2019 revised Resolution 1379, re-established the new Expert Group on the International Telecommunication Regulations (EG-ITRs) and identified its terms of reference.

In September 2019, EG-ITRs held its first meeting in Geneva. All parties agreed on the working methods and work plans reviewed by ITRs, and developed a template (known as "Examination Table") for reviewing the International Telecommunication Regulations provision-by-provision in accordance with the terms of reference of EG-ITRs and the "Work Plan" approved by all parties. According to the Work Plan, EG-ITRs will conduct a provision-by-provision review of the content from Preamble to Article 4 of the ITR at its second meeting in February 2020.

# 2 Proposals for the work of the conference

According to Resolution 1379 (Mod. 2019), EG-ITRs should focus on the 2012 ITRs, taking into account of the new trends in telecommunications/ICT and the emerging issues in international telecommunications/ICT environment. The review shall touch upon the applicability of ITR provisions in promoting the provision and development of international telecommunication/ICT services and networks, flexibility of, or lack thereof, the provisions of the ITRs to accommodate new trends in telecommunications/ICT and emerging issues in international telecommunications/ICT environment. Based on the terms of reference of EG-ITRs and the consensus reached at its first meeting, we propose the following for the review of relevant content from Preamble to Article 4 of ITRs:

a) Article 1 – Purpose and scope

In recent years, the rapid development of telecommunications/ICT technology and industry worldwide, especially the emergence of new applications and new technologies such as cloud computing, big data, Internet of Things, artificial intelligence, etc., has given rise to many security problems, whereas confidence and security are important pillars in the development of the information society. The Plan of Action of the World Summit on the Information Society (Geneva Declaration) explicitly states in its Action line C5: Building confidence and security in the use of ICTs; Promoting cooperation among the governments at the United Nations and with all stakeholders at other appropriate fora to enhance user confidence, build trust, and protect both data and network integrity; considering existing and potential threats to ICTs; and addressing other information security and network security issues.[[1]](#footnote-1) Meanwhile, since ITU is the moderator/facilitator for Action Line C5,[[2]](#footnote-2) from the perspective of "accommodating new trends in telecommunications/ICT and emerging issues in international telecommunications/ICT environment",[[3]](#footnote-3) we propose to add in Article 1 a statement on "building confidence and security in the use of ICTs".

b) Article 2 – Definition

The 2012 International Telecommunication Regulations inherits the definition of "telecommunications" set forth in the 1992 ITU Constitution and Convention, namely, "Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems". However, with the ongoing in-depth integration of telecommunication/ICT services with all aspects of human social production and life, the continuous optimization and upgrading of network infrastructure and the ever-increasing number of intelligent terminals, the scope of today's "telecommunication" has exceeded the functions of "transmission, transmission or reception". Apart from services based on "signs, signals, writing, images and sounds", telecommunication operators have also begun to provide network platforms, data centre services and other large public information network services, with telecom user data storage and processing as their major line of business. We therefore propose to review and discuss the definition of "telecommunication" in Article 2.1 under "applicability of ITR provisions in promoting the provision and development of international telecommunication/ICT services and networks",[[4]](#footnote-4) to meet the development needs of "telecommunication" under the new trends.

c) Article 3 – International network

As telecommunication/ICT technology applications become more developed and readily available, a huge number of new services and applications have emerged. Users' demand for conducting telecommunication services through international networks is becoming more diverse and complex, not only limited to "send traffic". However, the stipulation in para 3.4 of this article, namely "any user, by having access to the international network, has the right to send traffic", has fallen short of meeting the requirements of the current development trend of international telecommunications/ICT, especially with respect to the "applicability in promoting the provision and development of international telecommunications/ICT services and networks". At the same time, the expression "any user, by having access to the international network, has the right to send traffic" is not totally in line with Article 3.4 which stipulates that "a satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to the relevant ITU-T Recommendations". In view of the above, we suggest that this issue be reviewed and discussed.

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1. Plan of Action of the Geneva phase of the World Summit on the Information Society (WSIS‑03/GENEVA/DOC/5-E). [↑](#footnote-ref-1)
2. Res 140 (Rev. Dubai, 2018). [↑](#footnote-ref-2)
3. Res. 1379 (Mod. 2019), Annex: Term of reference of Expert Group on the International Telecommunication Regulations (EG-ITRs). [↑](#footnote-ref-3)
4. Res. 1379 (Mod. 2019), Annex: Term of reference of Expert Group on the International Telecommunication Regulations (EG-ITRs) [↑](#footnote-ref-4)