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|  | **Document EG-ITRs-4/5** |
| **15 November 2024** |
| **English only** |
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| Contribution from HILL | |
| ITEMS FOR THE FINAL REPORT | |
| **Purpose**  This contribution proposes to start keeping track of items that should be included in the final report of the EG-ITRs to Council, which report will be transmitted to the Plenipotentiary Conference.  **Action required**  The Expert Group on the International Telecommunication Regulations is invited to **consider** this document.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **References**  *Council* [*Resolution 1379*](https://www.itu.int/md/S23-CL-C-0121/en) *(Terms of Reference); Documents* [*EG-ITRs-1/8*](https://www.itu.int/md/S23-EGITRS1-C-0008/en)*;* [*EG-ITRs-2/7*](https://www.itu.int/md/S24-EGITRS2-C-0007/en)*;* [*EG-ITRs-2/8*](https://www.itu.int/md/S24-EGITRS2-C-0008/en)*;* [*EG‑ITRs-2/14*](https://www.itu.int/md/S24-EGITRS2-C-0014/en)*;* [*EG-ITRs-2/20*](https://www.itu.int/md/S24-EGITRS2-C-0020/en)*;* [*EG-ITRs-2/21*](https://www.itu.int/md/S24-EGITRS2-C-0021/en)*;* [*EG-ITRs-3/2*](https://www.itu.int/md/S24-EGITRS3-C-0002/en)*;* [*EG-ITRs-3/4*](https://www.itu.int/md/S24-EGITRS3-C-0004/en)*;* [*EG-ITRs-3/7*](https://www.itu.int/md/S24-EGITRS3-C-0007/en)*;* [*EG-ITRs-3/8*](https://www.itu.int/md/S24-EGITRS3-C-0008/en)*;* [*EG‑ITRs-3/9*](https://www.itu.int/md/S24-EGITRS3-C-0009/en)*;* [*EG-ITRs-3/10*](https://www.itu.int/md/S24-EGITRS3-C-0010/en)*;* [*EG-ITRs-3/11*](https://www.itu.int/md/S24-EGITRS3-C-0011/en)*;* [*EG-ITRs-3/12*](https://www.itu.int/md/S24-EGITRS3-C-0012/en)*;* [*EG-ITRs-4/2*](https://www.itu.int/md/S25-EGITRS4-C-0002/en) | |

Summary

In order to ensure that all inputs are reflected in the Final Report of the EG-ITRs, it would appear to be judicious to start making a list of the inputs that should be reflected. This contribution presents items for inclusion in such a list.

Proposal

This contribution is an updated version of Document [EG-ITRs-3/4](https://www.itu.int/md/S24-EGITRS3-C-0004/en).

1 As stated in 6.6.2 of the report of the second meeting (Document [EG-ITRs-2/21](https://www.itu.int/md/S24-EGITRS2-C-0021/en)): “the Final Report to Council 2026 will reflect all inputs made by Member States and Sector Members, and inputs from the Directors of the Bureaux, whether made in contributions or verbally.”

2 Pursuant to the workplan set forth in Annex 1 of Document [EG-ITRs-2/21](https://www.itu.int/md/S24-EGITRS2-C-0021/en), drafting of the Final Report will start during the fifth meeting of the EG-ITRs.

3 As stated in in 6.6.2 of the report of the second meeting (Document [EG-ITRs-2/21](https://www.itu.int/md/S24-EGITRS2-C-0021/en)): “contributions could continue to be submitted to future meetings on the structure and content of the Final Report.”

4 Paragraph 7.3 of the report of the third meeting states (Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)): “The Group was invited to submit contributions for the structure and outline of the Final Report at the next meeting.”

5 In light of the above, and in order to ensure that all inputs are reflected in the Final Report, it would appear to be judicious to start making a list of the inputs that should be reflected.

6 We propose that the Final Report should reflect at least the following inputs (of course other members will wish to add other items to the list below):

1 The Annexes to [EG-ITRs-3/2](https://www.itu.int/md/S24-EGITRS3-C-0002/en) (possibly in the format proposed in Documents [EG‑ITRs-2/7](https://www.itu.int/md/S24-EGITRS2-C-0007/en) and [EG-ITRs-2/8](https://www.itu.int/md/S24-EGITRS2-C-0008/en))

2 Some members are of the view that the highest priority areas for the review of the ITRs, which require clarification in the future ITRs, are Articles 2, 3, 4, 5, 6, 7, 8, 9, 11, and 12, in particular in order to accommodate new trends and emerging issues (see Document [EG-ITRs-2/14](https://www.itu.int/md/S24-EGITRS2-C-0014/en)).

3 Some members are of the view that most operators no longer rely on the accounting rate portions of the ITRs and that this does not necessarily reflect on other elements of the ITRs (see 4.5.2 of Document [EG-ITRs-2/21](https://www.itu.int/md/S24-EGITRS2-C-0021/en)).

4 Some members are of the view that collection of empirical data demonstrates the use and relevance of ITRs, highlighting the need to update them, particularly in order to help guide Member States with setting the policy agendas for operators nationally (see 5.1.3 of Document [EG-ITRs-2/21](https://www.itu.int/md/S24-EGITRS2-C-0021/en)).

5 Some members are of the view that the ITRs are essential for creating a level playing field in the world of telecommunications, ensuring that all nations have the opportunity to harness the benefits of modern communication technologies; these regulations not only facilitate access to vital services but also pave the way for socio-economic growth, global collaboration, and enhanced quality of life for millions of people in less affluent regions of the world (see Document [EG‑ITRs‑1/8](https://www.itu.int/md/S23-EGITRS1-C-0008/en)).

6 Some members are of the view that it is important to have an up-to-date treaty that underpins how we communicate with each other (see Document [EG‑ITRs‑1/8](https://www.itu.int/md/S23-EGITRS1-C-0008/en)).

7 Some members are of the view that some provisions of the ITRs (either 1988 or 2012 version) are no longer useful while others are still relevant (see 5.2 of Document [EG-ITRs-2/20](https://www.itu.int/md/S24-EGITRS2-C-0020/en)).

8 Some members are of the view that the presence of two versions of ITRs (1988 and 2012) is seen as a hindrance to their functionality and to the image of the ITU (see 5.3 of Document [EG-ITRs-2/20](https://www.itu.int/md/S24-EGITRS2-C-0020/en)).

9 Some members are of the view that the ITRs should focus on addressing member states rather than operating agencies; Member States would then apply the provisions and articles of the ITRs in their territories according to their laws and regulations (see 5.3 of Document [EG-ITRs-2/20](https://www.itu.int/md/S24-EGITRS2-C-0020/en)).

10 Some members are of the view that the ITRs, both 1988 and 2012, are outdated in their current form and that there is a need to come up with a new ITRs, in a world where new and emerging technologies are expanding (see Document [EG-ITRs-1/8](https://www.itu.int/md/S23-EGITRS1-C-0008/en)).

11 Some members are of the view that the ITRs need to be updated to accommodate new and emerging technologies (see 5.3 of Document [EG-ITRs-2/20](https://www.itu.int/md/S24-EGITRS2-C-0020/en)).

12 Some members are of the view that the following trends and emerging issues in International Telecommunications/ ICT environment may impact the ITRs (see 5.2.3 of Document [EG-ITRs-2/21](https://www.itu.int/md/S24-EGITRS2-C-0021/en)):

a) Internet of Things;

b) Connectivity Technologies (FTTH, 5G and Satellite);

c) Artificial Intelligence;

d) Cybersecurity;

e) Technological Evolution;

f) Adjacent services from OTTs;

g) Separation of infrastructure and service layers;

h) Decreasing voice revenues;

i) Reduction in CDRs;

j) Taxation;

k) Collection charges;

l) E-commerce and digital trade

13 The annexes to Document [EG-ITRs-4/2](https://www.itu.int/md/S25-EGITRS4-C-0002/en) (possibly in the format proposed in Documents [EG-ITRs-4/3](https://www.itu.int/md/S25-EGITRS4-C-0003/en) and [EG-ITRs-4/4](https://www.itu.int/md/S25-EGITRS4-C-0004/en)).

14 Some members are of the view that proposals made in trade negotiations indicate that agreement on treaty-level provisions regarding certain matters within the scope of ITU is a new trend and/or and emerging issue in telecommunications/ICTs and its environment which may impact the ITRs. In particular, there are provisions (agreed or proposed) in trade agreements regarding spam and cybersecurity (see 3.1.1 and 5.1.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

15 Some members are of the view that there is a need for an international agreement not only on radio aspect but on the provision of telecommunication services by non-GSO satellite (see 3.2.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

16 Some members are of the view that the review and revision of the ITR should take into account new trends and issues – including many new international issues and challenges such as the digital divide, privacy and data protection, and network security –, respond to those issues, effectively address the difficulties faced by developing countries, and maintain the stability of the ITR international legal framework (see 3.3.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

17 A survey in one region found no examples of the use of the ITRs within the region, neither any examples where the existence of two treaties presented any obstacle or problem for the electronic communications industry (see 4.2.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

18 The reliance by operators on the ITRs may differ from one region to another (see 4.2.3 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

19 Some members highlighted the use of the ITRs in one region (see 4.2.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

20 Some members are of the view that the 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 concept of recognized or authorized operating agencies are no longer particularly relevant (see 5.3.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

21 Some members are of the view that, although several contributions have sought to identity such new trends and emerging issues, it remains unclear how these may impact the ITRs. The simple fact that these topics are not included in an ITU treaty-level instrument does not automatically indicate any corresponding impact to the ITRs. Other members were of the opinion that countries have been considering treaty-level provisions that are more detailed and prescriptive than those in the ITRs, in other international and multilateral forums and mechanisms (see 5.4.1 of Document [EG-ITRs-3/12](https://www.itu.int/md/S24-EGITRS3-C-0012/en)).

22 Some members are of the view that, while most operators to not explicitly refer to the ITRs in their commercial contracts, however they rely on the ITRs in order to avoid having to use the accounting rate system. Transparency would be improved if all Member States could agree to the provisions of Article 8 of the 2012 ITRs (see Document [EG-ITRs-4/2](https://www.itu.int/md/S25-EGITRS4-C-0002/en)).

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