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| **Agenda item: PL 3** | **Document C23/73-E** |
| **27 June 2023** |
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| Contribution from: Bulgaria (Republic of), Spain, Slovak Republic, Czech Republic, United Kingdom of Great Britain and Northern Ireland, Sweden, and Switzerland (Confederation of) | |
| TERMS OF REFERENCE OF THE RE-ESTABLISHED COUNCIL EXPERT GROUP ON INTERNATIONAL TELECOMMUNICATION REGULATIONS (ITRs) | |
| **Purpose**  The objective of this document is to provide input for the ITU Council discussion about proposed update of the terms of reference of the re-established Council Expert Group on International Telecommunication Regulations. This action follows the amended ITU PP resolution 146 and the foreseen discussion at 2023 ITU Council session.  **Action required by the Council**  The Council is invited **to discuss and adopt** the ToR of the expert group.  Resolution 146 (Rev. Bucharest, 2022) of the Plenipotentiary Conference instructs the Secretary-General to reconvene an expert group on the ITRs (EG‑ITR), open to the ITU Member States and Sector Members, with terms of reference (ToR) and working methods established by the ITU Council.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **References**  [Resolution 146](https://www.itu.int/en/council/Documents/basic-texts-2023/RES-146-E.pdf) (Rev. Bucharest, 2022) of the Plenipotentiary Conference, on Periodic review and revision of the International Telecommunication Regulations  Council Resolution 1379 (MOD 2019) (document [C19/139](https://www.itu.int/md/S19-CL-C-0139/en)), document [C23/12](https://www.itu.int/md/S23-CL-C-0012/en) | |

1. **Background**

Resolution 146 (Rev. Bucharest, 2022) of the Plenipotentiary Conference instructs the Secretary-General to reconvene an expert group on the ITRs (EG‑ITR), open to the ITU Member States and Sector Members, with terms of reference (ToR) and working methods established by the ITU Council.

Resolution 146 (Rev. Bucharest, 2022) instructs the Council to review and revise, at its 2023 session, the ToR for EG‑ITR, being invited to review and revise the ToR for EG ITR.

This multicountry contribution provides a proposal for the revised text of the above-mentioned terms of reference.

***Annex: 1***

ANNEX

Resolution 1379 (MODIFIED 2023)

Expert Group on the International Telecommunication Regulations (EG-ITRs)

The Council,

considering

*a)* Article 25 of the ITU Constitution, on World Conferences on International Telecommunications (WCIT);

*b)* No. 48 in Article 3 of the ITU Convention, on other conferences and assemblies;

*c)* Resolution 146 (Rev. Bucharest, 2022) of the Plenipotentiary Conference, on Periodic review and revision of the International Telecommunication Regulations;

*d)* Resolution 4 (Dubai, 2012) of the World Conference on International Telecommunications, on periodic review of the International Telecommunication Regulations,

recalling

that 2016 Council created an Expert Group on the International Telecommunication Regulations (EG-ITRs) that pursuant to its terms of reference prepared a final report on the review of the 2012 ITRs subsequently submitted to the 2018 Plenipotentiary Conference, and consequently the expert group continued its work following its re-creation by 2019 Council and the final report was submitted to the 2022 Plenipotentiary Conference,

resolves

1 that an Expert Group on the International Telecommunication Regulations (EG-ITRs), open to all Member States and Sector Members, be reconvened to continue to review the ITRs with a view to achieving consensus on the way forward in respect of the ITRs, with the Terms of Reference shown in Annex 1 of this Resolution;

2 that the Group has a Chairman and six Vice-Chairmen, one from each ITU region, nominated by Council and taking into account competency and qualification as well as enhancing gender balance;

3 that the EG-ITRs shall prepare a progress report to the 2025 session of the Council;

4 that the EG-ITRs shall prepare a final report to the 2026 session of the Council for submission of the report to the 2026 Plenipotentiary Conference with the Council's comments;

5 that the General Rules of conferences, assemblies, and meetings of the Union and Rules of procedure of the Council related to working groups of the Council shall apply to the Group;

6 that to the maximum extent possible, provide interpretation in the six ITU official languages, remote participation, webcasting, captioning and transcription;

7 that all the output documents of meetings of the Group shall be made publicly available consistent with the ITU’s document access policy, and that all input documents shall be made publicly available subject to the decision of the submitter;

8 that the EG-ITRs should meet as part of the cluster of Council Working Group meetings in2024 and 2025, and that a final physical meeting should be held prior to Council in 2026,

instructs the Secretary-General

to make necessary arrangements to implement this Resolution,

instructs the Directors of the Bureaux

1 each within their field of competence, with advice from the relevant advisory group, to contribute to the work of the Group, recognizing that the ITU Telecommunication Standardization Sector has most of the work relevant to the ITRs;

2 to submit the results of their work to the EG-ITRs;

3 to consider providing fellowships, where resources are available, for developing and least developed countries according to the list established by the United Nations, in order to widen participation in the Group,

invites Member States and Sector Members

to participate in and contribute to the EG-ITRs on the review of the International Telecommunication Regulations.

**Annex:** 1

Annex

Terms of Reference of the Expert Group on the International Telecommunication Regulations (EG-ITRs)

1 On the basis of contributions submitted by Member States, Sector Members and inputs from the Directors of the Bureaux if necessary, the EG-ITRs shall continue to review the ITRs.

2 The EG-ITRs shall focus on the 2012 ITRs, taking into account new trends in telecommunications/ICT and emerging issues in international telecommunications/ICT environment.

3 The review should take fully into account the work of the previous two Expert Groups. It should consider issues such as:

a) the proportion of global telecommunication services which now rely on the ITRs,

b) the scale and nature of any problems caused by the existence of two sets of ITRs, mainly and namely in terms of cross-border dispute resolution,

c) whether there is any new information on the applicability of the provisions of the ITRs in fostering the provision and development of international telecommunication/ICT services and networks,

d) whether there is any new information on the 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;

4 The EG-ITRs will begin its work in September/October 2024. It will present a progress report reflecting all views on the ITRs review to Council 2025, and a final report to Council 2026 for examination and submission to the 2026 Plenipotentiary Conference with the Council’s comments.

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