

INTERNATIONAL TELECOMMUNICATION UNION

General Secretariat



Ref: **DM-1107** 6 January 2004
TSB/ST
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Subject: **Reform of the International Telecommunication Regulations (ITRs)**

Dear Sir/Madam,

1 Further to the letter sent by the General Secretariat (Ref: DM-1079), and as your country is a member of the ITU of which the Constitution & Convention are basic instruments, **binding on all Member States**, which are further complemented by the provisions of the **International Telecommunications Regulations** (Article 4 of the Constitution), please take a minute to read the following short background information.

2 The ITRs were adopted in the *World Administrative Telegraph and Telephone Conference* (WATTC) - Melbourne, 1988. Since then, the treaty has never been amended, which has given rise to the current situation of the treaty being outdated and no longer expressing the context of the current revolutionary telecommunication market.

3 During last Plenipotentiary Conference of the ITU (Marrakesh, 2002), Resolution 121 was adopted in which the Council of the Union was instructed to establish a working group to work on the review of the ITRs.

4 The mandate of the group as stated in Res. 121 shows that the main target of the group is to prepare recommendations for amendments to be adopted during a *World Conference on International Telecommunications* (WCIT). The WCIT, pursuant to the same Resolution, is to be held in 2007 or 2008 depending on the results of the work of the group.

5 The group is **open to all member states** of the Union who may be willing to take part in its work. It is very important though that the outcome of its work reflects the needs of both the developing and the developed countries equally.

6 Hence, your administration is kindly further invited to take part in the work of the group either by posting **contributions** or by **nominating experts** to participate.

It's very important to note how critical this issue is to the interests of all parties regardless of whether they are developed or developing economies.

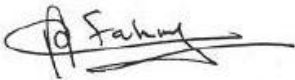
7 Please take time to visit the website for more detailed information:

<http://www.itu.int/itr>

Contacts for the group:

- Chairman: Mr FAHMY, Alaa - NTRA, Egypt: afahmy@tra.gov.eg
- Secretariat of the group: WG-ITR@itu.int
 - Mr TANAKA, Saburo.
 - Mr HILL, Richard.

Yours faithfully,



Alaa Fahmy
Chairman, Council Working Group on ITRs
(Executive President - NTRA, Egypt)

Enc.:

- Resolution 121 (Marrakesh, 2002)
- Letter from the chairman (Ref: DM-1079)

ANNEX 1
(to letter DM-1107)

RESOLUTION 121 (Marrakesh, 2002)

Review of the International Telecommunication Regulations

The Plenipotentiary Conference of the International Telecommunication Union
(Marrakesh, 2002),

considering

- a) that the International Telecommunication Regulations (ITRs) were last amended in Melbourne in 1988, and have since become less and less relevant on account of the pace and effects of change in the telecommunication industry;
- b) that Resolution 79 (Minneapolis, 1998) of the Plenipotentiary Conference instructed the Secretary-General, in consultation with the Director of the Telecommunication Standardization Bureau and a balanced group of appropriate experts (the Expert Group), to advise the Council on any action that the Union should take in relation to the ITRs, on which the Council would report to the next plenipotentiary conference;
- c) that no consensus was reached during the review by the Expert Group, but four options were put forward for further consideration:
- – possible termination of the existing ITRs, to be achieved by integrating the relevant provisions in the Constitution, Convention or other instruments of ITU such as Recommendations (which could include descriptions of alternative approaches), resolutions, memoranda of understanding or other texts;
 - – modification of the ITRs, with a detailed update of the existing provisions, thus keeping the ITRs as a treaty-level text;
 - – detailed proposals explaining why there is a need to defer decisions on whether to review and modify the ITRs;
 - – proposals for new areas of regulation to allow further development and determination of which areas are really appropriate for an intergovernmental treaty-level regulatory agreement;
- d) that the report of the Expert Group of the Council established in application of Resolution 79 (Minneapolis, 1998) did not cover all the items contained in that resolution and it was not possible for the Council to reach a consensus on recommended action;
- e) that Resolution 79 (Minneapolis, 1998) also invited this conference to “consider convening, at an appropriate date, a competent conference to revise the International Telecommunication Regulations”;
- f) that the ITU strategic plan for 1999-2002 proposed that action be taken to decide on the need to review the ITRs in order to take account of developments in the telecommunication environment,

believing

- a) that, in order for ITU to maintain its pre-eminent role in global telecommunications, the Union must continue to demonstrate its capacity to respond adequately to the rapidly changing telecommunication environment;
- b) that it is important to ensure that the ITRs are revised and updated in a timely manner in order to facilitate cooperation and coordination among Member States and to reflect accurately the relations between Member States, Sector Members, administrations and recognized operating agencies,

noting

that, in accordance with Article 8 of the Constitution, the 2006 plenipotentiary conference may review any matters,

resolves

- 1 that the Union should continue a process of reviewing the ITRs;
- 2 that a world conference on international telecommunications be convened at the seat of the Union in 2007 or 2008, on the basis of the recommendations arising from this process of review,

instructs the extraordinary session of the Council to be held during this conference to establish a working group of the Council open to all Member States, whose delegations may include appropriate legal, regulatory and technical experts, with the following terms of reference:

- 1) to take into account the results of the work carried out under Resolution 79 (Minneapolis, 1998) and all contributions to this conference on the issue as baseline reference documents;
- 2) to study the ITRs and prepare recommendations on which provisions, if any, should be terminated, retained in the ITRs, transferred to the Constitution or Convention, or embodied in ITU Recommendations;
- 3) to prepare recommendations of required draft texts for amending the Constitution and Convention, if deemed appropriate;
- 4) to consider whether there is a need for new provisions in the ITRs, which should be dealt with at a world conference on international telecommunications;
- 5) to identify new issues, if any, that may be the subject of ITU Recommendations;
- 6) to report to the Council annually on its progress with respect to the issues referred to above, including those conclusions of the group that could form the basis for the Recommendations of the three ITU Sectors;
- 7) to prepare a final report, at the latest by the 2005 session of the Council, for transmission to the 2006 plenipotentiary conference,

instructs the Council

- 1 to consider the final report prepared by the Council Working Group and make any comments it considers appropriate before the final report and comments are transmitted to the Member States and to the 2006 plenipotentiary conference, including recommendations on any appropriate treaty changes, and whether there is a need to convene a world conference on international telecommunications;
- 2 to make available the annual and final reports of the Council Working Group to the Member States and the Sector Members by posting them on the website established for ITR review activities;
- 3 to forward to the relevant ITU study groups as soon as possible those conclusions of the Council Working Group that it considers appropriate for study,

further instructs the Council

to make available to the Council Working Group all means available, within the budgetary limits, in order to permit it to address the specific regional requirements regarding this revision process, including the provision of fellowships, the organization of regional meetings, fostering work through the existing regional tariff groups of ITU-T Study Group 3 and/or facilitating close liaison with regional organizations* ,

* See Resolution 58 (Kyoto, 1994).

invites the Secretary-General and the Directors of the three Bureaux
to make available to the Working Group of the Council the means necessary to implement
instructs the extraordinary session of the Council above,

instructs the Secretary-General
to invite contributions from Member States, Sector Members, the advisory groups of the three
Sectors, regional preparatory meetings, regional organizations* and other organizations, in line
with ITU procedures and agreements,

*invites the Radiocommunication Assembly, the World Telecommunication Standardization
Assembly and the World Telecommunication Development Conference*
to take appropriate action on any matters referred to them in accordance with this resolution.

ANNEX 2
(to letter DM-1107)

Letter from the chairman (Ref: DM-1079)



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