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| itu_logo | World Telecommunication Standardization Assembly (WTSA-16)Hammamet, 25 October - 3 November 2016 | CCITT/ITU-T 60th Anniversary logo |
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| ITU Member States, Members of the RCC |
| draft new resolution [RCC-6] - participation of the telecommunication standardization sector in the periodic review and revision of the International Telecommunication Regulations |
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| **Abstract:** | This contribution contains an RCC proposal to WTSA regarding the participation of the Telecommunication Standardization Sector (ITU-T) in the periodic review and revision of the International Telecommunication Regulations (ITRs), together with a correspondingly entitled draft resolution. |

Introduction

The World Conference on International Telecommunications (Dubai, 2012) (WCIT-12) revised the International Telecommunication Regulations (ITRs). The 2012 ITRs entered into force on 1 January 2015.

WCIT-12 adopted Resolution 4 (Dubai, 2012), on periodic review of the International Telecommunication Regulations, *recognizing* *e)* of which states that "the International Telecommunication Regulations consist of high-level guiding principles that should not require frequent amendment, but in the fast-moving sector of telecommunications/ICTs may need to be periodically reviewed".

The Plenipotentiary Conference (Busan, 2014) adopted Resolution 146 (Rev. Busan, 2014), setting out steps for the preparation of a possible revision of the ITRs, and the Council, at its 2016 session, adopted Resolution 1379, establishing the Expert Group on the International Telecommunication Regulations (EG-ITRs).

Background information

WCIT-12 was preceded by a very long and complex preparatory process. In spite of this, significantly differing views remained when the conference was convened, and it proved impossible to resolve them during the event. In the end, a significant number of Member States did not sign the Final Acts of WCIT-12.

We consider that a situation in which not all Member States have acceded to the ITRs is abnormal and should be corrected, either through the accession of all Member States, or by agreeing a new version of the ITRs.

Developments since WCIT-12

There have been significant developments since WCIT-12 that might call for a revision of the ITRs. These include in particular:

a) The general consensus that offline rights apply equally online has been explicitly stated in various United Nations instruments.

b) There is increasing recognition that human rights, including the rights to freedom of expression, privacy, development and accessibility, must be explicitly enshrined and protected in instruments dealing with telecommunications, including the Internet.

c) There is increasing recognition that measures should be taken to ensure affordable access to telecommunications, including the Internet.

d) The ITU-T study groups are working on topics that were discussed but not fully resolved during WCIT-12, in particular:

i) Study Group 2 has discussed numbering misuse, which continues to be an issue, and disaster relief.

ii) Study Group 3 has worked intensively on over-the-top (ОТТ) services, mobile roaming, Internet exchange points, universal service, principles for market definition and identification of operators with significant market power, and charging and accounting principles for next-generation networks.

iii) Study Group 5 has worked on issues related to the environment (including e-waste) and climate change.

iv) Study Group 11 has worked on interconnection of IP-based networks for providing a wide set of services (4G-VoLTE/ViLTE; 5G/IMT-2020 and beyond) and Internet speed measurements.

v) Study Group 13 has worked on future network issues, including the cloud.

vi) Study Group 16 has worked on accessibility.

vii) Study Group 17 has discussed security and combating spam.

viii) The Joint Coordination Activity on Accessibility and Human Factors (JCA‑AHF), among several others, was focused on accessibility studies.

These and other developments should be taken into account when reviewing and revising the ITRs, and ITU-T should play an active part in that process.

Proposal

Given the recognition expressed in Resolution 146 (Rev. Busan, 2014) that "the ITU Telecommunication Standardization Sector has most of the work relevant to the International Telecommunication Regulations", it is proposed that a new WTSA resolution be adopted.

The proposed resolution, entitled "Participation of the Telecommunication Standardization Sector (ITU-T) in the periodic review and revision of the International Telecommunication Regulations", contains instructions to the Director of the Telecommunication Standardization Bureau, the Telecommunication Standardization Advisory Group and the ITU-T study groups, and an invitation to Member States and Sector Members.

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DRAFT NEW RESOLUTION [RCC-6]

Participation of the Telecommunication Standardization Sector in the periodic review and revision of the International Telecommunication Regulations

(Hammamet, 2016)

The World Telecommunication Standardization Assembly (Hammamet, 2016),

recalling

*a)* Article 25 of the ITU Constitution, on world conferences on international telecommunications;

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

*c)* Resolution 146 (Rev. Busan, 2014) of the Plenipotentiary Conference, on periodic review and revision of the International Telecommunication Regulations (ITRs);

*d)* Resolution 4 (Dubai, 2012) of the World Conference on International Telecommunications (WCIT), on periodic review of the ITRs;

*e)* Council Resolution 1379, entitled Expert Group on the International Telecommunication Regulations (EG-ITRs),

recognizing

that, as is stated in Resolution 146 (Rev. Busan, 2014), the ITU Telecommunication Standardization Sector (ITU-T) has most of the work relevant to the ITRs,

considering

*a)* that a number of the issues that arose during WCIT-12 have been resolved in the course of the studies carried out by the ITU-T study groups since 2012;

*b)* that a number of countries have carried out a legal analysis of the ITR provisions;

*c)* that ITU-T is playing an important role in resolving new and emerging issues, including those arising from the changing global international telecommunication/ICT environment;

*d)* that it is important to ensure that the ITRs are reviewed, revised and updated in a timely manner in order to facilitate cooperation and coordination among Member States and to reflect accurately the relations between Member States, Sector Members and other interested parties;

*e)* that all Member States as well as ITU-T Sector Members should have the opportunity to contribute to further work on the ITRs;

*f)* that the Council, at its 2016 session, established the EG-ITRs and instructed it to prepare and submit to the 2018 Plenipotentiary Conference a report setting out the results of its work, taking account of proposals made by Member States and Sector Members and of recommendations made by the ITU Sector advisory groups and submitted to the Directors of the corresponding Bureaux,

resolves to instruct the Telecommunication Standardization Advisory Group

1 to examine proposals prepared by the study groups, within their respective areas of responsibility, relating to the 2012 ITRs;

2 to submit to EG-ITRs, for consideration, its recommendations concerning the ITRs;

3 to pursue its work with respect to the ITRs in accordance with the decisions taken in that regard by the 2018 Plenipotentiary Conference,

instructs the Director of the Telecommunication Standardization Bureau

1 in collaboration with the Chairman of the Telecommunication Standardization Advisory Group (TSAG), to hold consultations with the chairmen of the study groups in order to identify the study groups to be responsible for examining the articles of the 2012 ITRs, in line with the scope of activity of the ITU-T study groups, and to publish the assignment of responsibilities in a circular letter;

2 on the basis of the recommendations elaborated by TSAG further to the ITU-T study group proposals, to prepare and submit for consideration by EG-ITRs and other working bodies (as may be decided by the 2018 Plenipotentiary Conference) its proposals with respect to the ITRs;

3 in the event that a meeting of TSAG is not due to be held ahead of the final meeting of EG-ITRs, to prepare and submit to EG-ITRs, for its consideration, the ITU-T study group proposals elaborated since the last meeting of TSAG, and transmit the text to the EG-ITRs meeting,

invites the study groups

each within its field of competence to prepare and submit for consideration by TSAG their proposals relating to the 2012 ITRs,

invites Member States and Sector Members

to submit for consideration by the relevant ITU-T study groups, within the scope of their activity, and to TSAG, proposals relating to the 2012 ITRs, taking into account:

a) new trends in the telecommunication/ICT sphere;

b) issues and obstacles arising from implementation of the 2012 ITRs;

c) proposals for resolving the issues which prevented Member States from signing and/or acceding to the 2012 ITRs.

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