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| MEXICO´S Points of view for the 3rd Meeting of the Expert Group on the International Telecommunication Regulations (EG - ITRs) | |

**Introduction**

Taking into consideration the Work Plan defined by this Experts Group for the fulfillment of its mandate, Mexico presents some points of view regarding some of the elements that will be discussed at this meeting.

**Mexico’s points of view**

Mexico reiterates its previous opinion that establishes that there are elements that continue to be in force in the international environment of the telecommunications sector, as they promote greater regulatory coherence and provide certainty to international telecommunications.

For example, regarding the security and robustness of the networks, the ITRs establishes that the security and robustness of international telecommunications networks is an obligation, individual and collective, of the Member States, which will ensure the development harmonious of the services offered to the public. Regarding accessibility, the ITRs indicates that Member States should promote access for persons with disabilities to international telecommunications services. In relation to roaming, the ITRs stipulates that States will seek to promote competition and promote cooperation in order to reduce the costs of unintentional roaming in border areas.

However, it is important to take into account that certain elements are already contemplated in other ITU instruments, which must be considered in order to avoid duplication of them, especially regarding the following points:

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| ARTICLE 5 Safety of life and priority of telecommunications  5.1 Safety-of-life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant articles of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations.  5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 45 (5.1) above, in accordance with the relevant provisions of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations.  5.3 The provisions governing the priority enjoyed by any other telecommunication services are contained in the relevant ITU-T Recommendations.  5.4 Member States should encourage authorized operating agencies to inform all users, including roaming users, in good time and free of charge, | This article is considered applicable to promote the provision and development of international telecommunications / ICT networks and services; it also has the flexibility to accommodate new trends in telecommunications / ICT.  However, it must be taken into account that the Constitution, in its Article 40, establishes the priority of telecommunications related to the safety of human life.  On the other hand, the specifications regarding the order of priority are defined in the ITU-T Recommendations. |
| ARTICLE 6  Security and robustness of networks  6.1 Member States shall individually and collectively endeavour to ensure the security and robustness of international telecommunication networks in order to achieve effective use thereof and avoidance of technical harm thereto, as well as the harmonious development of international telecommunication services offered to the public. | This article is considered applicable to promote the provision and development of international telecommunication / ICT networks and services since it only indicates the obligation of Member States to ensure the security and robustness of telecommunication networks.  Although the Constitution of the ITU contains a provision related to the “Establishment, operation and protection of telecommunication channels and facilities”, this provision does not explicitly talk about the security and robustness of international telecommunication networks. In addition, there are multiple recommendations and resolutions on this issue that provide guidelines for addressing this issue. |
| ARTICLE 7  Unsolicited bulk electronic communications  7.1 Member States should endeavour to take necessary measures to prevent the propagation of unsolicited bulk electronic communications and minimize its impact on international telecommunication services.  7.2 Member States are encouraged to cooperate in that sense. | Although the Constitution and the Convention do not contain specific provisions on this subject, it should be taken into account that there are resolutions and recommendations of the ITU that consider it and which have greater flexibility to adapt and update according to technological changes. |

**Conclusions:**

It is considered that the obligations established in the RTI only seek the application of measures related to the objective of the articles. Therefore, it does not offer additional technical or legal elements to those provided for the ITU Constitution, or in Recommendations and Resolutions that allow greater flexibility to adapt and update to the constant evolution of the telecommunications sector.

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