INTERNATIONAL TELECOMMUNICATION
REGULATIONS

PREAMBLE

1 While the sovereign right of each country to regulate its telecommunications is fully recognized, the provisions of the present Regulations supplement the International Telecommunication 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.

Article 1

Purpose and Scope of the Regulations

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[[1]](#footnote-1)\*.

3 *b)* These Regulations recognize in Article 9 the right of Members to allow special arrangements.

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

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.

6 1.4 References to CCITT 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.

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\*.

8 1.6 In implementing the principles of these Regulations, administrations\* should comply with, to the greatest extent practicable, the relevant CCITT Recommendations, including any Instructions forming part of or derived from these Recommendations.

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

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

11 *c)* The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations (for interpretation, also see Resolution No. 2).

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

Article 2

Definitions

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

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.

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.

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.

## **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.

## **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.

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.

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.

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

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

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).

Article 3

International Network

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

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

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\*.

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.

Article 4

International Telecommunication Services

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

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.

34 4.3 Subject to national law, Members shall endeavour to ensure that administrations\* provide and maintain, to the greatest extent practicable, a minimum quality of service corresponding to the relevant CCITT Recommendations with respect to:

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;

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

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

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

Article 5

Safety of Life and Priority of Telecommunications

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.

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.

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

Article 6

Charging and Accounting

## **42** 6.1 Collection charges

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.

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\*.

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.

## **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.

## **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.

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 IMP and the gold franc.

## **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.

## **53** 6.5 Service and privilege telecommunications

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

Article 7

Suspension of Services

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

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

Article 8

Dissemination of Information

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.

Article 9

Special Arrangements

58 9.1 *a)* Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), special arrangements may be entered into on telecommunication matters which do not concern Members in general. Subject to national laws, Members may allow administrations\* 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 Members concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.

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

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

Article 10

Final Provisions

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

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

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\*.

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.

APPENDIX 1

General Provisions Concerning Accounting

# **1/1** 1 Accounting rates

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

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

1/4 *a)* administrations\* shall establish and revise their terminal and transit shares taking into account the Recommendations of the CCITT;

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

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

1/7 1.4 In cases where one or more routes have been established by agreement between administrations\* and where traffic is diverted unilaterally by the administration\* of origin to a route which has not been agreed with the administration\* of destination, the terminal shares payable to the administration\* 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 administration\* of origin, unless the administration\* of destination is prepared to agree to a different share.

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\* has the right to set the level of the transit share to be included in the international accounts.

1/9 1.6 Where an administration\* 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\*.

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

1/11 2.1 Unless otherwise agreed, the administrations\* responsible for collecting the charges shall establish a monthly account showing all the amounts due and send it to the administrations\* concerned.

1/12 2.2 The accounts shall be sent as promptly as possible and, except in cases of *force majeure*, before the end of the third month following that to which they relate.

1/13 2.3 In principle an account shall be considered as accepted without the need for specific notification of acceptance to the administration\* which sent it.

1/14 2.4 However, any administration\* 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.

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 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.

1/16 2.6 In indirect relations where a transit administration\* acts as an accounting intermediary between two terminal points, it shall include accounting data for transit traffic in the relevant outgoing traffic account to administrations\* beyond it in the routing sequence as soon as possible after receiving that data from the originating administration\*.

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

## **1/18** 3.1 Choice of the currency of payment

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.

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.

## **1/21** 3.2 Determination of the amount of payment

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.

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.

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.

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.

1/26 3.2.5 If, in accordance with a special arrangement, the balance of the account is 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:

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;

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.

## **1/29** 3.3 Payment of balances

1/30 3.3.1 Payment of balances of account shall be effected 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.

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.

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.

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.

## **1/34** 3.4 Additional provisions

1/35 3.4.1 Provided the periods of payment are observed, administrations\* may by mutual agreement settle their balances of various kinds by offsetting:

– credits and debits in their relations with other administrations\*; and/or

– debts arising from postal services, if appropriate.

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.

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\* 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.

APPENDIX 2

Additional Provisions Relating to
Maritime Telecommunications

# **2/1** 1 General

2/2 The provisions contained in Article 6 and 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.

# **2/3** 2 Accounting authority

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:

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

2/6 *b)* by a recognized private operating agency; or

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

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”.

2/9 2.3 References to administration\* contained in Article 6 and Appendix 1 shall be read as “accounting authority” when applying the provisions of Article 6 and Appendix 1 to maritime telecommunications.

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 Recommendations.

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

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.

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.

# **2/14** 4 Settlement of balances of account

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.

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.

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.

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.

APPENDIX 3

Service and Privilege Telecommunications

# **3/1** 1 Service telecommunications

3/2 1.1 Administrations\* may provide service telecommunications free of charge.

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

# **3/4** 2 Privilege telecommunications

Administrations\* may provide privilege telecommunications free of charge, and accordingly may forego the inclusion of such classes of telecommunication in international accounting, under the relevant provisions of the International Telecommunication Convention and the present Regulations.

# **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 Recommendations.

RESOLUTION No. 1

Dissemination of Information Concerning
International Telecommunication Services
 Available to the Public

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

*a)* that 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 CCITT 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 CCITT, 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\* make available to the public in their respective countries,

instructs the Secretary-General

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

RESOLUTION No. 2

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

The World 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 International Telecommunication Convention (Nairobi, 1982), and in the Preamble to the International Telecommunication Regulations as well as the purposes of the Union contained in Article 4 of 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 4 of the above-mentioned Convention for the improvement and rational use of telecommunications, including the orderly use of the international telecommunication network.

RESOLUTION No. 3

Apportionment of Revenues in
 Providing International Telecommunication Services

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

*a)* the importance of telecommunications for the social and economic development of all countries;

*b)* that the International Telecommunication Union has an important role to play in promoting the universal development of telecommunications;

*c)* that the Independent Commission for World-Wide Telecommunications Development, in its report “The Missing Link”, recommended, *inter alia*, that Member States of the ITU consider setting aside a small portion of revenues from calls between developing and industrialized countries to be devoted to telecommunications in developing countries;

*d)* that the ITU, to assist administrations and as a follow-up to this Recommendation in “The Missing Link”, carried out a study of the costs of providing and operating telecommunication services between developing and developed countries; the study did not draw definitive conclusions but indicated the existence of disparities;

*e)* that CCITT Recommendation D.150, which provides for the apportionment of accounting revenues on international traffic between terminal countries, in principle on a 50/50 basis, was amended at the VIIIth Plenary Assembly, as confirmed at the IXth Plenary Assembly, to provide for sharing in a different proportion in some cases where there are differences in the costs of providing and operating telecommunication services;

*f)* that consideration of this matter, based on a detailed study of the costs of providing and operating telecommunication services between developing and developed countries, needs to be continued,

instructs the Secretary-General

1 to take action to have the study referred to in *considering f)* completed on a priority basis;

2 to report on the matter to the Plenipotentiary Conference (Nice, 1989);

3 to make the study available to Members so that further action can be taken by them on the basis of full consideration of the results of the study,

invites administrations

to extend full cooperation to the Secretary-General in carrying out the study and in the consideration of further action on the basis of the study,

resolves

that, should such studies lead to the application in particular cases of accounting rates other than on a 50/50 basis, the developing countries concerned should be able to utilize the resulting additional revenues towards improvement of their telecommunications, including, if necessary, and insofar as possible, assistance to the Centre for Telecommunications Development.

RESOLUTION No. 4

The Changing Telecommunication Environment

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

recalling

that Resolution No. 10 of the Plenipotentiary Conference (Nairobi, 1982) provided for the convening of a World Administrative Telegraph and Telephone Conference in 1988 to develop a new regulatory framework for all existing and foreseen telecommunication services,

in view of

the adoption by the Conference of the new International Telecommunication Regulations (Melbourne, 1988) which recognize the diverse service and policy elements in the changing telecommunication environment,

considering

*a)* the potential benefits of the rapid introduction of new and diverse telecommunication services;

*b)* that the introduction of new technologies and telecommunication services will continue to raise new issues;

*c)* that, as a result of the diverse service and policy elements, many Members have expressed concern about the possible adverse implications of certain provisions in the new Regulations,

considering further

the importance of ensuring appropriate and harmonious introduction and world-wide application of the wide range of services evolving with the new technologies,

instructs the Secretary-General

to transmit this Resolution to the Administrative Council for subsequent consideration by the Plenipotentiary Conference (Nice, 1989),

invites the Plenipotentiary Conference

1 to consider the implications and opportunities which the integration of the new
technologies, the development of new types of services and the diversity of arrangements may entail for the harmonious and efficient development, operation, and use of telecommunications world-wide;

2 to consider the impact that the various issues may have on the work of the International Telecommunication Union and the cooperation between the Members in assuring effective world-wide implementation of telecommunication development.

RESOLUTION No. 5

CCITT and World-Wide Telecommunications Standardization

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

*a)* the rapid development of telecommunication technology and the growing evolution of a wide range of new services;

*b)* the need for the CCITT to be in a position to formulate, in a timely manner, Recommendations appropriate to new technologies and services,

noting

*a)* that No. 5 of the International Telecommunication Regulations states, *inter alia*, that those Regulations “are established with a view to facilitating global interconnection and interoperability of telecommunication facilities”;

*b)* that No. 8 of the Regulations, *inter alia*, stipulates that in implementing the principles of those Regulations “administrations\* should comply with, to the greatest extent practicable, the relevant CCITT Recommendations”; and

*c)* Resolution No. 17 of the IXth Plenary Assembly,

resolves

to endorse that Resolution of the IXth CCITT Plenary Assembly,

invites the Administrative Council

to refer the matter raised in the above cited CCITT Resolution to the Plenipotentiary Conference (Nice, 1989) for appropriate action.

RESOLUTION No. 6

Continued Availability of Traditional Services

The World 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.

RESOLUTION No. 7

Dissemination of Operational and Service Information
 Through the General Secretariat

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

in view of

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

*b)* Article 8 of the International Telecommunication Regulations (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\*;

*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,

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 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 Council of the Union;

ii) the Recommendations of the Plenary Assembly of the CCITT; and, exceptionally;

iii) the results of consultation by correspondence with Administrations.

RESOLUTION No. 8

Instructions for International Telecommunication Services

The World 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 (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 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\*

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 CCITT Plenary Assemblies,

instructs the Secretary-General

1 to publish all operational provisions which the CCITT considers as “Instructions”;

2 to gather and publish the decisions taken by administrations\* regarding certain optional provisions contained in Instructions which require mutual exchange of information regarding their application.

RECOMMENDATION No. 1

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

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

taking into account

item 2.4 of its agenda in Resolution No. 966 of the Administrative Council,

noting

that, with the entry into force on 3 October 1989 of the partial revision of the Radio Regulations by the World Administrative Radio Conference for the Mobile Services (Geneva, 1987), there remain only a few provisions of the Radio Regulations which contains references to the Telegraph and/or Telephone Regulations, 1973, such as Nos. 2234, 2235, 4847 and 5085 (see also Resolution No. 201 of the World Administrative Radio Conference (Geneva, 1979) “Relating to Operational Provisions, Charging and Accounting for Public Correspondence in the Mobile Services”),

considering

that it is not necessary to adopt a Protocol providing transitional provisions concerning the application to the Radio Regulations of the provisions of the International Telecommunication Regulations,

recommends

*a)* that the Administrative Council should place on the agenda of the next world Administrative Radio Conference an item with a view to including, in the respective provisions of the Radio Regulations, correct references to the International Telecommunication Regulations, so that the provisions of the latter, from the date of their entry into force, also apply to the Radio Regulations;

*b)* that, in the light of Article 43 of the International Telecommunication Convention (Nairobi, 1982), during the transitional period between the entry into force of the International Telecommunication Regulations and the entry into force of the Radio Regulations as partially revised under *a)* above, the Members of the Union should consider any references to the 1973 Telegraph and Telephone Regulations appearing in the Radio Regulations in force at the time as corresponding to the provisions of the International Telecommunication Regulations, the latter accordingly being applicable in the implementation of the Radio Regulations.

RECOMMENDATION No. 2

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

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

taking into account

item 2.5 of its agenda in Resolution No. 966 of the Administrative Council, and Resolution No. 11 of the Plenipotentiary Conference (Nairobi, 1982) referred to therein,

having taken note of

the Note by the Secretary-General on “Operating Agencies in Today’s Telecommunication Environment” (Document 28),

considering

that it has adopted a number of definitions contained in Article 2 of the International Telecommunications Regulations,

noting

that no specific proposals had been submitted to it concerning changes of definitions which also appear in Annex 2 to the Nairobi Convention,

aware

of the fact that, due to lack of time, it was not in a position to make any specific proposals itself for changes to definitions which also appear in Annex 2 to the Nairobi Convention,

mindful

of the provisions in Article 51 of the Nairobi Convention,

recommends that the Administrative Council

should submit the following documents to the Plenipotentiary Conference (Nice, 1989) for any action the latter may deem appropriate:

*a)* this Recommendation;

*b)* the text of Article 2 of the International Telecommunication Regulations containing the definitions adopted by it; and

*c)* the Note by the Secretary-General referred to in *having taken note of* above.

RECOMMENDATION No. 3

Expeditious Exchange of Accounts and Settlement Statements

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

*a)* the importance of the timely exchange of accounts and settlement statements to ensure that settlements of balances of account between administrations\* are not delayed;

*b)* that it is important for the recipient administration\* to know the date of sending of accounts and settlement statements,

recognizing

that all accounts and settlement statements should be sent in a speedy and reliable manner,

recommend

1 that the most suitable method of sending accounts and settlement statements should be agreed between the administrations\* concerned, utilizing electronic means as far as practicable;

2 that, when accounts and settlement statements are not sent by electronic means, registered air mail should always be used;

3 that, when accounts and settlement statements are not sent by electronic means, a copy of the dispatch details should, where possible, be sent forthwith by facsimile in order to confirm dispatch.

OPINION No. 1

Special Telecommunication Arrangements

The World 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 31 of the Nairobi Convention,

considering further

*a)* that, for many Members, revenues from international telecommunications are

vital for their administrations\*;

*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 (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;

2 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;

3 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.

1. \* or recognized private operating agency(ies) [↑](#footnote-ref-1)