

European preparations for the WCIT

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- **Final Meeting**
 - **15 – 18 October, Istanbul, Turkey**

- The WCIT-12 is a significant event and a one of a kind opportunity for the revision of the International Telecommunication Regulations.
- The WCIT needs to take into consideration, the general competitiveness of international telecommunication services and the positive outcomes experienced especially by consumers.

- Europe is of the view that regulation is only requested where it is justifiable as unnecessary additional burden both to Member States and private companies is not desirable for the development of international telecommunication services.
- Europe recalls that one-size-fits-all and prescriptive solutions are not advisable, as a positive provision to a given country may be meaningless or even harmful to its neighbour.
- The ITRs should be futureproof, so we should resist a temptation to micro-manage the international telecommunication services.
- Europe considers that the WCIT-12 shall find win-win solutions.

- **Criterion 1:** High level strategic and policy issues concerning international telecommunications services and facilities;
- **Criterion 2:** Consistency with the Preamble and Article 1 of the Constitution;
- **Criterion 3:** Consistency with International agreements / legislation adopted by CEPT members;
- **Criterion 4:** Areas related to Member States' application of legal or policy principles which are within their sovereign rights;
- **Criterion 5:** Exclusion of areas not related to the Purpose and Scope of the ITRs.

- ***Preamble and Art. 1***

- Mainly editorial amendments.
- Europe supports the suppression of the reference to “Instructions” (Art. 1.4)

- **Art.2**

- NOC: **2.1 -Telecommunication**

- Telecommunication is defined in the Annex to the ITU Constitution (No. 1012).
- Europe does not agree to include the term “ICT” in the revised ITRs.
- Europe does not support expanding the definition of Telecommunication to include “processing” as it would excessively broaden the scope of the ITRs.
- SUP: Several definitions in existing ITRs do not seem in line with today’s reality and should be suppressed.

• **Art. 3**

- **3.2** Member States shall encourage the provision of sufficient telecommunication facilities to meet the demand for international telecommunication services inter alia through the fostering of competitive and liberalised telecommunication markets.
- **3.4** Member States should encourage the appropriate use of those numbering resources which are the responsibility and remit of the ITU, in order that they are used only for the purposes for which they were assigned. Member States shall endeavour to ensure that resources, which are the responsibility and remit of the ITU, are not used until they are assigned.

1st European common proposal (non-exhaustive)



- **Art. 4**

- **4.1** Member States shall, to the greatest extent practicable, establish policies to promote the development of international telecommunication services to foster the general availability to the public of such services.

- **Art. 5**

- **5.1** Member States shall adopt policies that, to the greatest extent practicable, ensure that safety of life telecommunications, such as distress telecommunications, are 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 ITU-T Recommendations.

- **Art. 6**

- ***International roaming services:***

- *Member States shall encourage competition in the provision of international roaming services;*

- *Member States are encouraged to cooperate to develop policies for reducing charges on international roaming services”.*

- **SUP: 6.1.3 Taxation**

- Justification: The ITRs should not address taxation issues

- ***Art. 7 – Suspension of services***
 - Editorial review
- **Art. 8 – Dissemination of information**
 - SUP: Articles 5 (o) and (p) of ITU Convention contain similar text.
- **Appendix 1 and 3**
 - SUP

- **Art. 3.X**

- *Member States* should encourage [Recognised operating agencies] to take measures to further the [security, safety, continuity, sustainability and robustness] of their networks used for international telecommunication services.
- Member States are encouraged to cooperate in that sense.

- ***Art. 4 Tariff Transparency***

- Member States shall ensure that [Recognised Operating agencies] providing international telecommunication services, at least provide free of charge, transparent and up-to-date information on retail charges to end users, including international roaming charges.

- ***Art. 6 Arrangements***

- Subject to applicable national law, the terms and conditions between [Recognised operating agencies] for the provision of international telecommunication services shall be subject to commercial agreements.

- ***Position on Fraud***

- No Add
- Fraud is a matter defined and dealt with under national jurisprudence, and therefore its application to telecommunications remains a national matter.

- ***Position on Dispute resolution***

- No Add
- Proposals to establish mechanisms within the ITU to settle dispute between operators will be declined; a regulation, that would allow operators to agree upon a dispute resolution body that makes binding decisions on a particular dispute is not necessary.

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