|  |  |
| --- | --- |
| **Expert Group on the International Telecommunication Regulations (EG-ITRs) First meeting - Geneva, 16-17 September 2019** |  |
|  |  |
|  | **Document EG-ITRs-1/2-E** |
|  | **22 August 2019** |
|  | **Original: English** |
| Austria, the Czech Republic, Estonia, Latvia, the Netherlands,  Romania, Sweden and the United Kingdom | |
| REVIEW OF THE INTERNATIONAL TELCOMMUNICATION REGULATIONS | |

1. Austria, the Czech Republic, Estonia, Latvia, the Netherlands, Romania, Sweden and the United Kingdom welcome the opportunity to make a contribution to the first meeting of the Expert Group on the International Telecommunications Regulations (ITRs) and look forward to the work of the Group over the coming years. We are pleased also that the Group will produce a report that reflects all views in a factual and balanced way. This will be important in order to allow Council, and then the Plenipotentiary Conference, to understand the issues involved, the areas of agreement and the differences of view.
2. We hope that our discussions will be focused on “real world” evidence drawn from practical examples. We are more likely to achieve consensus if we can build a better common understanding of whether and how the ITRs are used today. We are pleased that the Terms of Reference of the Group focus on the applicability of the ITRs and an examination of whether treaty-level provisions any longer provide the flexibility to accommodate new trends in telecommunications
3. We would like to thank all of those who contributed to the previous work of the Expert Group. There were 41 contributions from Member States and Sector Members from all ITU regions and the Group spent a total of ten days in detailed discussion and consideration. We note here a number of critical findings from that work:
   * the Group did not find any examples of any issues or “real-world” difficulties that have arisen from differences between the 2012 and the 1988 texts
   * the Group found that there could not be a conflict between the 2012 and 1988 texts because the Vienna Convention would always make it clear which provisions apply
   * the Group heard that a very large proportion of operators no longer use the ITRs and instead rely on commercial arrangements.

It is less than a year since the Expert Group’s report was considered by the Plenipotentiary Conference. It will be important for the current Group to take fully into account these existing facts and examine whether there have been any real changes since 2018.

1. We hope that the work of the Expert Group will build understanding and consensus, and that members will not only review the provisions of the ITRs but will also bring their experience of how to promote sustainable development. This experience will be essential in order to have an informed discussion about whether treaty-level provisions offer the flexibility and effectiveness required in the modern environment.
2. Our operators have not raised any concerns or uncertainties caused by the status quo and we are not aware of any concerns about potential issues in the future. In fact we have observed that since 2012 the development of telecommunications services has continued to advance and the existence of two sets of ITRs does not appear to have hindered this development in any way.
3. Although progress has been made, developing countries in particular continue to face significant challenges in terms of investment, affordability and capacity. We need to continue to make progress in these areas in order to bridge the digital divide. We are not convinced that new treaty-level provisions will help any country build an enabling environment to attract investment. There is a danger that spending valuable time in inter-governmental negotiation of a new treaty would only take resources and effort away from urgent work to develop capacity, infrastructure and affordable connectivity.
4. We also need to be mindful of the wide differences of opinion that exist about the value of holding another World Conference on International Telecommunications (WCIT). We did not sign the 2012 ITRs and we do not intend to do so. Along with many other countries, we remain signatories to the 1988 ITRs. Our view remains that holding another WCIT would cause great uncertainty for many years, which could actually hinder the investment that we all need to see. It is not clear that a third set of ITRs would attract consensus agreement, and this could put at risk the ITU’s good reputation.

**Conclusion**

1. In summary:

* we look forward to the work of the Expert Group, which should be evidence based and take account of the previous work
* we welcome the fact that all views will be reflected in our report
* we see no difficulties caused by the existence of two sets of ITRs: in fact, investment in and access to telecommunications services have continued to advance
* we note the differences of view that exist regarding another WCIT, which we believe would undermine efforts to build capacity and potentially damage the good reputation of the ITU.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_