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|  | **Document EG-ITRs-3/8-E** |
| **17 September 2024** |
| **English only** |
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| Contribution by the Arab Republic of Egypt | |
| ITRs PROVISIONS THAT ADDRESS OPERATING AGENCIES | |
| **Purpose**  To identify the provisions addressing operating agencies with the objective of considering potential amendments.  **Action required**  The Expert Group on the International Telecommunication Regulations is invited to **consider** this document.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **References**  [*EG-ITRs webpage*](https://www.itu.int/en/council/Pages/eg-itrs.aspx)*; Document* [*EG-ITRs-6/6*](https://www.itu.int/md/S22-EGITR6-C-0006/en) *(2022); 2012 ITRs* [*https://www.itu.int/en/wcit-12/Documents/final-acts-wcit-12.pdf*](https://www.itu.int/en/wcit-12/Documents/final-acts-wcit-12.pdf) | |

Summary

Egypt is of the view that the International Telecommunication Regulations (ITRs) should focus on Member States rather than directly addressing operating agencies. Member States would ensure that operators comply with ITR provisions through their national regulations.

Several articles in the ITRs need revision to reflect this approach.

The document suggests shifting the focus to Member States, which would manage these processes through regulation rather than having operating agencies directly negotiate terms. While Member States are mentioned in some sections, many provisions are still directed at operating agencies.

This shift is proposed to better align with the current ecosystem, with Member States playing a more central regulatory role.

Proposal

According to the contribution by Egypt and Kuwait document (Document [EG-ITRs-6/6](https://www.itu.int/md/S22-EGITR6-C-0006/en)), presented during the sixth meeting of the EG-ITRs held on 17 and 18 January 2022,it was suggested that the scope of the ITRs should focus solely on Member States, rather than directly addressing operating agencies. Member States, through their national regulations and policies, would then be responsible for ensuring that operators apply the provisions and directions of the ITRs. And this was also illustrated in contribution 12 to the second meeting of EG-ITRs.

The below articles need to address Member states rather than operating agencies in order to reflect the current ecosystem.

# Article 1 (Purpose and scope of the Regulations)

 a*bis)* These Regulations also contain provisions applicable to those operating agencies, authorized or recognized by a Member State, to establish, operate and engage in international telecommunications services to the public, hereinafter referred as "authorized operating agencies".

 1.5 Within the framework of these Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between authorized operating agencies.

 1.6 In implementing the principles of these Regulations, authorized operating agencies should comply with, to the greatest extent practicable, the relevant ITU-T Recommendations.

# Article 3 (International Network)

 3.3 Authorized operating agencies shall determine by mutual agreement, which international routes are to be used. Pending agreement and provided that there is no direct route existing between the terminal authorized operating agencies concerned, the origin authorized operating agency has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination authorized operating agencies.

# Article 6 (Charging and accounting)

Accounting rate principles

 6.2.1 For each applicable service in a given relation, authorized operating agencies shall, by mutual agreement, establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account the relevant ITU-T Recommendations.

 6.2.2 Unless otherwise agreed, parties engaged in the provision of international telecommunication services shall follow the relevant provisions as set out in Appendices 1 and 2.

 6.2.3 In the absence of special arrangements concluded between authorized operating agencies, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:

• either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;

• or freely convertible currencies or other monetary unit agreed between the authorized operating agencies.

Collection charges

 6.2.4 The charges levied on customers for a particular communication should in principle be the same in a given relation, regardless of the international route used for that communication. In establishing these charges, Member States should try to avoid dissymmetry between the charges applicable in each direction of the same relation.

Service telecommunications

 6.4.1 Authorized operating agencies may in principle forgo the inclusion of service telecommunications in international accounting, under the relevant provisions of the Constitution and the Convention and these Regulations, having due regard for the need for reciprocal arrangements. Authorized operating agencies may provide service telecommunications free of charge.

 6.4.2 The general operational, charging and accounting principles applicable to service telecommunications should take account of the relevant ITU-T Recommendations.

# Appendix 1 (General provisions concerning accounting)

 **Direct Communication with Operating Agencies**: After the initial reference to Member States in section 1.1, the subsequent sections (1.2 to 1.6) are directly addressing authorized operating agencies. These sections outline how the agencies should determine and divide accounting rates; handle transit and terminal shares, and other specific situations related to international routes and traffic.

 **The section on the "Establishment of accounts"** is primarily addressed directly to authorized operating agencies, with some involvement of Member States in a supporting role:

• **Direct Address to Operating Agencies:** The majority of the provisions (sections 2.1 through 2.5 and 3.1.1 to 3.1.3) are addressed directly to authorized operating agencies, detailing their responsibilities for establishing, sending, verifying, and settling accounts with other agencies.

 **The section on "Determination of the amount of payment" and "Payment of balances"** is primarily addressed directly to authorized operating agencies.

• **Direct Address to Authorized Operating Agencies:** The provisions are focused on how the authorized operating agencies should determine the amount of payment, convert currencies, and handle payment of balances. The language in sections 3.2.1 to 3.3.4 is clearly addressing the responsibilities of the authorized operating agencies, specifying the processes for converting currencies, making payments, and charging interest or fees if payments are delayed.

• No Mention of Member Statesunlike previous sections

**Appendix 2 (Additional provisions relating to maritime telecommunications)** may also be reviewed in this regard.

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