

# Session 9: Presentation of WCIT results

**ITU Regional Seminar on Costs and  
Tariffs and  
Meeting of Study Group 3 Regional  
Group for Africa (SG3RG-AFR)**

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# Why the ITRs are important

## *The International Telecommunication Regulations (ITRs):*

- Establish general principles on the provision and operation of international telecoms
- Facilitate global interconnection and interoperability
- Underpin harmonious development and efficient operation of technical facilities
- Promote efficiency, usefulness, and availability of international telecommunication services
- Treaty-level provisions are required for international networks and services

*The ITRs underpin how we communicate with each other by phone or computer, with voice, video or data, and across the globe.*



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# Average Broadband Speeds (Mbps)

	2011	2012	2013	2014	2015	2016
Global	9	12	16	21	27	34
Asia Pacific	8	11	15	21	28	36
Latin America	4	5	7	8	10	12
North America	11	14	18	23	29	37
West Europe	11	14	18	24	32	42
C and E Europe	9	12	15	19	24	29
Mid East & Africa	3	4	5	6	7	8

Source: CISCO VNI, 2012



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# What is in the 2012 ITRs (1/2)

- **Preamble**
- **Article 1:** Purpose and scope of the Regulations
- **Article 2:** Definitions
- **Article 3:** International network
- **Article 4:** International telecommunication services
- **Article 5:** Safety of life and priority of telecommunications
- **Article 5A:** Safety and robustness of network
- **Article 5B:** Unsolicited bulk electronic communications

Items in red are new compared to the 1988 version



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# What is in the 2012 ITRs (2/2)

- **Article 6:** Charging and accounting
- **Article 7:** Suspension of services
- **Article 8:** Dissemination of information
- **Article 8A:** Energy efficiency/E-waste
- **Article 8B:** Accessibility
- **Article 9:** Special arrangements
- **Article 10:** Final provisions
- **Appendix 1:** General provisions concerning accounting
- **Appendix 2:** Additional provisions relating to maritime telecommunications
- Some provisions of the old Appendix 3 on service telecommunications were moved to Article 6

Items in red are new compared to the 1988 version



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# Legal status

- All Resolutions entered into force on 15 December 2012
- New treaty enters into force in January 2015
  - Until then the 1988 treaty is valid
- After January 2015
  - New treaty binds countries that have ratified it
  - Old treaty binds countries that have not ratified the 2012 treaty
  - Relations between a party to the 2012 treaty and a non-party are governed by 1988 treaty
  - Unless a 2012 party denounces the 1988 treaty



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# WCIT-12 key numbers

- 1,275 proposals from Member States
- over 1,400 delegates from 151 Member States
- 150 hours of official conference meetings onsite
- Final acts signed by 89 countries out of the 144 present and having authority to sign



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# WCIT-12: ITU's unique power as a global convener

- 151 countries in Dubai
  - strong participation in negotiations
  - richer, more representative and more powerful treaty
- Strong divergence on some topics
  - During the preparatory process
  - And in Dubai.
- Government and market forces were represented at WCIT-12
  - This resulted in an extremely valuable exchange of views and ideas
- Compromise outcome offers great promise as a foundation for future connectivity:
  - Signed by 89 governments,
  - More are expected to join over the coming months



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# WCIT-12: Open, transparent and inclusive procedure

- The ITU Secretariat's role is to bring the world together and facilitate their negotiations with an efficient support team to help delegates reach agreement.
- ITU hosted many preparatory meetings, and translated over 450 contributions in 6 UN languages to facilitate negotiations
- **WCIT-12 was the most open and transparent treaty making conference ever held**
  - Decision-making sessions were publicly webcast
  - There were social media and interactive briefings
  - Stakeholders from government, private sector and civil society were all represented in the negotiations
- Ultimately, it is ITU membership who negotiate, and the treaty is their agreement to the benefit of:
  - Member States and their citizens
  - The ICT industry
  - And the global community



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# Some key points (1/2)

- WCIT-12 made one thing extremely clear: every single country represented understands the critical importance of ICTs to its future socio-economic development and future prospects for growth and prosperity. This was not the case in 1988, and represents a major paradigm shift in the political and economic agenda
- WCIT-12 showed that there is no single world view, but several different emerging views which need to be taken into account, **especially in light of convergence**
- Given the complexity of potentially managing international relations across several treaties (1988 / 2012 / bilateral), likely more countries will eventually recognize the value of accession to the new ITRs.



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## Some key points (2/2)

- WCIT-12 represents the start of global dialogue: ITU continues to work hard together to find a way that is acceptable to all
- The 2012 ITRs have been negotiated for the common good, with one over-riding goal: to bring the benefits of communications to the 700 million people who still don't have mobile phone network coverage and even more importantly to the 4.5 billion people who are not yet online
- With over 90% of the world's people now within reach of mobile phones, ITU's challenge today is to bring Internet access to the two-thirds of the world's population which is still offline
- So let us work together to bring connectivity to all the world's people



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# WCIT-12 Key Achievements (1/3)

- The treaty contains many major revisions and new areas, as important improvements on the 1988 treaty. Member States:
  - Highlighted freedom of access to the international telecommunication services
  - affirmed their commitment to implement the treaty in a manner that respects and upholds their human rights obligations
  - Agreed that the ITRs do not address the content-related aspects of telecommunications
  - Agreed that, consistent with the Constitution, the ITRs apply to “authorized operating agencies”: operating agencies, authorized or recognized by a Member State, to establish, operate and engage in international telecommunications services to the public



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# WCIT-12 Key Achievements (2/3)

The revised ITRs include provisions for:

- improving transparency in mobile roaming charges
- promoting investments and competition
- improving energy efficiency and cutting e-waste
- ensuring the security and robustness of international telecommunication networks
- combating unsolicited bulk electronic communications
- preventing misuse of numbering resources
- Calling Line Identification
- bringing benefit of ICTs to 650 million people with disability
- improving access to emergency services



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# WCIT-12 Key Achievements (3/3)

## 5 new Resolutions

- improving broadband connectivity to landlocked developing countries and small island states
- Globally harmonized emergency number
- Foster greater internet growth
- Periodic review of the ITRs
- International traffic termination and exchange



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# Specific Provisions (1/4)

- 3.7 Member States should create an enabling environment for the implementation of regional telecommunication traffic exchange points, with a view to improving quality, increasing the connectivity and resilience of networks, fostering competition and reducing the costs of international telecommunication interconnections.



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# Specific Provisions (2/4)

- 4.4 Member States shall foster measures to ensure that authorized operating agencies provide free-of-charge, transparent, up-to-date and accurate information to end users on international telecommunication services, including international roaming prices and the associated relevant conditions, in a timely manner.



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# Specific Provisions (3/4)

- 4.5 Member States shall foster measures to ensure that telecommunication services in international roaming of satisfactory quality are provided to visiting users.
- 4.6 Member States should foster cooperation among authorized operating agencies in order to avoid and mitigate inadvertent roaming charges in border zones.



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# Specific Provisions (4/4)

- 4.7 Member States shall endeavour to promote competition in the provision of international roaming services and are encouraged to develop policies that foster competitive roaming prices for the benefit of end users.



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# Article 6 (1/2)

- Significantly restructured. Now starts
  - 6.1 Subject to applicable national law, the terms and conditions for international telecommunication service arrangements may be established through commercial agreements or through accounting-rate principles established pursuant to national regulation.
  - 6.1.1 Member States shall endeavour to encourage investments in international telecommunication networks and promote competitive wholesale pricing for traffic carried on such telecommunication networks.



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# Article 6 (2/2)

- Then continues with provisions on the accounting-rate principles, with a chapeau (provision 6.2) stating:
  - The following provisions may apply where the terms and conditions of international telecommunication service arrangements are established through accounting-rate principles, established pursuant to national regulation. These provisions do not apply to arrangements established through commercial agreements.
- Appendix 1 was simplified and the deadlines were reduced to 50 days, consistent with Recommendation ITU-T D.195.



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# **New Resolution on International telecommunication service traffic termination and exchange (1/6)**

- **Considering**
  - that the transition from dedicated phone and data networks to converged IP-based networks raises regulatory, technical and economic issues which need to be taken into consideration;
  - that many Member States have expressed a need for the initiation and implementation of commercial agreements between authorized operating agencies and service providers of international services, with the objective of empowering all the participants in the new value chain,



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## **New Resolution on International telecommunication service traffic termination and exchange (2/6)**

- Noting
  - that some Member States are observing a deterioration in the quality of international services and voice traffic;
  - that Study Group 3 of the ITU Telecommunication Standardization Sector (ITU-T) is mandated to study the development of Recommendations, resolutions and guidelines related to these issues;



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## **New Resolution on International telecommunication service traffic termination and exchange (3/6)**

- that there is a need for broader understanding of alternative dispute resolution mechanisms arising out of commercial arrangements;
- that some Member States have concerns for the prevention and mitigation of fraud in international telecommunications,



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## **New Resolution on International telecommunication service traffic termination and exchange (4/6)**

- Resolves to invite concerned Members States to collaborate so that:
  - each party in a negotiation or agreement related to or arising out of international connectivity matters can seek the support of relevant authorities of the other party's State in alternative dispute resolution;
  - their regulatory frameworks promote the establishment of commercial agreements between authorized operating agencies and the providers of international services in alignment with principles of fair competition and innovation,



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## **New Resolution on International telecommunication service traffic termination and exchange (5/6)**

- Instructs the Director of TSB
  - to take necessary action in order that ITU-T Study Group 3 study recent developments and practices with regard to the termination and exchange of international telecommunication traffic under commercial agreements, so as to develop a Recommendation, if appropriate, and guidelines for concerned Member States, for the use of providers of international telecommunication services in regard to issues they consider relevant, such as:



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## **New Resolution on International telecommunication service traffic termination and exchange (6/6)**

- conditions for the establishment of invoices
- conditions for sending invoices
- conditions for the payment of invoices
- conditions for dispute resolution
- conditions on fraud prevention and mitigation
- conditions for charges for international telecommunication service traffic termination and exchange



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# For more information

- <http://www.itu.int/en/wcit-12/Pages/default.aspx>
- <http://www.itu.int/osg/wcit-12/highlights/dec13-14.html>
- <http://www.scoop.it/t/wcit-12>
- <http://www.cullen-international.com/ressource/4900/0/wcit-12-a-post-mortem-public-version.pdf>



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