
PLENARY MEETING

Original: English

DRAFT OF THE FUTURE ITRS

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NOC CWG/4/1

International Telecommunication Regulations

NOC CWG/4/2

PREAMBLE

Reasons: title and tile of Preamble remain unchanged.

MOD CWG/4/3

1 While the sovereign right of each ~~country-state~~ to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations [(hereinafter Regulations”)] ~~supplement complement~~ the Constitution and Convention of the International Telecommunication Union Convention, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for world-wide telecommunications.

NOC CWG/4/4

ARTICLE I

Purpose and Scope of the Regulations

Reasons: title of Article 1 remains unchanged.

MOD CWG/4/5

2 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. ~~They also set rules applicable to administrations.~~

MOD CWG/4/6

2 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. ~~They also set rules applicable to administrations.~~ Member States may apply these rules to recognized operating agencies.

MOD CWG/4/7

2 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. ~~The~~ Regulations also set rules applicable to Member States and operating agencies* administrations.

* The term “operating agency” includes “recognized operating agency” and is used in that sense throughout these Regulations.

MOD CWG/4/8

2 1.1 a) These Regulations establish general principles which relate to the [provision ~~↓~~ interoperability] and operation of international telecommunication services [for the provision of international telecommunication services] offered to the public as well as to the underlying international telecommunication transport means used to provide such services. They [place obligations on Member States in respect of fulfilment of the provisions of the Regulations by administrations and operating agencies involved in international telecommunications | require Member States to ensure that administrations and operating agencies engaged in international telecommunications comply with the provisions of the ITRs] ~~also set rules applicable to administrations~~.

MOD CWG/4/9

3 b) These Regulations recognize ~~in Article 9~~ the right of Members States to allow special arrangements as provided in Article 9.

MOD CWG/4/10

3 b) These Regulations recognize in Article 9 the right of Members ~~s-~~States to allow special arrangements.

NOC CWG/4/11

3A

Reasons: No new 1.1 c).

ADD CWG/4/12

3A c) These Regulations recognize that Member States shall take the necessary measures to prevent interruptions of services and shall ensure that no harm is caused by their operating agencies to the operating agencies of other Member States which are operating in accordance with the provisions of these Regulations.

NOC CWG/4/13

3B

Reasons: No new 1.1 d).

ADD CWG/4/14

3B d) These Regulations recognize the absolute priority for safety of life telecommunications, including distress telecommunications, emergency telecommunications services and telecommunications for disaster relief as provided in Article.

NOC CWG/4/15

3C

Reasons: No new 1.1 e).

ADD CWG/4/16

3C e) Member States shall cooperate for the purpose of implementing the International Telecommunication Regulations.

NOC CWG/4/17

4 1.2 In these Regulations, "the public" is used in the sense of the population, including governmental and legal bodies.

NOC CWG/4/18

5 1.3 These Regulations are established with a view to facilitating global interconnection and interoperability of telecommunication facilities and to promoting the harmonious development and efficient operation of technical facilities, as well as the efficiency, usefulness and availability to the public of international telecommunication services.

MOD CWG/4/19

5 1.3 a) These Regulations are established with a view to facilitating global interconnection and interoperability of telecommunication facilities and to promoting the harmonious development and efficient operation of technical facilities, as well as the efficiency, usefulness and availability to the public and the security of international telecommunication services; and in particular the availability, operation, and use of advanced telecommunications facilities in all countries.

1.3 b) These Regulations promote greater confidence and security, including of information, in the provision of international telecommunications/ICTs.

MOD CWG/4/20

5 1.3 These Regulations ~~are established with a view to~~ facilitating global interconnection and interoperability of telecommunication ~~networks facilities~~ and ~~to promoteing~~ the harmonious development and efficient operation of technical facilities, ~~as well as~~ the efficiency, usefulness and availability to the public of international telecommunication services, and greater confidence and security, including of information, in the provision of international telecommunication services to the public.

MOD CWG/4/21

6 1.4 ~~Unless otherwise specified in these Regulations, r~~References to ~~CCITT~~ Recommendations ~~of the ITU [and Instructions]~~ in these Regulations are not to be taken as giving to those Recommendations ~~[and Instructions]~~ the same legal status as the Regulations.

MOD CWG/4/22

6 1.4 References to ~~CCITT~~ ITU-T Recommendations [and Instructions] in these Regulations are not to be taken as giving to those Recommendations [and Instructions] the same legal status as the Regulations.

MOD CWG/4/23

7 1.5 Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between [administrations | Member States] and/or operating agencies, as the case may be ~~administrations.~~

MOD CWG/4/24

7 1.5 Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between recognized operating agencies ~~administrations.~~

SUP CWG/4/25

7 ~~1.5 Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between administrations.~~

MOD CWG/4/26

8 1.6 In implementing the principles of these Regulations, administrations* [and operating agencies] should comply with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations[, including any Instructions forming part of or derived from these Recommendations].

MOD CWG/4/27

8 1.6 In implementing the principles of these Regulations, ~~administrations~~ Member States should [encourage | take measures to ensure that] operating agencies to comply with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations, ~~including any Instructions forming part of or derived from these Recommendations.~~

MOD CWG/4/28

8 1.6 In implementing the principles of these Regulations, ~~administrations~~ Member States and operating agencies should comply with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations by the ITU having policy or regulatory implications, including any Instructions forming part of or derived from these Recommendations.

MOD CWG/4/29

8 1.6 ~~In implementing the principles of these Regulations, administrations should comply with, For the purposes of these Regulations and the principles enshrined in them, Member States shall provide,~~ to the greatest extent practicable, for the implementation of the relevant ITU ~~CCITT~~ Recommendations and Resolutions by administrations and operating agencies, including any instructions forming part of or derived from these Recommendations.

MOD CWG/4/30

8 1.6 In implementing the principles of these Regulations, ~~administrations should comply with~~ there shall be compliance with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations, including any Instructions forming part of or derived from these Recommendations.

MOD CWG/4/31

9 1.7 a) These Regulations recognize the right of any Member State, subject to national law and should it decide to do so, to require that administrations and recognized ~~private~~-operating agencies (ROAs), which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member State.

MOD CWG/4/32

9 1.7 a) These Regulations recognize the right of any Member State, subject to national law and should it decide to do so, to require that administrations and ROAs ~~private operating agencies~~, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member State and be subject to transparency and accountability requirements.

MOD CWG/4/33

9 1.7 a) These Regulations recognize the right of any Member State, subject to national law and should it decide to do so, to require that ~~administrations*~~ operating agencies, which operate in its territory [and provide and international telecommunication service to the public | or provide an international telecommunication service to the public in its territory], be authorized by that Member State.

MOD CWG/4/34

10 b) The Member State concerned shall, as appropriate, encourage the application of relevant ITU-T ~~CCITT~~ Recommendations by such service providers.

MOD CWG/4/35

10 b) The Member State concerned shall, as appropriate, encourage the application of relevant ~~CCITT~~ ITU-T Recommendations by such service providers operating agencies.

SUP CWG/4/36

10 ~~b) The Member concerned shall, as appropriate, encourage the application of relevant CCITT Recommendations by such service providers.~~

MOD CWG/4/37

11 c) The Member s States, and operating agencies where appropriate, shall cooperate in implementing the International Telecommunication Regulations.

MOD CWG/4/38

11 c) The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations. The need to promote compliance will be given emphasis and appropriate assistances will be provided to strengthen national capacity in developing countries and countries in transition in support of compliance.

SUP CWG/4/39

11 ~~c) The Member, where appropriate, shall cooperate in implementing the International Telecommunication Regulations.~~

NOC CWG/4/40

12 1.8 The Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise.

NOC CWG/4/41

Reasons: No new 1.9

12A

ADD CWG/4/42

12A 1.9 Nothing in these regulations shall be interpreted as modifying the rights and obligations of Member States under any other treaties to which they are parties.

NOC CWG/4/43

ARTICLE 2

Definitions

Reasons: title of Article 2 remains unchanged.

NOC CWG/4/44

13 For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.

NOC CWG/4/45

14 2.1 *Telecommunication*: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

SUP CWG/4/46

14 ~~2.1 Telecommunication: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.~~

Reasons: This definition is found in 1012 CS.

NOC CWG/4/47

14A

Reasons: No new 2.1A.

ADD CWG/4/48

14A 2.1A Telecommunication/ICT: Any transmission, emission or reception, including processing, of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

ADD CWG/4/49

14A 2.1A Telecommunication/ICT: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

Reasons: Differs from the previous proposal only by omitting the term “or processing”.

NOC CWG/4/50

15 2.2 *International telecommunication service*: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.

SUP CWG/4/51

15 ~~2.2 *International telecommunication service*: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.~~

Reasons: This definition is found in 1011 CS.

NOC CWG/4/52

15A

Reasons: No new 2.2A.

ADD CWG/4/53

15A 2.2A *International telecommunication service/ICTs*: The offering of a telecommunication capability including, but not limited to: offering of a telecommunication capability in roaming, international public telegram service, telex, traffic termination services (including Internet traffic termination), any kind of circuit provision services, other services integral to provision of international telecommunication services between telecommunication offices or stations of any nature that are in or belong to different countries.

MOD CWG/4/54

16 2.3 *Government telecommunication*s: ~~A+T~~Telecommunications originating with any: Head of a State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice, or repliesy to a government ~~telegram~~ telecommunications mentioned above.

Reasons: Align with 1014 CS.

SUP CWG/4/55

16 ~~2.3 Government telecommunication: A telecommunication originating with any: Head of a State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice, or reply to a government telegram.~~

MOD CWG/4/56

17 **2.4 Service telecommunication:**

A telecommunication that relates to public international telecommunications and that is exchanged [by agreement] among the following:

- [administrations | Member States];
- [recognized] ~~private~~ operating agencies,
- and the Chairman of the ~~Administrative~~ Council, the Secretary-General, the Deputy Secretary-General, the Directors of the ~~Bureaux International Consultative Committees~~, the members of the Radio Regulations International Frequency Regulation Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.

SUP CWG/4/57

17 **2.4 Service telecommunication:**

~~A telecommunication that relates to public international telecommunications and that is exchanged among the following:~~

- ~~— administrations;~~
- ~~— recognized private operating agencies;~~
- ~~— and the Chairman of the Administrative Council, the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the members of the International Frequency Registration Board, other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.~~

Reasons: This definition is found in 1006 CS.

MOD CWG/4/58

18 2.5 Privilege telecommunication

19 2.5.1 A telecommunication that may be exchanged during sessions of the ITU ~~Administrative~~ Council, conferences and meetings of the ITU between, on the one hand, representatives of Members of the ~~Administrative~~ Council, members of delegations, senior officials of the ~~permanent organs of the Union~~ General Secretariat and of the three Bureaux and members of the Radio Regulations Board and their authorized colleagues attending conferences and meetings of the ITU and, on the other, their administrations or recognized ~~private~~ operating agency or the ITU, and relating either to matters under discussion by the ~~Administrative~~ Council, conferences and meetings of the ITU or to public international telecommunications.

20 2.5.2 A private telecommunication that may be exchanged during sessions of the ITU ~~Administrative~~ Council and conferences and meetings of the ITU by representatives of Members of the ~~Administrative~~ Council, members of delegations, ~~senior officials of the permanent organs of the Union~~ senior officials of the General Secretariat and of the three Bureaux and members of the Radio Regulations Board attending ITU conferences and meetings, and the staff of the Secretariat of the Union seconded to ITU conferences and meetings, to enable them to communicate with their country of residence.

SUP CWG/4/59

18 ~~2.5 Privilege telecommunication~~

19 ~~2.5.1 A telecommunication that may be exchanged during sessions of the ITU Administrative Council, conferences and meetings of the ITU between, on the one hand, representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union and their authorized colleagues attending conferences and meetings of the ITU and, on the other, their administrations or recognized private operating agency or the ITU, and relating either to matters under discussion by the Administrative Council, conferences and meetings of the ITU or to public international telecommunications.~~

20 ~~2.5.2 A private telecommunication that may be exchanged during sessions of the ITU Administrative Council and conferences and meetings of the ITU by representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union attending ITU conferences and meetings, and the staff of the Secretariat of the Union seconded to ITU conferences and meetings, to enable them to communicate with their country of residence.~~

NOC CWG/4/60

21 2.6 *International route*: Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.

MOD CWG/4/61

21 2.6 *International route*: A route for the transmission of traffic between tTechnical facilities and installations located in different countries ~~and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.~~

MOD CWG/4/62

21 2.6 *International route*: Technical facilities and installations located in different countries and used ~~to send for~~ telecommunication traffic between two international telecommunication terminal exchanges or stations offices.

SUP CWG/4/63

21 ~~2.6 International route: Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.~~

MOD CWG/4/64

22 2.7 *Relation*: Exchange of traffic between two terminal countries, always referring to a specific service if there is between their ~~administrations*~~operating agencies:

23 a) a means for the exchange of traffic in that specific service:

- over direct circuits (direct relation), or
- via a point of transit in a third country (indirect relation), and

24 b) normally, the settlement of accounts [by manual or other billing systems as appropriate].

SUP CWG/4/65

22 ~~2.7 Relation: Exchange of traffic between two terminal countries, always referring to a specific service if there is between their administrations*:~~

23 ~~a) a means for the exchange of traffic in that specific service:~~

- ~~- over direct circuits (direct relation), or~~
- ~~- via a point of transit in a third country (indirect relation), and~~

24 ~~b) normally, the settlement of accounts.~~

MOD CWG/4/66

25 2.8 *Accounting rate*: The rate agreed [~~between administrations*~~ | between [administrations/] operating agencies] in a given relation that is used for the establishment of international accounts [for international telecommunication services].

SUP CWG/4/67

25 ~~2.8 Accounting rate: The rate agreed between administrations* in a given relation that is used for the establishment of international accounts.~~

MOD CWG/4/68

26 2.9 *Collection charge*: The charge established and collected by an administration /ROA from its customers for the use of an international telecommunication service.

MOD CWG/4/69

26 2.9 *Collection charge*: The charge established and collected [~~by an administration*~~ | by an [administration/]operating agency] from ~~its~~ customers for the use of an international telecommunication service.

SUP CWG/4/70

26 ~~2.9 Collection charge: The charge established and collected by an administration* from its customers for the use of an international telecommunication service.~~

MOD CWG/4/71

27 2.10 *Instructions*: A collection of provisions drawn from one or more ~~ITU-T CCITT~~ Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting).

SUP CWG/4/72

27 ~~2.10 Instructions: A collection of provisions drawn from one or more CCITT Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting).~~

NOC CWG/4/73

27A

Reasons: No new 2.11

ADD CWG/4/74

27A 2.11 Transit rate: a rate set by the point of transit in a third country (indirect relation).

NOC CWG/4/75

27B

Reasons: No new 2.12

ADD CWG/4/76

27B 2.12 Termination rate: A rate set by the destination administration/ROA for terminating incoming traffic regardless of origin.

NOC CWG/4/77

27C

Reasons: No new 2.13

ADD CWG/4/78

27C 2.13 Spam: information transmitted over telecommunication networks [as text, sound, image, tangible data used in a man-machine interface bearing advertizing nature or having no meaningful message,] simultaneously or during a short period of time, to a large number of

particular addressees without prior consent of the addressee (recipient) to receive this information or information of this nature.

Note: (Spam should be distinguished from information of any type (advertisements inclusive) transmitted over broadcasting (non-addressed) networks (such as TV and/or radio broadcasting networks, etc.)).

NOC CWG/4/79

27D

Reasons: No new 2.14.

ADD CWG/4/80

27D 2.14 Hub: a transit center (or network operator) that offers to other operators a telecommunication traffic termination service to nominated destinations contained in the offer.

NOC CWG/4/81

27E

Reasons: No new 2.15.

ADD CWG/4/82

27E 2.15 Hubbing: the routing of telecommunication traffic in hubbing mode consists in the use of hub facilities to terminate telecommunication traffic to other destinations, with full payment due to the hub.

NOC CWG/4/83

27F

Reasons: No new 2.16.

ADD CWG/4/84

27F 2.16 Fraud: use of any telecommunications facilities or services with the intention of avoiding payment, without correct payment, with no payment at all, by making someone else pay, or by using a wrongful or criminal deception in order to obtain a financial or personal gain from the use of those facilities or services.

ADD CWG/4/285

27F 2.16 Fraud: Use of public international telecommunication services or facilities with the intention of avoiding payment, without correct payment, with no payment at all, or by making someone else pay, by misusing numbering (addressing) resources, by intentional misrepresentation of identity or other deceptive practices, in order to obtain personal or financial gain that can lead to actual or potential disadvantage or financial harm to another individual or group.

ADD CWG/4/86

27F 2.16 Fraud: use of any telecommunications facilities or services with the intention of avoiding payment, without correct payment, with no payment at all, by making someone else pay,

by using a wrongful or criminal deception in order to obtain a financial or personal gain from the use of those facilities or services or by intentional misrepresentation of identity which can lead to actual or potential disadvantage or financial harm to another individual or group.

ADD CWG/4/87

27F 2.16 Network fraud: (fraud on international telecommunication networks): The causing of harm to operating agencies or to the public, the wrongful obtaining of gain in the provision of international telecommunication services through abuse of trust or deception, including through inappropriate use of numbering resources.

NOC CWG/4/88

27G

Reasons: No new 2.17.

ADD CWG/4/89

27G 2.17 Global telecommunication service (GTS): A service which enables communication to be established through a global number between subscribers whose physical location and national jurisdiction have no bearing on the tariff to be set for the service's use; which satisfies and complies with recognized and accepted international standards; and which is provided over the public telecommunication network by operating agencies having obtained the relevant numbering resources from ITU-T.

NOC CWG/4/90

27H

Reasons: No new 2.21

NOTE: the numbering skips from 2.17 to 2.21 to maintain consistency with the proposals contained in Annex 1.

ADD CWG/4/91

27H 2.21 Originating Identification: The Originating Identification is the service by which the terminating party shall have the possibility of receiving identity information in order to identify the origin of the communication.

Reasons:

NOTE: the numbering skips from 2.17 to 2.21 to maintain consistency with the proposals contained in Annex 1.

NOC CWG/4/92

27I

Reasons: No new 2.22

ADD CWG/4/93

27I 2.22 Emergency/distress telecommunications: A special category of telecommunications with absolute priority for the transmission and reception of information

relating to safety of life at sea, on land, in the air or in space, and of information of exceptional urgency concerning an epidemiological or epizootic situation issued by the World Health Organization.

NOC CWG/4/94

27J

Reasons: No new 2.23

ADD CWG/4/95

27J 2.23 Personal data: Any information relating to a physical person (the subject of the personal data) identified or identifiable on the basis of such information.

NOC CWG/4/96

27K

Reasons: No new 2.24

ADD CWG/4/97

27K 2.24 Integrity of the international telecommunication network: The capability of the international telecommunication network to carry international traffic.

NOC CWG/4/98

27L

Reasons: No new 2.25

ADD CWG/4/99

27L 2.25 Stability of the international telecommunication network: The capability of the international telecommunication network to carry international traffic in the event of failure of telecommunication nodes or links and also in the face of internal and external destructive actions and to return to its original state.

NOC CWG/4/100

27M

Reasons: No new 2.26

ADD CWG/4/101

27M 2.26 Security of the international telecommunication network: The capability of the international telecommunication network to withstand internal and external destabilizing actions liable to compromise its functioning.

NOC CWG/4/102

27N

Reasons: No new 2.27

ADD CWG/4/103

27N 2.27 [International] Roaming: Provision to the subscriber of the opportunity to use telecommunication services offered by other operating agencies, with which the subscriber has not concluded an agreement.

NOC CWG/4/104

27O

Reasons: No new 2.28

ADD CWG/4/105

27O 2.28 IP interconnection: IP interconnection refers to technical and business solutions and rules to ensure the delivery of IP traffic through different networks.

NOC CWG/4/106

27P

Reasons: No new 2.29

ADD CWG/4/107

27P 2.29 End to end quality of service delivery and best effort delivery: End to End quality of service delivery refers to the delivery of PDU (Packet Data Unit) with predefined end-to-end performance objectives; Best-effort delivery refers delivery to of a PDU without predefined performance targets.

NOC CWG/4/108

ARTICLE 3

International Network

Reasons: title of Article 3 remains unchanged.

MOD CWG/4/109

28 3.1 Members States shall encourage ~~ensure that~~ administrations* and ROAs to cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

MOD CWG/4/110

28 3.1 Members States shall ensure that ~~administrations*~~ operating agencies cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service [and above a minimum level taking into consideration the relevant Recommendations of the ITU | and above a minimum level corresponding to the relevant ITU-T Recommendation]. [Member States shall facilitate the development of international IP interconnections providing both best effort delivery and end to end quality of service delivery.]

MOD CWG/4/111

28 3.1 Members States shall ~~ensure that administrations*~~ encourage operating agencies to cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

MOD CWG/4/112

29 3.2 Member States Administrations* shall endeavour to establish policies that promote the provision of technical facilities that support provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication services [and shall ensure that Operating Agencies endeavour to provide sufficient telecommunication facilities to meet the requirements and demand for these services].

MOD CWG/4/113

29 3.2 ~~Administrations*~~ Member States shall ensure that operating agencies endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication ~~s~~ services/ICTs.

MOD CWG/4/114

29 3.2 ~~Administrations*~~ Member States shall ensure that operating agencies endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication ~~s~~ services.

MOD CWG/4/115

29 3.2 ~~Administrations* shall endeavour to provide sufficient telecommunication facilities~~ Member States shall establish policies to meet the requirements of and demand for international telecommunication services.

MOD CWG/4/116

29 3.2 [~~Administrations* Operating agencies~~] shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication. For this purpose, and to ensure an adequate return on investment in high bandwidth infrastructures, operating agencies shall negotiate commercial agreements to achieve a sustainable system of fair compensation for telecommunications services and, where appropriate, respecting the principle of sending party network pays.]

SUP CWG/4/117

29 ~~3.2 Administrations* shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication services.~~

MOD CWG/4/118

30 3.3 Member States Administrations* shall have the power to determine ~~by mutual agreement~~ which national international-routes are to be used for the management of international communications. ~~Pending agreement and provided that there is no direct route existing between the terminal administrations concerned, the origin administration has the choice~~

~~to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations.~~

MOD CWG/4/119

30 3.3 Administrations*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 administrations concerned, the origin administration has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations. [A Member State has the right to know how its traffic is routed. |A Member State shall have the right to know through where its traffic has been routed, and should have the right to impose any routeing regulations in this regard, for purposes of security and countering fraud].~~

MOD CWG/4/120

30 3.3 Member States/operating agencies shall have the right to know which international routes are used for carrying traffic. ~~Administrations* 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 administrations concerned, the origin administration has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations.~~

SUP CWG/4/121

30 ~~3.3 Administrations* 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 administrations concerned, the origin administration has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations.~~

MOD CWG/4/122

31 3.4 Member States recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges and the safeguards shall be the same for all users in each category of correspondence without any priority or preference. Subject to national law, any user, by having access to the international network established by an administration*, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant ~~CCITT~~ ITU-T Recommendations.

MOD CWG/4/123

31 3.4 Subject to national law, any user, by having access to the international network established by an administration^{*}/ROA, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant ~~CCITT~~ ITU-T Recommendations.

MOD CWG/4/124

31 3.4 Subject to national law, any user, by having access to the international network established by an administration operating agency, has the right to send traffic. A satisfactory

quality of service and above a minimum level should be maintained ~~to the greatest extent practicable~~, corresponding to relevant ~~CCITT ITU-T~~ Recommendations of the ITU.

MOD CWG/4/125

31 3.4 Subject to national law, any user, by having access to the international network established by an administration operating agency, has the right to send traffic. A satisfactory quality of service [and above a minimum level] should be maintained to the greatest extent practicable and as much as possible, corresponding to relevant ~~CCITT ITU-T~~ Recommendations.

SUP CWG/4/126

~~**31** 3.4 Subject to national law, any user, by having access to the international network established by an administration*, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant CCITT Recommendations.~~

Reasons:

There are two reasons for this proposal: (a) the proposal is to move the text elsewhere, not to suppress the text itself; (2) to suppress the text in the ITRs.

NOC CWG/4/127

31A

Reasons: No new 3.5 (misuse)

ADD CWG/4/128

31A 3.5 Member States shall endeavour to prevent misuse and misappropriation of numbering resources.

ADD CWG/4/129

31A 3.5 Misuse and misappropriation of numbering resources should be prevented to the greatest extent practicable, by implementing the relevant ITU-T Resolutions and Recommendations and, as appropriate, by transposing them to national laws.

ADD CWG/4/130

31A 3.5 Member States shall ensure that administrations, recognized operating agencies, and operating agencies which operate in their territory and provide international telecommunications services offered to the public apply the ITU-T Resolutions and Recommendations relating to naming, numbering, addressing and identification.

ADD CWG/4/131

31A 3.5 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Members shall require, subject to national law, that administrations, recognized operating agencies, and private operating agencies which operate in their territory and provide international telecommunications services offered to the public, apply the ITU-T Recommendations and

national laws relating to naming, numbering, addressing and identification, including any Instructions forming part of, or derived from, said Recommendations.

ADD CWG/4/132

31A 3.5 Member States shall ensure that the legal and regulatory frameworks and instruments applicable in their territories shall mandate [Administrations, Recognized Operating Agencies, and] Operating Agencies which operate in their territory and provide international telecommunications services offered to the public to apply the ITU-T Resolutions and Recommendations relating to naming, numbering, addressing and identification. [Member States shall ensure that these resources are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used.]

ADD CWG/4/133

31A 3.5 Member States shall ensure that the legal and regulatory frameworks and instruments applicable in their territories shall mandate operating agencies which operate in their territory and provide international telecommunications services offered to the public to apply the following ITU-T Recommendations relating to naming, numbering, addressing and identification: E.190, E.164, E.164.1, E.212, E.156, E.157, Q.708.

ADD CWG/4/134

31A 3.5 Member States shall ensure that international naming, numbering, addressing and identification resources are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used. The provisions of the relevant ITU-T Recommendations shall be applied.

ADD CWG/4/135

31A 3.5 Members shall ensure, consistent with technical capabilities and national legal and regulatory frameworks, that telecommunication administrations and operators under their jurisdiction neither participate in the misuse/misappropriation of numbering resources not assigned to them or assigned to other administrations and operators, nor use these resources using procedures that do not conform to the relevant ITU-T Recommendations' assignment criteria.

ADD CWG/4/136

31A 3.5 Member States shall ensure that international naming, numbering, addressing and identification resources are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources shall not be used. The provisions of the relevant ITU Recommendations shall [be applied | apply].

ADD CWG/4/137

31A 3.5 Member States should encourage the appropriate use of numbering resources, which are the responsibility and remit of the ITU, so that they are used only for the purposes for which they were assigned. Member States shall endeavour to ensure that unassigned resources, which are the responsibility and remit of the ITU, are not used.

ADD CWG/4/138

31A 3.5 Member States shall encourage the appropriate use of numbering resources so that they are used only by the assignees and only for the purposes for which they were assigned. In accordance with the relevant ITU-T Recommendations, Member States shall endeavor to ensure that unassigned resources are not used.

ADD CWG/4/139

31A 3.5 Member States shall ensure that numbering, naming, addressing and identification resources in international telecommunication networks are used in accordance with their intended purpose and stipulated allocation.

ADD CWG/4/140

31A 3.5 a) Member States shall ensure that international naming, numbering, addressing and identification resources specified in the ITU-T Recommendations are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used.

3.5 b) Member states shall, if they so elect, be able to control all naming, numbering, addressing and identification resources used within their territories for international telecommunications/ICTs.

NOC CWG/4/141

31B

Reasons: No new 3.6 (calling party identification)

ADD CWG/4/142

31B 3.6 International calling party number delivery shall be provided [taking into account] in accordance with] relevant ITU-T Recommendations.

ADD CWG/4/143

31B 3.6 International calling party number delivery shall be provided in accordance with relevant ITU-T Recommendations[, to the greatest extent practicable].

ADD CWG/4/144

31B 3.6 Members shall ensure, consistent with technical capabilities and national legal and regulatory frameworks, that telecommunication administrations and operators cooperate in the implementation and application of the following measures:

– Administrations and operators originating calls must provide the prefix designating the calling country code, in conformity with the relevant ITU-T Recommendations.

– Transit administrations and operators must cooperate in identifying and transmitting to termination administrations and operators the code identifying the calling line corresponding to the traffic they receive.

– Members will be able to respect the privacy of the data of the calling user, provided those data involve neither the code of the country of origin nor the national destination code.

ADD CWG/4/145

31B 3.6 International calling party number delivery [and/or originating identification] shall be provided in accordance with relevant ITU-T Recommendations[, to the greatest extent practicable]. Member States[, in certain specific circumstances,] may provide for data privacy by authorizing the masking of information other than the country code and national destination code[, but that masked information shall be made available to duly authorized law enforcement agencies].

ADD CWG/4/146

31B 3.6 Member States or Operating Agencies involved in a communication route – and in particular in transit nodes – shall ensure, to the greatest extent practicable, the provision, transport and forward of international calling party number delivery, calling line identification and/or origination identification, and its integrity end-to-end, in accordance with the relevant ITU-T Recommendations. Member States may provide for data privacy and data protection by authorizing the masking of information other than the country and operating agency identification codes or equivalent originating identifiers, but that masked information shall be made available to duly authorized law enforcement agencies.

ADD CWG/4/147

31B 3.6 Member States shall encourage the provision of international calling party number delivery in accordance with the relevant ITU-T Recommendations.

ADD CWG/4/148

31B 3.6 Member States shall, through various channels open to them, ensure that operating agencies:

- implement CLI features, where technically possible
- use appropriate standards when implementing CLI features,
- ensure that integrity of CLI is maintained end to end
- ensure that the requirements associated with data protection and data privacy are met.

ADD CWG/4/149

31B 3.6 Member States should, through various channels open to them, encourage network operators and service providers to:

- implement CLI features, in the international public switched telephony network services using naming, numbering and other resources within the remit and responsibility of the ITU, where technically possible,
- use appropriate standards when implementing CLI features,
- ensure the requirements associated with data protection, data privacy, consumer protection, and emergency provisions are met, when implementing CLI features.

ADD CWG/4/150

31B 3.6 Member states shall, through various channels open to them, ensure that Operating Agencies implement Calling Line Identification (CLI) features, where technically possible,

including at least presentation of country code, national destination code or equivalent origination identifiers in accordance with the relevant ITU-T Recommendations; ensure that integrity of the CLI is maintained end-to-end; ensure that the requirements associated with data protection and data privacy are met, but such masked information shall be made available to duly authorized law enforcement agencies. Member States may impose additional obligations.

ADD CWG/4/151

31B 3.6 Member States shall ensure correct transmission of the calling party number / address / name / identity.

ADD CWG/4/152

31B 3.6 Calling Party Identification is a basic right to any called party telecommunicated internationally, unless national legal and regulatory frameworks of the originating country conditionally restrict this identification excluding the Country Code and the National Destination Code. Member States shall endeavor to ensure that Administrations, ROAs and OAs which operate in their territory and provide international telecommunications services offered to the public to provide the delivery of the Calling Party Number to the called party.

ADD CWG/4/153

31B 3.6 Member States shall ensure that operating agencies duly identify the subscriber when providing international telecommunication services, and shall ensure the appropriate processing, transmission and protection of identification information in international telecommunication networks.

NOC CWG/4/154

31C

Reasons: No new 3.7 (international Internet connectivity)

ADD CWG/4/155

31C 3.7 Member states shall take appropriate measures nationally to ensure that all parties (including [recognized] operating agencies) involved in the provision of international telecommunication connections on any kind of network negotiate and agree to bilateral commercial arrangements, or an alternative type of arrangement [between Member States or recognized operating agencies], enabling direct international telecommunication ~~Internet~~ connections on any kind of network that take into account the possible need for compensation between [them | the mentioned recognized operating agencies] for the value of elements such as traffic flow, number of routes, and cost of international transmission, [and the possible application of network externalities, amongst others].

NOC CWG/4/156

31D **Reasons:** No new 3.8 (right to transmit traffic).

ADD CWG/4/157

31D 3.8 The public having access to the international network shall have the right to transmit traffic.

NOC CWG/4/158

ARTICLE 4

International Telecommunication Services

Reasons: title of Article 4 remains unchanged.

MOD CWG/4/159

32 4.1 Members States shall, to the greatest extent practicable, establish policies to promote the ~~development implementation~~ of international telecommunication services that are and shall endeavour to make such services generally available to the public ~~in their national network (s)~~.

MOD CWG/4/160

32 4.1 Members States shall, to the greatest extent practicable, establish policies to promote the ~~development implementation~~ of international telecommunication services ~~and shall endeavour to make such services generally available~~ to foster the general availability to the public ~~of such services in their national network (s)~~.

MOD CWG/4/161

32 4.1 Members States shall promote the implementation and development of international telecommunication ~~s/ICTs services~~ and They shall also endeavour to ensure that operating agencies make international telecommunication such services generally available to the public in their national network(s).

MOD CWG/4/162

32 4.1 Members States shall promote the availability implementation of international telecommunication services ~~and shall endeavour to make such services generally available~~ to the public ~~in their national network(s)~~.

MOD CWG/4/163

33 4.2 Member ~~s~~ States shall encourage ~~ensure that~~ administrations ^{*}/ROAs to cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant ITU-T ~~CCITT~~ Recommendations.

MOD CWG/4/164

33 4.2 Members States shall ensure that ~~administrations*~~ operating agencies cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant ~~CCITT~~ ITU-T Recommendations of the ITU.

MOD CWG/4/165

33 4.2 Members States shall ensure that administrations/operating agencies cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services ~~which should conform, to the greatest extent practicable, to the relevant CCITT Recommendations of any type, including, but not limited to:~~
~~- services for carrying traffic (including services for carrying Internet traffic and data transmission);~~
~~- telecommunication roaming services;~~
~~- services for the provision of telecommunication channels;~~
~~- services in the public international telegraph service;~~
~~- services in the international telex service;~~
~~- telematic telecommunication services;~~
~~- multimedia telecommunication services;~~
~~- convergent telecommunication services;~~
~~- global telecommunication services.~~

SUP CWG/4/166

33 ~~4.2 Members shall ensure that administrations* cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant CCITT Recommendations.~~

MOD CWG/4/167

34 4.3 Subject to national law, Member-~~s~~ States shall endeavour to ensure that ROAs administrations* provide and maintain, to the greatest extent practicable, a satisfactory minimum quality of service corresponding to the relevant ITU-T CCITT Recommendations with respect to:

MOD CWG/4/168

34 4.3 Subject to national law, Members States shall endeavour to ensure that ~~administrations*~~ operating agencies provide and maintain, to the greatest extent practicable, a satisfactory minimum quality of service corresponding to the relevant ~~CCITT~~ ITU-T Recommendations with respect to:

MOD CWG/4/169

34 4.3 Subject to national law, Members States shall ~~endeavour to~~ ensure that ~~administrations*~~ operating agencies provide and maintain, to the greatest extent practicable, a satisfactory minimum quality of service and above a minimum level ~~corresponding to~~ taking into consideration the relevant ~~CCITT~~ ITU-T Recommendations of the ITU with respect to:

MOD CWG/4/170

34 4.3 ~~Subject to national law,~~ Members States shall endeavour to ensure that operating agencies provide and maintain, ~~to the greatest extent practicable, a minimum~~ an agreed quality of service ~~corresponding to the relevant CCITT Recommendations~~ with respect to:

NOC CWG/4/171

35 a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel;

MOD CWG/4/172

35 a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel for to the public;

MOD CWG/4/173

35 a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel; harm to technical facilities and personnel shall be construed to include spam, malware, etc. as defined in relevant ITU-T Recommendations (as the case may be), as well as malicious code transmitted by any telecommunication facility or technology, including Internet and Internet Protocol. Furthermore, the said provision shall be construed to prohibit connection of terminals that cause harm to technical facilities or personnel.

MOD CWG/4/174

35 a) access to the international network by users using terminals which are permitted to be connected to the network and which do not ~~cause harm to~~ diminish the level of security of technical facilities and personnel.

NOC CWG/4/175

36 b) international telecommunication facilities and services available to customers for their dedicated use;

MOD CWG/4/176

36 b) international telecommunication facilities and services available to customers for their ~~dedicated~~ use;

NOC CWG/4/177

37 c) at least a form of telecommunication which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and

MOD CWG/4/178

37 c) at least a form of telecommunication /ICTs which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and

MOD CWG/4/179

37 c) at least a form of telecommunication service which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and

NOC CWG/4/180

38 d) a capability for interworking between different services, as appropriate, to facilitate international communications.

MOD CWG/4/181

38 d) a capability for interworking between different services, as appropriate, to facilitate international telecommunications [services].

NOC CWG/4/182

38A

Reasons: No new 4.4 (transparency of roaming tariffs).

ADD CWG/4/183

38A 4.4 Member States shall ensure that operators providing international telecommunication services, in particular international roaming, at least provide free of charge transparent and up-to-date information on retail charges, including roaming charges.

ADD CWG/4/184

38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services provide transparent and up-to-date information on retail charges to end users, including roaming charges.

ADD CWG/4/185

38A 4.4 Member States shall ensure that operators providing international telecommunication services, in particular international roaming, provide transparent and up-to-date information on retail charges, including roaming charges. [In particular, each customer should also be able to easily have access to, and receive appropriate and timely pricing (including taxes) information free of charge when abroad on the relevant price plan, except when the customer has notified his home operator that he does not require this service].

ADD CWG/4/186

38A 4.4 Members States shall ensure transparency of end-user prices, in particular to avoid unreasonable or surprising bills for international services (e.g mobile roaming and data roaming).

ADD CWG/4/187

38A 4.4 Members States shall ensure transparency of end-user prices and the provision of clear information on how to access the services and the prices thereof, in particular to avoid unreasonable or surprising bills for international services (e.g mobile roaming and data roaming), and shall ensure that Operating Agencies take the necessary measures to fulfill these requirements.

ADD CWG/4/188

38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers information on tariffs, including duties and fiscal taxes. Each subscriber should be able to have access to such information and receive it in a timely manner and free of charge when roaming (entering into roaming), except where the subscriber has previously declined to receive such information.

ADD CWG/4/189

38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers information on the cost of additional paid services, including calls to short numbers, provided by the operating agency itself or by another service provider, through to their completion.

ADD CWG/4/190

38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers the option of declining any additional paid international telecommunication services (such as calls to short paid numbers) and/or basic services (voice, data) entirely, up to a given spending limit or on other conditions.

ADD CWG/4/191

38A 4.4 Member States shall implement measures to improve transparency in prices, modalities and conditions of access to mobile services in international mobile roaming as well as their effective and immediate communication to the user.

ADD CWG/4/192

38A 4.4 Member States, taking into account specific national and regional conditions, should encourage the development of effective ways to provide consumers with clear, transparent and timely information on retail charges for international mobile roaming services.

NOC CWG/4/193

38B

Reasons: No new 4.5 (Global Telecommunications Services).

ADD CWG/4/194

38B 4.5 Given the particular characteristics of GTSs, which display both the features of international telecommunication services as well as their own specific features in the form of ubiquitous access in accordance with local legislations and of their own specially assigned country codes allowing subscribers to have a single worldwide number, national legislation may insert and implement GTSs into national law to the effect that GTS are considered local services in the applicable jurisdiction.

ADD CWG/4/195

38B 4.5 Given the particular characteristics of GTS, which allows subscribers to have a worldwide number, national legislation may allow and implement GTSs in such a way that GTSs are considered as local communication services in the applicable jurisdiction.

NOC CWG/4/196

38C

Reasons: No new 4.6 (provision of roaming).

ADD CWG/4/197

38C 4.6 Member States shall implement measures to ensure that telecommunication services in international roaming of satisfactory levels of quality, comparable to that provided to their own local users, are provided to visiting users.

NOC CWG/4/198

38D

Reasons: No new 4.7 (international IP interconnections).

ADD CWG/4/199

38D 4.7 Operating agencies shall cooperate in the development of international IP interconnections providing both, best effort delivery and end to end quality of service delivery. Best effort delivery should continue to form the basis of international IP traffic exchange. Nothing shall preclude commercial agreements with differentiated quality of service delivery to develop.

NOC CWG/4/200

38E

Reasons: No new 4.8 (border zone inadvertent roaming).

ADD CWG/4/201

38E 4.8 Member States shall foster the establishment of mutual agreements on mobile services accessed within a predetermined border zone in order to prevent or mitigate inadvertent roaming charges.

NOC CWG/4/202

ARTICLE 5

Safety of Life and Priority of Telecommunication

Reasons: title of Article 5 remains unchanged.

MOD CWG/4/203

39 5.1 Safety of life telecommunications, such as including distress telecommunications, emergency telecommunication services and telecommunications for disaster relief, shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Constitution and Convention ~~and~~ in accordance with relevant CCITT-Resolutions and-Recommendations of the ITU.

MOD CWG/4/204

39 5.1 Safety of life telecommunications, such as including distress telecommunications, emergency telecommunication services and telecommunications for disaster relief, shall be

entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Constitution and Convention ~~and~~ in accordance with relevant ITU-T CCITT Resolutions and Recommendations.

MOD CWG/4/205

39 5.1 ~~Safety of life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Convention and taking due account of relevant CCITT Recommendations.~~ International telecommunication services must give absolute priority to all telecommunications concerning safety of life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization.

Reasons: Align with No. 191 Cs

MOD CWG/4/206

39 5.1 Member States shall adopt policies that, to the greatest extent practicable, ensure that sSafety of life telecommunications, such as distress telecommunications, are 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 Convention and taking due account of relevant ~~CCITT~~ ITU-T Recommendations.

MOD CWG/4/207

39 5.1 Safety of life telecommunications, ~~such as~~ including distress telecommunications shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other international service telecommunications, in accordance with the relevant Articles of the Constitution and Convention and taking due account of/in accordance with relevant ITU CCITT [Resolutions and] Recommendations. When providing such services, departures from compliance with individual provisions of the ITRs (regarding spam or the protection of personal data), as well as the suspension or restriction of other international telecommunication services, is permissible.

ADD CWG/4/208

39A 5.1 b) Member States shall ensure that telecommunications relating to safety of life (distress), including for prevention, relief, and mitigation in emergency situations, are given absolute priority.

MOD CWG/4/209

40 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 [types of] telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Constitution and Convention and taking due account of relevant ~~CCITT~~ ITU-T Recommendations.

SUP CWG/4/210

40 ~~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. 39, in accordance with the relevant provisions of the Convention and taking due account of relevant CCITT Recommendations.~~

MOD CWG/4/211

41 5.3 The provisions governing the priority enjoyed by any ~~all~~ other telecommunications services are contained in the relevant ~~CCITT ITU-T~~ Recommendations of the ITU.

MOD CWG/4/212

41 5.3 The provisions governing the priority enjoyed by any ~~all~~ other telecommunications [services] are contained in the relevant ~~CCITT ITU-T~~ Recommendations.

SUP CWG/4/213

41 ~~5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations.~~

NOC CWG/4/214

41A

Reasons: No new 5.4.

ADD CWG/4/215

41A 5.4 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Member States shall encourage administrations, recognized operating agencies, and operating agencies which operate in their territory and provide international telecommunications services offered to the public, to apply the ITU-T Recommendations relating to safety of life, priority telecommunications, disaster recovery and emergency telecommunications, including any Instructions forming part of, or derived from, said Recommendations.

NOC CWG/4/216

41B

Reasons: No new 5.5 (single emergency number).

ADD CWG/4/217

41B 5.5 Member States should cooperate to introduce in addition to their existing national emergency numbers a global number for calls to the emergency services globally.

NOC CWG/4/218

41C

Reasons: No new 5.6 (information on emergency number).

ADD CWG/4/219

41C 5.6 Member States shall [ensure that operating agencies] inform [every roaming subscriber | every roaming user | all users including roaming users], in good time and free of charge, of the number to be used for calls to the emergency services.

NOC CWG/4/220

ARTICLE 5A

[Security] | [Confidence and security in the provision of international telecommunications and services] | [Confidence and security of telecommunications/ICTs]

Reasons: no new article 5A

ADD CWG/4/221

ARTICLE 5A

[Security] | [Confidence and security in the provision of international telecommunications and services] | [Confidence and security of telecommunications/ICTs]

ADD CWG/4/222

41D 5A.1 Member-States have the responsibility and right to protect the network security of the information and communication infrastructure within their state, to promote the international cooperation to fight against network attacks and disruptions.

5A.2 Member-States have the responsibility to require and supervise that enterprises operating in their territory use ICTs in a rational way and endeavour to ensure the effective functioning of ICTs, in secure and trustworthy conditions.

5A.3 User information in information and communication network should be respected and protected. Member-states have the responsibility to require and supervise that enterprises operating in their territory protect the security of user information.

ADD CWG/4/223

41D 5A.1 Member States shall cooperate to enhance user confidence, build trust, and protect both data and network integrity; consider existing and potential threats to ICTs; and address other information security and network security issues.

5A.2 Member States in cooperation with the private sector, should prevent, detect and respond to cyber-crime and misuse of ICTs by: developing guidelines that take into account ongoing efforts in these areas; considering legislation that allows for effective investigation and prosecution of misuse; promoting effective mutual assistance efforts; strengthening institutional support at the

international level for preventing, detecting and recovering from such incidents; and encouraging education and raising awareness.

Reasons: This proposal is based on 12 (a) and 12 (b) of the Geneva Plan of action.

ADD CWG/4/224

41D 5A.1 Member States shall cooperate to strengthen security while enhancing the protection of personal information, privacy and data.

5A.2 Member States shall cooperate with other stakeholders to develop necessary legislation for the investigation and prosecution of [cybercrime].

5A.3 Member States should cooperate to take actions to counter spam, including through consumer and business education; appropriate legislation, law-enforcement authorities and tools; the continued development of technical and self-regulatory measures; best practices; and international cooperation.

5A.4 Member States shall take measures to ensure Internet stability and security, to fight [cybercrime] and to counter spam, while protecting and respecting the provisions for privacy and freedom of expression as contained in the relevant parts of the Universal Declaration of Human Rights.

Reasons: This proposal is based on 39-42 of the Tunis Agenda.

ADD CWG/4/225

41D 5A.1 Member States should cooperate regarding telecommunications security matters (including cybersecurity), in particular to develop technical standards and acceptable legal norms, including among others those regarding territorial jurisdiction and sovereign responsibility.

5A.2 Member States shall cooperate to harmonize national laws, jurisdictions, and practices in the areas of: the investigation and prosecution of [cybercrime] (including eavesdropping and breach of privacy of telecommunications); data preservation, retention, protection (including personal data protection), and privacy; and approaches for network defense and response to cyberattacks.

5A.3 [Protection of critical infrastructure: text to be developed]

5A.4 [Member States shall ensure that intercept and monitoring of international telecommunications be subject to due process authorized in accordance with national law.]

Reasons: This proposal is related to the part in square brackets for the title.

ADD CWG/4/226

41D 5A.1 Member States should encourage Operating Agencies in their territories to take appropriate measures for ensuring network security.

8A.2 Member States should collaborate to promote international cooperation to avoid technical harm to networks.

ADD CWG/4/227

41D 5A.1 Member States should encourage operating agencies to take measures to further the security, safety, continuity, sustainability and robustness of their networks used for international telecommunication services.

5A.2 Member States are encouraged to cooperate in that sense.

ADD CWG/4/228

41D 5A.1 Member States shall do their utmost to promote the confidence required for effective use and harmonious development of international telecommunications as well as security in the provision of international telecommunication services.

5A.2 Member States shall ensure the confidentiality of international telecommunications and of any related information that has become known to the operating agency in the course of providing international telecommunication services.

5A.3 Member States shall ensure the protection of personal data handled for the purposes of providing international telecommunication services.

5A.4 Member States shall ensure unrestricted public access to international telecommunication services and the unrestricted use of international telecommunications, except in cases where international telecommunication services are used for the purpose of interfering in the internal affairs or undermining the sovereignty, national security, territorial integrity and public safety of other States, or to divulge information of a sensitive nature.

5A.5 Member States shall prevent the propagation of spam.

5A.6 Member States shall combat network fraud.

5A.7 Member States shall ensure that numbering, naming, addressing and identification resources in international telecommunication networks are used in accordance with their intended purpose and stipulated allocation.

5A.8 Member States shall ensure that operating agencies duly identify the subscriber when providing international telecommunication services, and shall ensure the appropriate processing, transmission and protection of identification information in international telecommunication networks.

5A.9 Member States shall ensure that operating agencies take the appropriate measures to ensure reliable operation, confidence and security of international telecommunications.

ADD CWG/4/229

41D 5A.1 Member States shall undertake appropriate measures, individually or in cooperation with other Members states, to ensure Confidence and Security of Telecommunications/ICTs.

5A.2 Issues related to security include physical and operational security; cybersecurity, [cybercrime,] and cyber attacks; denial of service attacks; other online crime; controlling and countering unsolicited electronic communication (e.g Spam); and protection of information and personal data (e.g. phishing).

5A.3 Member States, in accordance to national law, shall cooperate to investigate, prosecute, correct and repair security breaches and incidents in timely manner.

5A.4 Member States shall ensure that operating agencies and other concerned entities provide and maintain, to the greatest extent practicable, confidence and security of telecommunications/ICTs.

5A.5 Member States shall ensure that operating agencies and other concerned entities cooperate with their counter parts in other Member states in ensuring confidence and security of telecommunications/ICTs.

NOC CWG/4/230

ARTICLE 5B

Countering spam

Reasons: No new article 5B.

ADD CWG/4/231

ARTICLE 5B

Countering spam

Reasons: Add a new article on countering spam. The issue of spam is covered in some of the proposals for a new article 5A on security; if those proposals are adopted, the proposals below should be revisited so as to avoid overlaps. Alternatively, some of the proposals below could be contained in a WCIT Resolution.

ADD CWG/4/232

41E Member States are encouraged:

a) to adopt national legislation to act against spam;

b) to cooperate to take actions to counter spam;

c) to exchange information on national findings/actions to counter spam.

ADD CWG/4/233

41E Member States shall prevent the propagation of spam.

NOC CWG/4/234

ARTICLE 6

Charging and Accounting

Reasons: Title of Article 6 remains unchanged.

MOD CWG/4/235

ARTICLE 6

International Telecommunication Service Arrangements | Pricing | Economic and Policy Issues~~Charging and Accounting~~

Reasons: Change in title.

SUP CWG/4/236

ARTICLE 6

~~Charging and Accounting~~

Reasons: Suppress all of article 6, possibly moving some provisions to a new appendix.

NOC CWG/4/237

42 6.1 Collection charges

43 6.1.1 Each administration/ROA shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.

MOD CWG/4/238

43 6.1.1 Each administration* and operating agency [shall | could], subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.

MOD CWG/4/239

43 ~~6.1.1—Each administration* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.~~ Subject to applicable national law, the terms and conditions [of arrangements] between [ROAs | operating agencies] for the provision of international telecommunication services shall be subject to [mutual] commercial agreement.

Reasons:

The proposal is related to proposal 2 for the title, and to the suppression of 6.1.2. Note that there are two variants: referring to ROA or of OA

MOD CWG/4/240

43 6.1.1 Each ~~administration*~~ROA shall, subject to applicable national law, establish the collection charges to be offered to ~~collected from~~ its customers. The level of the charges is a

national matter; ~~and as such could be regulated by the Member State in line with the principles in these Regulations . great a dissymmetry between the charges applicable in each direction of the same relation.~~

MOD CWG/4/241

43 6.1.1 Each ~~operating agency~~^{administration*} shall, subject to applicable national law, establish the charges to be collected from its customers. ~~The level of the charges is a national matter; however, i~~n establishing these charges, ~~Member States~~^{administrations} should ~~take measure~~^{stry} to avoid too great a dissymmetry between the charges applicable in each direction of the same relation, ~~and they shall ensure transparency.~~

NOC CWG/4/242

43A

Reasons: No new 6.1.1A (costs of international roaming services).

ADD CWG/4/243

43A **6.1.1A Costs of International Roaming Services**

6.1.1 a) Member States shall encourage competition in the international roaming market;

6.1.1 b) Member States are encouraged to cooperate to develop policies for reducing charges on international roaming services.

NOC CWG/4/244

44 6.1.2 The charge levied by an administration/ROA on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration.

MOD CWG/4/245

44 6.1.2 The charge levied by an administration^{*} ~~or operating agency~~ on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration ~~or operating agency~~.

MOD CWG/4/246

44 6.1.2 The charge levied by an ~~administration~~^{*} ~~operating agency~~ on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that ~~administration~~ ~~operating agency~~.

SUP CWG/4/247

~~**44** 6.1.2 The charge levied by an administration^{*} on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration.~~

NOC CWG/4/248

45 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be

collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.

MOD CWG/4/249

45 6.1.3 ~~Where in accordance with the national law of a country, a~~ Countries are free to levy fiscal taxes on is levied on collection charges for international telecommunication services in accordance with their national laws, but international double taxation must be avoided, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special arrangements.

MOD CWG/4/250

45 6.1.3 Member States shall not apply taxes to incoming international calls, so as to avoid double taxation. ~~Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~

MOD CWG/4/251

45 6.1.3 ~~Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~ National authorities are free to impose taxes on all telecommunications traffic, whether incoming or outgoing. However, such taxes should be reasonable and the proceeds should be directed where possible at the development of the industry. Regarding double taxation, Member States are encouraged to cooperate within the framework of bilateral, juridical double taxation treaties under which taxation arrangements are pre-determined by the terms of the treaty so as to protect against the risk of double taxation and avoidance or evasion of tax liability.

MOD CWG/4/252

45 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges, to be included or added to the collection charge, for international telecommunication services, this tax shall ~~normally~~ be collected only in respect of international telecommunication services ~~billed~~ presented for payment to customers in that country, unless other arrangements are made to meet special circumstances. This rule also applies in cases where accounts for international telecommunication services are handled through specialized accounting authorities on the basis of arrangements with administrations/operating agencies.

SUP CWG/4/253

45 ~~6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~

NOC CWG/4/254

45A

Reasons: No new 6.1.3A.

ADD CWG/4/255

45A 6.1.3A Where an ROA has a duty or fiscal tax levied on its share of charges for providing international telecommunication services or other remunerations, it shall not in turn impose any such duty or fiscal tax on other ROAs.

Reasons: 6.1.3A is taken from 1.6 in Appendix 1; 6.1.3B is taken from 3.3.4 in Appendix 1.

ADD CWG/4/256

45A 6.1.3A Fiscal taxes on telecommunications equipment and services should not be excessive, and their proceeds should be used to finance the development of telecommunications services.

NOC CWG/4/257

45B

Reasons: No new 6.1.3B.

ADD CWG/4/258

45B 6.1.3B The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor.

Reasons:

6.1.3A is taken from 1.6 in Appendix 1; 6.1.3B is taken from 3.3.4 in Appendix 1.

MOD CWG/4/259

46 **6.2 Accounting rates**

47 ~~6.2.1~~ For each applicable service in a given relation, administrations* 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 relevant ~~ITU-T CCITT~~ Recommendations and relevant cost trends.

MOD CWG/4/260

46 **6.2 Accounting, transit and termination rates**

47 ~~6.2.1~~ For each applicable service in a given relation, [administrations]* or operating agencies shall by mutual agreement [, on the basis of costs,] establish and revise accounting, transit and termination rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant ~~ITU-T CCITT~~ Recommendations and relevant cost trends.

MOD CWG/4/261

46 **6.2 Accounting rates Wholesale prices**

47 6.2.1 Each ROA shall, subject to applicable national law, agree with other ROAs under commercial agreement, the terms and conditions, including prices, for the provision of international communications services. Member States shall have the power to regulate the terms and conditions of the services provided in their territory in line with the principles in these Regulations. For each applicable service in a given relation, administrations* 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 relevant CCITT Recommendations and relevant cost trends.

SUP CWG/4/262

46 **~~6.2~~ Accounting rates**

47 ~~6.2.1 For each applicable service in a given relation, administrations* 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 relevant CCITT Recommendations and relevant cost trends.~~

MOD CWG/4/263

48 **6.3 Monetary unit**

49 ~~6.3.1~~ In the absence of special arrangements concluded between administrations* or 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 currencies agreed by debtors and creditors ~~or the gold franc, equivalent to 1/3.061SDR.~~

MOD CWG/4/264

49 6.3.1 In the absence of special arrangements concluded between ~~administrations*~~ 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 the gold franc, equivalent to 1/3.061 SDR.

SUP CWG/4/265

48 **6.3 — Monetary unit**

49 ~~6.3.1 In the absence of special arrangements concluded between administrations*, 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 the gold franc, equivalent to 1/3.061 SDR.~~

SUP CWG/4/266

50 ~~6.3.2 In accordance with relevant provisions of the International Telecommunication Convention, this provision shall not affect the possibility open to administrations* of establishing bilateral arrangements for mutually acceptable coefficients between the monetary unit of the IMF and the gold franc.~~

MOD CWG/4/267

51 **6.4 Establishment of accounts and settlement of balances of account**

52 ~~6.4.1~~ Unless otherwise agreed, administrations* shall follow the relevant provisions as set out in Appendices 1 and 2.

MOD CWG/4/268

52 ~~6.4.1~~ Unless otherwise agreed, administrations* or operating agencies shall apply follow the relevant provisions as set out in Appendices 1 and 2.

MOD CWG/4/269

52 ~~6.4.1~~ Unless otherwise agreed, administrations* operating agencies shall follow the relevant provisions as set out in Appendices 1 and 2.

MOD CWG/4/270

52 ~~6.4.1 Unless otherwise agreed, administrations* shall follow the relevant provisions as set out in Appendices 1 and 2. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations. Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.~~

Reasons: Align with 497, 498 CV.

SUP CWG/4/271

51 ~~6.4 Establishment of accounts and settlement of balances of account~~

52 ~~6.4.1 Unless otherwise agreed, administrations* shall follow the relevant provisions as set out in Appendices 1 and 2.~~

MOD CWG/4/272

53 **6.5 Service and privilege telecommunications**

54 ~~6.5.1~~ Administrations* and operating agencies shall ~~apply follow~~ the relevant provisions as set out in Appendix 3.

MOD CWG/4/273

54 ~~6.5.1~~ Administrations/ROAs shall follow the relevant provisions as set out in Appendix 3.

MOD CWG/4/274

54 ~~6.5.1 Administrations*~~ Operating agencies shall follow the relevant provisions as set out in Appendix 3.

NOC CWG/4/275

54A

Reasons: No new 6.6.

ADD CWG/4/276

54A 6.6 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Members States shall, as appropriate, encourage administrations, recognized operating agencies, and private operating agencies which operate in their territory and provide international telecommunications services offered to the public, to apply the ITU-T Recommendations relating to charging and accounting and alternate calling procedures, including any Instructions forming part of, or derived from, said Recommendations.

ADD CWG/4/277

54A 6.6 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Members States shall, as appropriate, encourage administrations*, which operate in their territory and provide international telecommunications services, to apply the ITU-T Recommendations relating to charging and accounting and alternate calling procedures, including any Instructions forming part of, or derived from, said Recommendations.

NOC CWG/4/278

54B

Reasons: No new 6.7.

ADD CWG/4/279

54B 6.7 Member States shall ensure that each party in a negotiation or agreement related to or arising out of international connectivity matters including those for the Internet will have standing to have recourse to the competition authorities of the other party's country.

ADD CWG/4/280

54B 6.7 Member States shall ensure that each party in a negotiation or agreement related to or arising out of international connectivity matters, including those for the Internet, will have access to alternative dispute resolution mechanisms and will have standing to have recourse to the relevant regulatory or competition authorities of the other party's country.

NOC CWG/4/281

54C

Reasons: No new 6.8.

ADD CWG/4/282

54C 6.8 When evaluating significant market power and its abuse, national competition authorities should also take into account international market share and international market power.

NOC CWG/4/283

54D

Reasons: No new 6.9.

ADD CWG/4/284

54D 6.9 Member States shall take measures to ensure that foreign creditors for telecommunications accounts can obtain payment quickly and efficiently.

NOC CWG/4/285

54E

Reasons: No new 6.10.

ADD CWG/4/286

54E 6.10 Subject to national law, members shall ensure that administrations collaborate in preventing and controlling fraud in international telecommunications by:

– Identifying and transmitting to the transit and destination administrations and operators the pertinent information required for the purposes of payment for the routing of international traffic, in particular the calling line code.

– Following up requests by administrations of other countries to investigate calls that cannot be billed, and helping to resolve outstanding accounts.

- Respecting the right of members to decide the payment procedure for international telecommunications terminating on their territory.

ADD CWG/4/287

54E 6.10 Subject to national law, members shall ensure that administrations collaborate in preventing and controlling fraud in international telecommunications by:

– Identifying and transmitting to the transit and destination administrations and operators the pertinent information required for the purposes of payment for the routing of international traffic, in particular the originating Country Code, National Destination Code and the Calling Party Number.

– Following up requests by administrations of other countries to investigate calls that cannot be billed, and helping to resolve outstanding accounts.

- Following up requests by other Member States and Administrations to identify the source of calls originated from their territories exerting potential fraudulent activity.

NOC CWG/4/288

54F

Reasons: No new 6.11

ADD CWG/4/289

54F 6.11 The ITU Standardization Sector shall be responsible for disseminating the regulatory frameworks in place in administrations having an impact on matters related to fraud.

NOC CWG/4/290

54G

Reasons: No new 6.12

ADD CWG/4/291

54G 6.12 Member States shall ensure that rates (in particular transit rates, termination rates, and roaming rates) are cost-based.

NOC CWG/4/292

54H

Reasons: No new 6.12A

ADD CWG/4/293

54H 6.12A Member States shall foster the establishment of international roaming mobile services prices based on principles of reasonability, competitiveness and non-discrimination relative to prices applied to local users of the visited country.

NOC CWG/4/294

54I

Reasons: No new 6.12B

ADD CWG/4/295

54I 6.12B Member States shall ensure that operating agencies providing international communications services, including mobile services, enable open equivalent access by devices used by subscribers contracted to other operating agencies, such that they are able to connect to applications and content service without charges beyond that normally applied to their own contracted subscribers.

NOC CWG/4/296

54J

Reasons: No new 6.13.

ADD CWG/4/297

54J 6.13 Member States shall promote transparency with respect to retail and wholesale prices, costs, and quality of service.

NOC CWG/4/298

54K

Reasons: No new 6.14.

ADD CWG/4/299

54K 6.14 Member States should foster continued investment in high-bandwidth infrastructures.

NOC CWG/4/300

54L

Reasons: No new 6.15.

ADD CWG/4/301

54L 6.15 Member States shall promote cost-oriented pricing. Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms and to the extent that such measures do not hinder competition.

NOC CWG/4/302

54M

Reasons: No new 6.16.

ADD CWG/4/303

54M 6.16 Member States shall take measures to ensure that fair compensation is received for carried traffic (e.g. interconnection or termination). Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms and to the extent that such measures do not hinder competition.

NOC CWG/4/304

54N

Reasons: No new 6.17.

ADD CWG/4/305

54N 6.17 Members States shall ensure transparency of end-user prices, in particular to avoid surprising bills for international services (e.g mobile roaming and data roaming).

NOC CWG/4/306

54O

Reasons: No new 6.18.

ADD CWG/4/307

54O 6.18 Member States should consider measures to favour special interconnection rates for landlocked countries.

NOC CWG/4/308

54P

Reasons: No new 6.13A.

ADD CWG/4/309

54P 6.18A Member States shall ensure that operators establish charging units and parameters that bill telecommunication service consumers according to what is effectively consumed.

NOC CWG/4/310

54Q

Reasons: No new 6.19.

ADD CWG/4/311

54Q **6.19 Charges and Free Services**

The provisions regarding charges for telecommunications and the various cases in which free services are accorded are set forth in the Administrative Regulations.

Reasons: The text is taken from 496 CV.

NOC CWG/4/312

54R

Reasons: No new 6.20.

ADD CWG/4/313

54R 6.20 Rendering and Settlement of Accounts

6.20.1 The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations.

6.20.2 Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.

6.20.3 The statement of accounts with respect to debits and credits referred to in No. 498 above shall be drawn up in accordance with the provisions of the Administrative Regulations, unless special arrangements have been concluded between the parties concerned.

Reasons: The text is taken from 497, 498,499 CV.

NOC CWG/4/314

54S

Reasons: No new provisions.

ADD CWG/4/315

54S 6.A Member States shall ensure transparency with respect to retail and wholesale prices, costs, and quality of service.

6.B Member States should foster continued investment in high-bandwidth infrastructures.

6.C Member States shall [take measures to] ensure that prices are oriented on costs. Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms.

6.D Member States shall take measures to ensure that an adequate return is provided on investments in network infrastructures. If this cannot be achieved through market mechanisms, then other mechanisms may be used.

6.E Member States shall [take measures to] ensure that fair compensation is received for carried traffic (e.g. interconnection or termination). Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms.

6.F The right to create universal service funds or universal service obligations is reserved.

6.G Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.

Reasons: This ADD is combined with SUP existing text (except for 6.1.3, which is reproduced in 6.G)

SUP CWG/4/316

ARTICLE 6

Charging and Accounting

Reasons: Suppress existing provisions of article 6, except for 6.1.3.
Replace existing provisions of article 6 with new provisions above.

NOC CWG/4/317

54T

Reasons: No new provisions.

ADD CWG/4/318

54T 6.2 Accounting, transit and termination rates

6.2.1 For each applicable service in a given relation, [administrations]^{*} or Operating Agencies shall by mutual agreement, on the basis of cost orientation, establish and revise accounting, transit and termination rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant ITU-T ~~CGHT~~ Recommendations and relevant cost trends.

6.2.2 Member States shall ensure that each party in a negotiation or agreement related to or arising out of international connectivity matters, will have access to alternative dispute resolution mechanisms and will have standing to have recourse to the relevant regulatory or competition authorities of the other party's state, [this dispute resolution mechanism may also be by a body mutually agreeable to the parties of the dispute (a neutral body in one of the concerned countries or by a neutral international body, or as agreed by the concerned parties).]

6.2.3 Member States shall ensure that rates (in particular transit rates, termination rates, and roaming rates) are cost-oriented.

NOC CWG/4/319

ARTICLE 7

Suspension of Services

Reasons: title of Article 7 remains unchanged.

MOD CWG/4/320

55 7.1 If a Member State exercises its right in accordance with the Constitution and Convention to suspend international telecommunication services partially or totally, that Member States shall immediately notify the Secretary-General of the suspension and of the subsequent return to normal conditions by the most appropriate means of communication.

MOD CWG/4/321

56 7.2 The Secretary-General shall immediately bring such information to the attention of all other Members States, using the most appropriate means of communication.

NOC CWG/4/322

ARTICLE 8

Dissemination of Information

Reasons: title of Article 8 remains unchanged.

MOD CWG/4/323

57 Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by administrations, of an ~~administrative, operational tariff or a~~ statistical nature concerning international telecommunication ~~routes and~~ services. Such information shall be disseminated in accordance with the relevant provisions of the Constitution and Convention and of this Article, on the basis of decisions taken by the ~~Administrative~~ Council or by ~~relevant competent administrative~~ conferences, and taking account of conclusions or decisions of Plenary Assemblies of the International Consultative Committees.

MOD CWG/4/324

57 Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by ~~administrations*~~ Member States, of an administrative, operational, tariff or statistical nature concerning international telecommunication routes and services. Such information shall be disseminated in accordance with the relevant provisions of the Convention and of this Article, on the basis of decisions taken by the ~~Administrative~~ Council or by competent ~~administrative~~ conferences, and taking account of conclusions or decisions of ~~Plenary competent~~ Assemblies ~~of the International Consultative Committees~~. Member States should transmit such information to the Secretary-General in timely manner and in accordance with the relevant Recommendation of the ITU. If so authorized by the concerned Member State, the information can be transmitted to the Secretary-General directly by an operating agency and shall then be disseminated by the Secretary-General.

SUP CWG/4/325

~~**57** Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by administrations, of an administrative, operational, tariff or statistical nature concerning international telecommunication routes and services. Such information shall be disseminated in accordance with the relevant provisions of the Convention and of this Article, on the basis of decisions taken by the Administrative Council or by competent administrative conferences, and taking account of conclusions or decisions of Plenary Assemblies of the International Consultative Committees.~~

NOC CWG/4/326

ARTICLE 8A

Energy efficiency

Reasons: No new article 8A.

ADD CWG/4/327

ARTICLE 8A

Energy efficiency

Reasons: Add a new article on energy efficiency. To be revisited: the substance of the proposal could be included in a Resolution

ADD CWG/4/328

57A [Member States shall cooperate to encourage operating agencies and industry to adopt energy efficiency international standards and best practices including disclosure and labelling schemes, so as to reduce energy consumption and e-waste.]

NOC CWG/4/329

ARTICLE 9

Special Arrangements

Reasons: title of Article 9 remains unchanged.

MOD CWG/4/330

58 9.1 a) Pursuant to Article 42 of the Constitution, special arrangements may be entered into on telecommunication matters which do not concern Members States in general. Subject to national laws, Members States may allow administrations */ROAs or other organizations or persons to enter into such special mutual arrangements with Members States, administrations or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Member States concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.

MOD CWG/4/331

58 9.1 a) ~~Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982),~~ [Pursuant to Article 42 of the Constitution] ~~s~~Special arrangements may be entered into on telecommunication matters which do not concern Members States in general. Subject to

national laws, Members States may allow ~~administrations*~~ operating agencies or other organizations or persons to enter into such special mutual arrangements with ~~Members, administrations* operating agencies~~ or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Member States concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.

MOD CWG/4/332

58 9.1 a) ~~Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), Administrations/operating agencies may enter into~~ special arrangements ~~may be entered into on telecommunication matters which do not concern Members in general. Subject to national laws, Members may allow~~ with other ~~administrations/operating agencies~~ or other organizations ~~or persons to enter into such special mutual arrangements with Members, administrations* or other organizations or persons~~ that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Member States concerned and including, as necessary, those financial, technical, or operating conditions, and any requirements for strengthening confidence and ensuring security, including of information, to be observed.

NOC CWG/4/333

59 b) Any such special arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries.

MOD CWG/4/334

59 b) Any such special arrangements ~~shall should~~ avoid technical harm to the operation of the telecommunication facilities and services of third ~~countries~~ parties, and shall not diminish the security and confidence of telecommunications/ICTs of third parties.

MOD CWG/4/335

59 b) Any such special arrangements should avoid technical harm to the operation of the telecommunication facilities ~~of third countries.~~

MOD CWG/4/336

59 b) Any such special arrangements should avoid [financial and/or technical harm | technical or financial harm]to the operation of the [telecommunication facilities of third countries | telecommunications] of third ~~countries~~ parties].

MOD CWG/4/337

59 b) Any such special arrangements ~~shall should~~ avoid financial misappropriation, harming or stopping of operations, and/or technical harm to the operation of the telecommunication facilities ~~in~~ of third countries.

MOD CWG/4/338

59 b) ~~Any such s~~Special arrangements should avoid technical harm to the operation of ~~the any~~ telecommunication facilities/~~services of third countries~~.

MOD CWG/4/339

59 b) ~~Any such s~~Special arrangements should ~~avoid technical~~ cause injury/bring harm to the operation of the telecommunication facilities of third countries (see 1.1 of these Regulations).

Reasons: There is no doubt a typographical error in this proposal: it should probably read “should avoid causing injury/bringing harm” or “should not cause injury/bring harm”.

MOD CWG/4/340

60 9.2 Members States should, [where appropriate], encourage the parties to any special arrangements that are made pursuant to 9.1 above No. 58(9.1) to take into account relevant provisions of ITU-T CCITT Recommendations.

MOD CWG/4/341

60 9.2 Members States should, where appropriate, encourage the parties to any special arrangements that are made pursuant to 9.1 above No. 58(9.1) to take into account relevant provisions of ~~CCITT~~ Recommendations of the ITU.

SUP CWG/4/342

60 ~~9.2 Members should, where appropriate, encourage the parties to any special arrangements that are made pursuant to No. 58 (9.1) to take into account relevant provisions of CCITT Recommendations.~~

NOC CWG/4/343

ARTICLE 10

Final Provisions

Reasons: title of Article 10 remains unchanged.

MOD CWG/4/344

ARTICLE 10

Entry into force and provisional applicationFinal Provisions

Reasons: reflect new content of Article 10.

ADD CWG/4/345

61A These Regulations, [of which Appendices 1, 2, and 3 form integral parts and] which complement the provisions of the Constitution and Convention of the International Telecommunication Union, shall enter into force on 1 January 2015 and shall be applied as of that date pursuant to Article 54 of the Constitution.

Reasons: SUP 10.1 through 10.4 to align with RR.

This proposal suggests to SUP 10.1 through 10.4 and to align the ITRs Entry into Force with same provisions of the RR.

MOD CWG/4/346

61 10.1 These Regulations, of which [Appendices 1, 2 and 3 form integral parts], shall enter into force on 1 January 2015~~July 1990 at 0001 hours UTC.~~

SUP CWG/4/347

61 ~~10.1 These Regulations, of which [Appendices 1, 2 and 3 form integral parts], shall enter into force July 1990 at 0001 hours UTC.~~

MOD CWG/4/348

62 10.2 On the date specified in No.61 (10.1), the International Telecommunicatins Regulations (Melbourne, 1988) Telegraph Regulations (Geneva, 1973) and the Telecommunication Regulations (Geneva, 1973) shall be replaced by these International Telecommunication Regulations (Dubai, 2012 Melbourne, 1988) ~~pursuant to the International Telecommunication Convention.~~

SUP CWG/4/349

62 ~~10.2 On the date specified in No.61 (10.1), the Telegraph Regulations (Geneva, 1973) and the Telecommunication Regulations (Geneva, 1973) shall be replaced by these Telecommunication Regulations (Melbourne, 1988) pursuant to the International Telecommunication Convention.~~

ADD CWG/4/350

62A 10.2A The partial or total revision of ITR can only be undertaken by a competent World Conference on International Telecommunication in accordance with Article 25 of the ITU Constitution.

MOD CWG/4/351

63 10.3 If a Member State makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members States and their [[recognized] operating agencies] administrations* ~~shall be free to disregard~~ are not obliged to abide by the said provision or provisions in their relations with the Member State which has made such reservations and its [[recognized] operating agencies] administrations*.

Reasons:

Align to the French text which says “ne sont pas obligés d’observer”.

SUP CWG/4/352

63 ~~10.3 If a Member makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members and their administrations* shall be free to disregard the said provision or provisions in their relations with the Member which has made such reservations and its administrations*.~~

MOD CWG/4/353

64 10.4 Members States of the Union shall inform the Secretary-General of their [approval of | consent to be bound by] the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members States promptly of the receipt of such notifications ~~of approval~~.

SUP CWG/4/354

64 ~~10.4 Members of the Union shall inform the Secretary-General of their approval of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members promptly of the receipt of such notifications of approval.~~

ADD CWG/4/355

64A 10.5 A total revision of these Regulations as a whole as well as substantive revisions of individual articles may only be undertaken by a World Conference on International Telecommunications.

MOD CWG/4/356

64B IN WITNESS WHEREOF, the delegates of the Members States of the International Telecommunication Union named below have, on behalf of their respective competent authorities, signed one copy of the present Final Acts in the Arabic, Chinese, English, French, Russian and Spanish languages. This copy shall remain in the archives of the Union. The Secretary-General shall forward one certified copy to each Member State of the International Telecommunication Union. Done at Dubai, 14 December 2012 ~~Melbourne, 9 December 1988~~.

NOC CWG/4/357

APPENDIX 1

General Provisions Concerning Accounting

Reasons:

Title of Appendix 1 remains unchanged.

SUP CWG/4/358

APPENDIX 1

General Provisions Concerning Accounting

Reasons: Suppress all of Appendix 1.

NOC CWG/4/359

1/1 **1. Accounting rates**

Reasons: Heading remains unchanged

MOD CWG/4/360

1/2 1.1 For each applicable service in a given relation, [administrations/ROAs | operating agencies] shall by mutual agreement establish and revise accounting rates to be applied between them, taking into account the Recommendations of the ITU-T ~~CCITT~~ and trends in the cost of providing the specific telecommunication service, and shall divide such rates into terminal shares payable to the [administrations/ROAs | operating agencies] of terminal countries, and where appropriate, into transit shares payable to the [administrations/ROAs | operating agencies] of transit countries.

Reasons: One proposal is to retain the term “administration/ROA”, the other to replace it by “operating agency”. This is the case also for subsequent provisions of Appendix 1

MOD CWG/4/361

1/3 1.2 Alternatively, in traffic relations where ITU-T ~~CCITT~~ cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method:

MOD CWG/4/362

1/4 a) [administrations/ROAs | operating agencies] shall establish and revise their terminal and transit shares taking into account the Recommendations of the ITU-T ~~CCITT~~;

NOC CWG/4/363

1/5 b) the accounting rate shall be the sum of the terminal shares and any transit shares.

MOD CWG/4/364

1/6 1.3 When one or more [administrations/ROAs | operating agencies] acquire, either by flat rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another [administration/ROA | operating agency], the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation.

MOD CWG/4/365

1/7 1.4 In cases where one or more routes have been established by agreement between [administrations/ROAs | operating agencies] and where traffic is diverted unilaterally by the

[administrations/ROAs | operating agencies] of origin to a [n international] route which has not been agreed with the [administrations/ROAs | operating agencies] of destination, the terminal shares payable to the [administrations/ROAs | operating agencies] of destination shall be the same as would have been due to it had the traffic been routed over the agreed primary route and the transit costs are borne by the [administrations/ROAs | operating agencies] of origin, unless the [administrations/ROAs | operating agencies] of destination is prepared to agree to a different share.

MOD CWG/4/366

1/8 1.5 In cases where the traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit [administration/ROA | operating agency] has the right to set the level of the transit share to be included in the international accounts.

MOD CWG/4/367

1/9 1.6 Where an [administration/ROA | operating agency] has a duty or fiscal tax levied on its accounting rate shares or other remunerations, it shall not in turn impose any such duty or fiscal tax on other [administrations/ROAs | operating agencies].

NOC CWG/4/368

1/10 **2. Establishment of accounts**

Reasons: Heading remains unchanged

MOD CWG/4/369

1/11 2.1 Unless otherwise agreed, the [administrations/ROAs | operating agencies] responsible for collecting the charges shall establish a monthly account showing all the amounts due and send it to the [administrations/ROAs | operating agencies] concerned.

MOD CWG/4/370

1/12 2.2 The accounts shall be sent [taking into account/in accordance with] relevant ITU-T Recommendations as promptly as possible and, except in cases of force majeure, before the end of the third month following that to which they relate.

MOD CWG/4/371

1/12 2.2 The accounts shall be sent in accordance with relevant ITU-T Recommendations as promptly as possible and, except in cases of force majeure, before the end of the 50 days period third month following that the month to which they relate.

MOD CWG/4/372

1/13 2.3 In principle an account shall be considered as accepted without the need for specific notification of acceptance to the [administration/ROA | operating agency] which sent it.

MOD CWG/4/373

1/14 2.4 However, any [administration/ROA | operating agency] has the right to question the contents of an account [taking into account/in accordance with] relevant ITU-T

~~Recommendations for a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any difference within mutually agreed limits.~~

MOD CWG/4/374

1/14 2.4 However, any [administration/ROA | operating agency] has the right to question the contents of an account in accordance with relevant ITU-T Recommendations but before the end of the 50 days period~~for a period of two calendar months~~ after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits[, even if the bill was paid].

MOD CWG/4/375

1/14 2.4 However, any ~~administration*~~operating agency has the right to question the contents of an account for a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits.

MOD CWG/4/376

1/15 2.5 In relations where there are no special agreements, settlement statements showing the balances of the monthly accounts for the period to which they relate shall be sent [taking into account/in accordance with] relevant ITU-T Recommendations~~a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared as soon as possible by the creditor administration* and shall be sent in duplicate to the debtor administration*, which, after verification, shall return one of the copies endorsed with its acceptance.~~

MOD CWG/4/377

1/15 2.5 In relations where there are no special agreements, a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared [and issued] as soon as possible by the creditor [administration/ROA | operating agency] and shall be sent [in accordance with the provision of 2.2 above] in duplicate to the debtor [administration/ROA | operating agency], which, after verification, shall return one of the copies endorsed with its acceptance.

MOD CWG/4/378

1/16 2.6 In indirect relations where a transit [administration/ROA | operating agency] acts as an accounting intermediary between two terminal points, it shall include accounting data for transit traffic in the relevant outgoing traffic account to [administration/ROA | operating agency] beyond it in the routing sequence [as soon as possible | no later than 30 days | not later than 50 calendar days] after receiving that data from the originating [administration/ROA | operating agency].

NOC CWG/4/379

1/17 **3. Settlement of balances of accounts**

Reasons: Heading remains unchanged

NOC CWG/4/380

1/18 3.1 Choice of the currency of payment

Reasons: Heading remains unchanged

NOC CWG/4/381

1/19 3.1.1 The payment of balances of international telecommunication accounts shall be made in the currency selected by the creditor after consultation with the debtor. In the event of disagreement, the choice of the creditor shall prevail in all cases subject to the provisions in 3.1.2 below. If the creditor does not specify a currency, the choice shall rest with the debtor.

NOC CWG/4/382

1/20 3.1.2 If a creditor selects a currency with a value fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a value also fixed unilaterally, the use of the selected currency must be acceptable to the debtor.

NOC CWG/4/383

1/21 3.2 Determination of the amount of payment

Reasons: Heading remains unchanged

NOC CWG/4/384

1/22 3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account.

NOC CWG/4/385

1/23 3.2.2 If the balance of the account is expressed in the monetary unit of the IMF, the amount of the selected currency shall be determined by the relationship in effect on the day before payment, or by the latest relationship published by the IMF, between the monetary unit of the IMF and the selected currency.

NOC CWG/4/386

1/24 3.2.3 However, if the relationship of the monetary unit of the IMF to the selected currency has not been published, the amount of the balance of account shall, at a first stage, be converted into a currency for which a relationship has been published by the IMF, using the relationship in effect on the day before payment or the latest published relationship. The amount thus obtained shall, at a second stage, be converted into the equivalent value of the selected currency, using the closing rate in effect on the day prior to payment or the most recent rate quoted on the official or generally accepted foreign exchange market of the main financial centre of the debtor country.

SUP CWG/4/387

1/25 ~~3.2.4 If the balance of the account is expressed in gold francs, the amount shall, in the absence of special arrangements, be converted into the monetary unit of the IMF in accordance with the provisions of section 6.3 of the Regulations. The amount of payment shall then be determined in compliance with the provisions of 3.2.2. above.~~

MOD CWG/4/388

1/26 3.2.5 If, in accordance with a special arrangement, the balance of the account is not expressed ~~neither~~ in the monetary unit of the IMF ~~nor in gold francs~~, the payment shall also be the subject of this special arrangement and:

NOC CWG/4/389

1/27 a) if the selected currency is the same as the currency of the balance of account, the amount of the selected currency shall be the amount of the balance of account;

NOC CWG/4/390

1/28 b) if the selected currency for payment is different from the currency in which the balance is expressed, the amount shall be determined by converting the balance of account to its equivalent value in the selected currency in accordance with the provisions of 3.2.3 above.

NOC CWG/4/391

1/29 **3.3 Payment of balances**

Reasons: Heading remains unchanged

MOD CWG/4/392

1/30 3.3.1 Payment of balances of account shall be effected [taking into account/in accordance with] relevant ITU-T Recommendations as promptly as possible, but in no case later than two calendar months after the day on which the settlement statement is despatched by the creditor administration*. ~~Beyond this period, the creditor administration* may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6% per annum, reckoned from the day following the date of expiry of the said period.~~

MOD CWG/4/393

1/30 3.3.1 Payment of balances of account shall be effected as promptly as possible, but in no case later than 50 days two calendar months after the day on which the settlement statement is despatched by the creditor [administration/ROA | operating agency]. Beyond this period, the creditor [administration/ROA | operating agency] may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6% per annum, reckoned from the day following the date of expiry of the said period.

NOC CWG/4/394

1/31 3.3.2 The payment due on a settlement statement shall not be delayed pending settlement of a query on that account. Adjustments which are later agreed shall be included in a subsequent account.

NOC CWG/4/395

1/32 3.3.3 On the date of payment, the debtor shall transmit the amount of the selected currency as computed above by a bank cheque, transfer or any other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor.

NOC CWG/4/396

1/33 3.3.4 The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor.

ADD CWG/4/397

1/33A 3.3.5 Provided the periods of payment are observed, [administrations/ROAs | operating agencies] have a right by mutual agreement settle their balances of various kinds by offsetting:

* credits and debits in their relations with other [administrations/ROAs | operating agencies];

* any other mutually agreed settlements, if appropriate.

This rule also applies in case payments are made through specialized payment agencies in accordance with arrangements with [administrations/ROAs | operating agencies].

NOC CWG/4/398

1/34 **3.4 Additional provisions**

Reasons: Heading remains unchanged

MOD CWG/4/399

1/35 3.4.1 Provided the periods of payment are observed, [administrations/ROAs | operating agencies] may by mutual agreement settle their balances of various kinds by offsetting:

– credits and debits in their relations with other [administrations/ROAs | operating agencies];
and/or

– debts arising from [postal services | any other mutually agreed settlements], if appropriate.

[This rule also applies in cases where accounts are handled through specialized accounting authorities on the basis of arrangements with administrations/operating agencies.]

NOC CWG/4/400

1/36 3.4.2 If, between the time the remittance (bank transfer, cheques, etc.) is effected and the time the creditor is in receipt of that remittance (account credited, cheque encashed, etc.), a variation occurs in the equivalent value of the selected currency calculated as indicated in paragraph 3.2, and if the difference resulting from such variations exceeds 5% of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor.

MOD CWG/4/401

1/37 3.4.3 If there should be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, [administrations/ROAs | operating agencies] are free to adopt, by mutual agreement, a different monetary basis and/or different procedures for the settlement of balances of accounts, pending a revision of the above provisions.

NOC CWG/4/402

APPENDIX 2

Additional Provisions Relating to Maritime Telecommunications

Reasons: Title of Appendix 2 remains unchanged.

MOD CWG/4/403

~~Additional Provisions~~ Relating to Maritime Telecommunications

Reasons: change title of Appendix 2.

SUP CWG/4/404

~~APPENDIX 2~~

~~**Additional Provisions Relating to Maritime Telecommunications**~~

Reasons: Suppress all of Appendix 2.

NOC CWG/4/405

2/1 1. General

Reasons: Heading remains unchanged

MOD CWG/4/406

2/2 The provisions contained in ~~Article 6 and this~~ Appendix ~~1, taking into account the relevant CCITT Recommendations,~~ shall also apply to maritime telecommunications ~~in so far as the following provisions do not provide otherwise.~~ Administrations should comply with the relevant ITU-T Recommendations and any Instructions forming part of or derived from these Recommendations, when establishing and settling accounts under this Appendix.

NOC CWG/4/407

2/3 2. Accounting authority

Reasons: Heading remains unchanged

NOC CWG/4/408

2/4 2.1 Charges for maritime telecommunications in the maritime mobile service and the maritime mobile-satellite service shall in principle, and subject to national law and practice, be collected from the maritime mobile station licensee:

NOC CWG/4/409

2/5 a) by the administration that has issued the licence; or

MOD CWG/4/410

2/6 b) by a [recognized] ~~private~~ operating agency; or

NOC CWG/4/411

2/7 c) by any other entity or entities designated for this purpose by the administration referred to in a) above.

MOD CWG/4/412

2/8 2.2 The administration or the [recognized] ~~private~~ operating agency or the designated entity or entities listed in paragraph 2.1 are referred to in this Appendix as the “accounting authority”.

MOD CWG/4/413

2/9 2.3 References to administration/[ROA | operating agency] contained in ~~Article 6 and this Appendix 1~~ shall be read as “accounting authority” when applying the provisions of ~~Article 6 and this Appendix 1~~ to maritime telecommunications.

MOD CWG/4/414

2/10 2.4 Members shall designate their accounting authority or authorities for the purposes of implementing this Appendix and notify their names, identification codes and addresses to the Secretary-General for inclusion in the List of Ship Stations; the number of such names and addresses shall be limited taking into account the relevant ~~CCITT~~ ITU-T Recommendations.

NOC CWG/4/415

2/11 **3. Establishment of accounts**

Reasons: Heading remains unchanged

SUP CWG/4/416

2/11 ~~**3. Establishment of accounts**~~

Reasons: Suppress heading and 3.1 and 3.2

MOD CWG/4/417

2/12 3.1 In principle, an account shall be considered as accepted without the need for specific notification of acceptance ~~to from~~ the accounting authority to the administration that sent it.

SUP CWG/4/418

2/12 ~~3.1 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the accounting authority that sent it.~~

Reasons: Suppress heading and 3.1 and 3.2

MOD CWG/4/419

2/13 3.2 However, any accounting authority has the right to question the contents of an account for a period of six calendar months after dispatch of the account even after the account has been paid.

SUP CWG/4/420

2/13 ~~3.2 However, any accounting authority has the right to question the contents of an account for a period of six calendar months after dispatch of the account.~~

Reasons: Suppress heading and 3.1 and 3.2

MOD CWG/4/421

2/14 **4. [Settlement | Payment] of balances of account**

Reasons: Change heading

MOD CWG/4/422

2/15 4.1 All international maritime telecommunication accounts shall be paid by the accounting authority without delay and in any case within six calendar months after dispatch of the account, ~~except where the settlement of accounts is undertaken in accordance with paragraph 4.3 below.~~

NOC CWG/4/423

2/16 4.2 If international maritime telecommunication accounts remain unpaid after six calendar months, the administration that has licensed the mobile station shall, on request, take all possible steps, within the limits of applicable national law, to ensure settlement of the accounts from the licensee.

SUP CWG/4/424

2/16 ~~4.2 If international maritime telecommunication accounts remain unpaid after six calendar months, the administration that has licensed the mobile station shall, on request, take all possible steps, within the limits of applicable national law, to ensure settlement of the accounts from the licensee.~~

MOD CWG/4/425

2/17 4.3 If the period between the date of dispatch and receipt exceeds one month, the receiving accounting authority should at once notify the administration that sent the account ~~originating accounting authority~~ that queries and payments may be delayed. The delay shall, however, not exceed three calendar months in respect of payment, or five calendar months in respect of queries, both periods commencing from the date of receipt of the account.

SUP CWG/4/426

2/17 ~~4.3 If the period between the date of dispatch and receipt exceeds one month, the receiving accounting authority should at once notify the originating accounting authority that queries and payments may be delayed. The delay shall, however, not exceed three calendar months in respect of payment, or five calendar months in respect of queries, both periods commencing from the date of receipt of the account.~~

MOD CWG/4/427

2/18 4.4 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than [twelve | eighteen] calendar months after the date of the traffic to which the accounts relate.

SUP CWG/4/428

2/18 ~~4.4 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than eighteen calendar months after the date of the traffic to which the accounts relate.~~

NOC CWG/4/429

APPENDIX 3

Service and Privilege Telecommunications

Reasons: title of Appendix 3 remains unchanged.

SUP CWG/4/430

~~APPENDIX 3~~

~~Service and Privilege Telecommunications~~

Reasons: Suppress all of Appendix 3.

NOC CWG/4/431

3/1 1. Service telecommunications

Reasons: Heading remains unchanged.

NOTE: These services may no longer be available in many cases.

MOD CWG/4/432

3/2 1.1 ~~Administrations*~~ Member States may require that provide service telecommunications be provided free of charge.

MOD CWG/4/433

3/3 1.2 ~~Administrations*~~ Operating agencies may in principle forego inclusion of service telecommunications in international accounting, under the relevant provisions of the Constitution and Convention of the International Telecommunication Union Convention and the present Regulations, having due regard for the need for reciprocal arrangements.

MOD CWG/4/434

3/4 **2. Privilege telecommunications**

~~Administrations*~~ Member States may require that provide privilege telecommunications be provided free of charge, and operating agencies accordingly may forego the inclusion of such classes of telecommunication in international accounting, under the relevant provisions of the Constitution and Convention of the International Telecommunication Union Convention and the present Regulations.

Reasons: Heading remains unchanged

MOD CWG/4/435

3/5 **3. Applicable provisions**

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

RESOLUTIONS, RECOMMENDATIONS AND OPINION

SUP CWG/4/436

RESOLUTION NO. 1

Dissemination of Information Concerning International Telecommunication Services Available to the Public

Reasons: The Resolution is out of date. Covered by no. 183 of the Constitution and 202 and 203 of the Convention.

MOD CWG/4/437

RESOLUTION NO. 1

Dissemination of Information Concerning International Telecommunication Services Available to the Public

The World ~~Conference on International Telecommunications (Dubai, 2012)~~ ~~Administrative Telegraph and Telephone Conference (Melbourne, 1988),~~

considering

- a) that ~~WATTC-88 (Melbourne, 1988) the Conference~~ has adopted provisions regarding international telecommunication services offered to the public and a Resolution on Dissemination of Operational and Service Information;
- b) that these provisions apply to current and new telecommunication environments in which technology, facilities, operators, services, service providers, customer needs and operational practices are rapidly changing;
- c) that the ~~ITU-T CGITF~~ is responsible for developing Recommendations on these matters, especially with respect to efficient global interconnection and interoperability;
- d) that the International Telecommunication Regulations provide a general framework ~~as a supplement to the International Telecommunication Convention~~ with respect to international telecommunication facilities and services available to the public,

noting

that the ~~ITU-T CGITF~~, in establishing Recommendations, has characterized a number of services which may be made available to the public,

resolves

that, with a view to promoting the global interconnection and interoperability of telecommunication facilities as well as the availability to the public of international telecommunication services, all Members should arrange for the Secretary-General to be notified,

as part of the provisions concerning the dissemination of information, of those international telecommunication services which administrations **Error! Bookmark not defined.** operating agencies make available to the public in their respective countries,

instructs the Secretary-General

to disseminate that information by the most suitable and economical means.

Reasons: Editorial updates. Could still be relevant with a view to develop Article 8 of the ITRs. It could also be revised after establishing the final text of the ITRs.

SUP CWG/4/438

RESOLUTION NO. 2

Cooperation of the Members of the Union in Implementing the International Telecommunication Regulations

Reasons: ITR provision 1.7.c deals with the cooperation when implementing the ITRs, therefore Resolution 2 may not be needed.

MOD CWG/4/439

RESOLUTION NO. 2

Cooperation of the Members of the Union in Implementing the International Telecommunication Regulations

The World Conference on International Telecommunications (Dubai, 2012) ~~Administrative Telegraph and Telephone Conference (Melbourne, 1988),~~

recalling

the principle of the sovereign right of each country to regulate its telecommunication as embodied in the Preamble to the Constitution of the International Telecommunication Union Convention (Nairobi, 1982), and in the Preamble to the International Telecommunication Regulations as well as the purposes of the Union contained in Article 14 of the Constitution that Convention,

realizing

that, in the case of difficulties in the applicable national law in the implementation of the International Telecommunication Regulations, appropriate cooperation amongst the Members concerned is desirable,

resolves

that, upon request by a Member concerned about the limited effectiveness of its national law in relation to international telecommunication services offered to the public in its territory, the

Members concerned shall, where appropriate, consult on a reciprocal basis, with a view to maintaining and extending international cooperation between Members of the Union, in the spirit of Article 14 of the above-mentioned ~~Constitution Convention~~ for the improvement and rational use of telecommunications, including the orderly use of the international telecommunication network.

SUP CWG/4/440

RESOLUTION NO. 3

Apportionment of Revenues in Providing International Telecommunication Services

Reasons: No longer relevant, because the studies called for in the Resolution have been carried out by ITU-T Study Group 3.

SUP CWG/4/441

RESOLUTION NO. 4

The Changing Telecommunication Environment

Reasons: No longer relevant, because the invitation was acted upon by the 1989 Plenipotentiary Conference.

SUP CWG/4/442

RESOLUTION NO. 5

CCITT and World-Wide Telecommunications Standardization

Reasons: No longer relevant, because the actions called for were taken by the Administrative Council and the 1989 Plenipotentiary Conference.

SUP CWG/4/443

RESOLUTION NO. 6

Continued Availability of Traditional Services

Reasons: This may be irrelevant at the moment, as basic telephone services (like mobile services) are widely available in many developing countries.

MOD CWG/4/444

RESOLUTION NO. 6

Continued Availability of Traditional Services

The World Conference on International Telecommunications (Dubai, 2012)~~Administrative Telegraph and Telephone Conference (Melbourne, 1988),~~

considering

- a) that provisions regarding telecommunication services available to the public have been made in the International Telecommunication Regulations;
- b) that those Regulations do not, however, provide a detailed list of the international telecommunication services required to be made available to the public;
- c) that under those Regulations, Members shall endeavour to ensure that users are provided with a capability for interworking between different services, as appropriate, to facilitate international communications;
- d) that keeping in mind the universality of communications, it would be desirable to ensure to the greatest extent possible, in the absence of establishment of new services in many Member countries, that the public in those countries should have continuing effective use of traditional services to communicate on a world-wide basis;
- e) that certain rural areas and developing countries, in particular, may need to rely on existing widely available services for international communications for a relatively long period of time,

resolves

that all Members should cooperate to ensure that, pending the establishment of new telecommunication services, in particular in the areas and countries referred to in e) above, provisions should be made to allow, through available communication infrastructures, continued availability of traditional services so as to enable effective communications on a world-wide basis.

Reasons: Could still be relevant and revised after establishing the final text of the ITRs, particularly Articles 4 and 7. For example, an obsolete term “traditional services” could be replaced with “basic services” to keep up with the progress of telecommunications. As an option the Resolution could be adopted by WTSAs, and then updated as required by future WTSAs.

SUP CWG/4/445

RESOLUTION NO. 7

**Dissemination of Operational and Service Information
Through the General Secretariat**

Reasons: No longer relevant, since the information is published as appropriate in the Operational Bulletin, and covered by no. 202 and 203 of the Convention.

MOD CWG/4/446

RESOLUTION NO. 7

**Dissemination of Operational and Service Information
Through the General Secretariat**

The World ~~Conference on International Telecommunications (Dubai, 2012) Administrative Telegraph and Telephone Conference (Melbourne, 1988),~~

in view of

a) Nos. ~~98 291, 293 and 294~~ of the ~~International Telecommunication Convention of the International Telecommunication Union (Nairobi, 1982)~~ concerning the ~~general~~ information dissemination functions of the Secretary-General;

b) Article 8 of the International Telecommunication Regulations (~~Dubai, 2012 Melbourne, 1988~~),

considering

a) the importance of exchanging administrative, operational, tariff and statistical information in a cost-effective manner in order to facilitate the efficient and smooth operation of international telecommunication routes and services;

b) the need for timely dissemination of such information to administrations **Error! Bookmark not defined.** operating agencies;

[c) that such information is available at present in the following examples of operational and service publications:

- List of telegraph offices
- Gentex table
- TA Table (transferred account)
- Codes and abbreviations for the use of the international telecommunication services
- Table of international telex relations and traffic
- List of destination indicators for the telegram retransmission system and of telex network identification codes
- Bureaufax table
- Yearbook of common carrier telecommunication statistics
- List of international telephone routes

- Table of rates for telegrams
- Directory of information on programme booking centres, international sound programme centres, international television programme centres and centres for maintaining sound and television programme circuits
- Message handling/physical delivery service profile tables
- Information for the operation of the international telegraph, data transmission and Telematic services
- TA Booklet (transferred account)
- List of telecommunication channels used for the transmission of telegrams
- List of cables forming the world submarine network
- Notification
- Operation Bulletin,¹

resolves

that operational and service information helpful to the smooth and efficient functioning of international telecommunications shall be disseminated by the General Secretariat in an appropriate form,

invites Member States Administrations

to encourage the provision of appropriate information, to the extent practicable, in a timely fashion and in accordance with national arrangements,

instructs the Secretary-General

- 1 to disseminate the above-mentioned information by the most suitable and economical means;
- 2 to revise, update, cancel, or create such publications as necessary, taking account of:
 - i) the directives of a competent conference or of the Administrative ITU Council of the Union;
 - ii) the Recommendations of the World Telecommunications Standardization Assembly Plenary Assembly of the CCITT; and, exceptionally;
 - iii) the results of consultation by correspondence with Member States Administrations.

Reasons: Could still be relevant and updated to reflect current situation. For example, item c) of this Resolution could be revised as appropriate. As an option it could also be merged with Resolution 1.

SUP CWG/4/447

RESOLUTION NO. 8

Instructions for International Telecommunication Services

Reasons: Not relevant anymore. As mentioned in CWG WCIT-12/INF-2 (Status of Instructions), both Recommendation C.3 (Instructions for international communications services) and ITU-T Recommendation E.141 (Instructions for operators on the operator-assisted international telephone service), have been withdrawn.

MOD CWG/4/448

RESOLUTION NO. 8

Instructions for International Telecommunication Services

The World ~~Conference on International Telecommunications (Dubai, 2012) Administrative Telegraph and Telephone Conference (Melbourne, 1988),~~

recalling

- a) the reasons for which the WATTC (Geneva, 1973) introduced the concept of Instructions for a collection of provisions drawn from one or more CCITT Recommendations dealing with practical procedure for operation and tariff arrangements which have to be brought into force on a specific date in order to ensure their observance at the world level;
- b) the special importance attached by WATTC (Geneva, 1973) to Instructions as a means of ensuring the orderly and efficient operation of certain telecommunication services available world-wide,

considering

~~a) that the International Telecommunication Convention (Nairobi, 1982), in No. 288, refers to "operating instructions";~~

b) that Articles 1 and 2 of the International Telecommunication Regulations (Dubai, 2012 Melbourne, 1988) also make reference to "Instructions";

~~c) that the IXth CCITT Plenary Assembly (Melbourne, 1988) approved a new Recommendation C.3 concerning "Instructions for International Telecommunication Services";~~

instructs the ITU-T CCITT

to devote particular attention to any new Recommendations which by their content should be the subject of Instructions, and to revise and supplement Table I of Recommendation C.3 as required,

invites the administrations ~~Error! Bookmark not defined.~~ operating agencies

to take all necessary steps to ensure that their operational units are informed, as soon as possible, of any amendments to existing Instructions and any new Instructions approved by ITU-T CCITT Plenary Assemblies,

instructs the Secretary-General

- 1 to publish all operational provisions which the ITU-T CCITT considers as "Instructions";

2 to gather and publish the decisions taken by ~~Member States administrations~~**Error! Bookmark not defined.** regarding certain optional provisions contained in Instructions which require mutual exchange of information regarding their application.

Reasons: Could still be relevant and revised after establishing the final text of the ITRs. The Resolution could be applied to any new Instructions in future. As an option this Resolution could be adopted by WTSA, and then updated as required by future WSAs.

NOC CWG/4/449

RESOLUTION NO. A

Special measures for landlocked developing countries (LLDCs) for access the international optical fibre network

Reasons: No new Resolution A.

ADD CWG/4/450

RESOLUTION NO. A

Special measures for landlocked developing countries (LLDCs) for access the international optical fibre network

The World Conference on International Telecommunications (Dubai, 2012),

considering

resolution 65/172 of 20 December 2010 of the United Nations General Assembly on specific actions related to the particular needs and problems of landlocked developing countries;

Resolution 30 (Rev. Guadalajara, 2010) of the Plenipotentiary Conference on special measures for the least developed countries, small island developing states, landlocked developing countries and countries with economies in transition,

considering further

the Millennium Declaration and the 2005 World Summit Outcome;

the outcome of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society (WSIS);

the Almaty Declaration and Almaty Programme of Action Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,

recalling

the New Partnership for Africa's Development (NEPAD), which is an initiative intended to boost economic cooperation and development at regional level, given that many landlocked and transit developing countries are in Africa,

reaffirming

the right of access of landlocked countries to the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with applicable rules of international law,

reaffirming further

that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests,

recognizing

the importance of telecommunications and new information and communication technologies (ICT) to the development of LLDCs,

noting

that access to the international optical fibre network for LLDCs and the laying of optical fibre across transit countries are not indicated in the infrastructure development and maintenance priorities in the Almaty Programme of Action,

concerned

since this difficulty affecting LLDCs continues to jeopardize their development agendas,

conscious

that fiber optic cable is a profitable telecommunications transport medium;

that access within landlocked countries to the international fiber optic network will promote their integral development and the potential for them to create their own Information Society,

conscious also

that the planning and laying of international optical fibre calls for close cooperation between landlocked and transit countries;

that in making the basic investment in laying fiber optic cable, capital investments by the private sector are required,

instructs the Secretary-General and the Director of the Telecommunication Development Bureau

- 1 to ensure that studies of the situation of telecommunication/ICT services in the LLDCs should emphasize the importance of access to the international fiber optic network;
- 2 to propose to the ITU Council specific measures designed to ensure genuine progress and provide LLDCs with effective assistance in connection with *instructs 1*;
- 3 to provide the administrative and operational structure necessary to develop a strategic plan that contains practical guidelines and criteria to govern and promote regional, subregional, multilateral, and bilateral projects affording LLDCs greater access to the international fiber optic network,

requests the Secretary-General

to transmit the text of this resolution to the Secretary-General of the United Nations, with a view to bringing it to the attention of the United Nations High Representative for the Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDSs),

instructs the Council

to take appropriate measures to ensure that the Union continues to collaborate actively in the development of telecommunication/ICT services in LLDCs,

encourages landlocked developing countries

to continue to accord high priority to telecommunication/ICT activities and projects that promote integral socioeconomic development, adopting technical cooperation activities financed from bilateral or multilateral sources that will benefit the general public,

urges Member States

- 1 to cooperate with landlocked countries by promoting regional, subregional, multilateral, and bilateral projects for telecommunication infrastructure integration that afford LLDCs greater access to the international fiber optic network,
- 2 to include and/or maintain in South-South and triangular cooperation programs with donor participation, and in cooperation among subregional and regional organizations, actions complementing the Almaty Programme of Action to assist landlocked developing and transit countries in executing these telecommunication infrastructure integration projects,

invites Member States, Sector Members and Associates

to continue support the work of ITU-D in studies of the situation of telecommunication/ICT services in the least developed countries, LLDCs, small island developing states, and countries with economies in transition so identified by the United Nations and requiring special measures for telecommunication/ICT development.

Reasons:

Measures are needed so that landlocked developing countries can achieve the objective of the Millennium Development Goals and of the WSIS, taking account of the difficulties and additional costs involved in order to access the international optical fibre network. Source C 46 (Paraguay) and Costa Rica, Cuba, Egypt and Uruguay

The world's countries have been making substantial efforts to achieve the Millennium Development Goals (MDGs) and those of the World Summit on the Information Society (WSIS). Thus, in many countries, the deployment of a network infrastructure and information and communication technology applications that, if possible, use broadband and other innovative technologies more widely, has become a priority on their development agendas. Government have understood the need for public policymaking and the importance of telecommunication regulation that would make it possible to speed up the economic and social progress of their countries, as well as the well-being of all persons, communities and peoples. Landlocked developing countries would like to raise awareness about the obstacle that the current difficulty in securing access to the international fiber optic network is to the progress of their communities, as this network is an indispensable tool for trade and, above all, for knowledge. The present proposal is aimed at promoting a new paradigm, one involving close cooperation between landlocked and transit countries that would enable joint and regional growth and bridge the digital divide between countries, in search of a genuine and fully integrated society of knowledge.

RESOLUTION NO. B

**Application of the Provisions of the Constitution and Convention
relating to the ITRs**

Reasons: No new Resolution B.

ADD CWG/4/452

RESOLUTION NO. B

**Application of the Provisions of the Constitution and Convention
relating to the ITRs**

The World Conference on International Telecommunications (Dubai, 2012),

considering

a) Resolution 163 (Guadalajara, 2010), Establishment of a Council working group on a stable ITU Constitution;

b) that, pursuant to decisions taken at the conference, certain provisions of the International Telecommunications Regulations are identical or related to certain provisions of the Constitution or Convention,

resolves to invite the plenipotentiary conference

to consider whether the following provisions of the Constitution and Convention should be suppressed from those instruments:

* In the **CS**: [179 through 193, 1004, 1007, 1008 and 1011 through 1017];

* In the **CV**: [496 through 506, 1003 and 1006].

Reasons:

It has been pointed out that some provisions of the current ITRs are similar to, or related to, provisions of the Constitution or Convention. Some Member States take the view that this situation is perfectly acceptable, other Member States take the view that it would be preferable to avoid overlap.

In particular, it has been proposed that such provisions be deleted from the ITRs so that they would be found only in the Constitution or Convention.

However, it has also been proposed that provisions that are currently found in the Constitution and Convention should be added to the ITRs in order to ensure that the ITRs are a self-contained document. If that is done, then it might be appropriate to consider whether to delete such provisions from the Constitution and Convention.

If the WCIT agreed such an approach, then WCIT could bring it to the attention of the 2014 Plenipotentiary Conference through a WCIT Resolution. That Resolution could invite the Plenipotentiary Conference to consider the matter in light of the work of CWG-STB-CS and the revised ITRs adopted by WTCT-12.

SUP CWG/4/453

RECOMMENDATION NO. 1

Application to the Radio Regulations of the Provisions of the International Telecommunication Regulations

Reasons: The mentioned transitional period between the entry into force of the partially revised Radio Regulations (October 3, 1989) and the entry into force of the International Telecommunication Regulations (July 1, 1990), is over.

SUP CWG/4/454

RECOMMENDATION NO. 2

Changes to Definitions Which also Appear in Annex 2 to the Nairobi Convention

Reasons: The actions called for were taken by the Administrative Council and the 1989 Plenipotentiary Conference.

SUP CWG/4/455

RECOMMENDATION NO. 3

Expeditious Exchange of Accounts and Settlement Statements

Reasons: No longer required, because the provisions in question are covered by ITU-T D-series Recommendations (see in particular D.190 on Exchange of international traffic accounting data between Administrations using electronic data interchange (EDI) techniques).

SUP CWG/4/456

OPINION NO. 1

Special Telecommunication Arrangements

Reasons: May be outdated and not relevant anymore.

MOD CWG/4/457

OPINION NO. 1

Special Telecommunication Arrangements

The World ~~Conference on International Telecommunications (Dubai, 2012)~~ ~~Administrative Telegraph and Telephone Conference (Melbourne, 1988),~~

~~in view of~~

~~Article 31 of the International Telecommunication Convention (Nairobi, 1982),~~

~~taking into account~~

~~Resolution No. 10 of the Plenipotentiary Conference (Nairobi, 1982),~~

considering

- a) that the whole of the telecommunications sector is currently evolving towards more efficient services requiring new technical facilities;
- b) that the development of business and other communications, including communications among and within organizations with offices in different countries, will continue at an increasingly rapid pace and is necessary to economic development;
- c) that not all Member countries may be capable of adequately meeting all the requirements in this respect;
- d) that each Member may exercise full sovereign control, through its national laws, over any decision concerning special arrangements made pursuant to Article 42 of the Constitution of the International Telecommunication Union ~~31 of the Nairobi Convention,~~

considering further

- a) that, for many Members, revenues from international telecommunications are vital for their administrations ~~Error! Bookmark not defined.~~ operating agencies;
- b) that the majority of such revenues are derived from the provision of international telecommunication services to businesses and other organizations,

noting

that the provisions of Article 9 of the International Telecommunication Regulations (Dubai, 2012 ~~Melbourne, 1988~~) apply to special telecommunication arrangements, and in particular that such arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries,

is of the opinion

~~1~~ ~~that special telecommunication arrangements pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982) should be made only where existing arrangements are unable to satisfactorily meet the relevant telecommunication need;~~

12 that in allowing such special arrangements, Members should consider their effects on third countries, and in particular, to the extent possible within national law, should endeavour to ensure that any adverse effects on the orderly development, operation or usage of the international telecommunication network by other Members are minimized;

23 that any such special arrangements should be consistent with the maintenance and extension of international cooperation for the improvement and rational use of telecommunications, as well as with the promotion of the development of technical facilities and their most efficient operation, with a view to improving the efficiency of telecommunication services, especially those available to the public.

Reasons: Could still be relevant and revised after completion of studies on the new text of the ITRs. As an option it could be adopted by WTSA, and then updated as required by future WTSAs.
