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| **Expert Group on the International Telecommunication Regulations (EG-ITRs)** |  |
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| PROPOSALS FOR INCORPORATION INTO THE WORK PLAN OF THE EG-ITRs | |

**1. Introduction**

The Report of the previous Expert Group on International Telecommunications Regulations (ITRs) reflects divergent views on the subject matter, particularly on issues of applicability and non-applicability of the ITRS, flexibility and lack thereof, and, the need or lack of the need to hold a World Conference on International Telecommunications (WCIT). It is important that as the new Expert Group work commences, members do not simply pick up their old arguments and dig in, as that will not resolve the issues that the Group was set up to deal with.

It is critical that every participant keeps an open mind and examines the terms of reference in order to stay within their context and the provisions of the ITRs, in order to assess each provision critically. It is important that the final conclusions to be contained in the final report of the Expert Group should flow clearly from the deliberations and work of the Group. It would be a disservice to the whole telecommunications sector, if the Experts that make up the Group start from their conclusions and then work backwards to justify those conclusions. In this regard ,as part of the Expert Group’s work plan and tasks, it is important to look at the general understanding of the provisions of the ITRs, the manner in which the provisions foster the provision and development of international telecommunication services and networks, any aspect of the provisions that need to be enhanced or changed, whether the provisions accommodate new trends in telecommunications/ICT and what those new trends are, how flexible the ITRs are, to accommodate new trends and, emerging issues and what can be done to enhance the flexibility.

**2. Key aspects to be looked at to progress the work of the EG-ITRs**

**2.1 Understanding of the Provisions of the ITRs**

This aspect is the easiest of all the elements that this contribution proposes that the Group looks. The Group does not need to spent time on it, but, it is important that as each provision is looked at, this would be the starting point.

**2.2. The manner in which each provision fosters the development of international Telecommunication services and networks**.

It is important that the work- plan clearly provides for analysis of how each specific provision fosters development of international telecommunications. Such analysis should be thorough, with contributions which are not general in nature, being submitted for each provision. Contributions can cover the purpose of the provision and how the purpose is being served.

**2.3. Aspects of each provision that need to be removed or enhanced**

The work- plan should also cover or provide for work to determine any part of each provision that may need to be removed if obsolete and work to include aspects that enhance the provision in order to serve better, the modern day purpose of the provision. Concrete justification for any possible modification can also form part of the contributions.

**2.4. Identification of new trends and emerging issues**

It is also important to ensure that before any provision is examined with regards to the accommodation of new trends and emerging issues, those new trends and emerging issues are clearly identified and a forward looking list compiled. Each provision can then be examined as to how well it accommodates these. Where there are short comings, proposed aspects requiring modification can also be identified.

**2.5. Flexibility**

The work- plan should clearly cover work to identify the flexibility required of each provision of the ITRS and whether the existing provision meets the required standard. Where the provision does not meet the required standard, contributions can propose areas that require review, to enhance the flexibility.

This objective approach allows conclusions to be drawn in general, as to the applicability of treaty level provisions in fostering the provision and development of international telecommunications. It will also allow conclusions to be drawn, with regards to the flexibility of the provisions.

The terms of reference allow the Expert Group to look at new trends and emerging issues, which may not be covered at all, or cannot possibly be covered by modifying existing provisions. In this case, the work-plan can also have a section that deals with the treatment of such new trends and emerging issues, which may require entirely new provisions to be drafted and propose the way forward.

**2.6. The holding of a WCIT**

Zimbabwe is of the view that the issue of recommendations on holding or not holding a new WCIT should only come towards the end of the work of the Group. This is because taking a position on that now would be premature, as any such position should be guided by the results of the provision by provision review, for it to be meaningful.

**2.7 Views of Telecommunication / ICT Operators within Member States**

Given that the treaty under discussion is one that affects the operations of service providers in Members States, it is important that the views of such Operators be taken into account where appropriate. In this regard it is recommended that a questionnaire be designed to cover specific relevant questions which participants can administer to Operators within their Countries, as this might shed light on areas where Operators expect treaty level provisions to foster international development of telecommunications, taking into account new trends and emerging issues.

**3. Conclusion**

In conclusion, Zimbabwe is looking forward to participating productively in the work of the EG-ITRs and looks forward to the work plan covering the following issues:

* An examination of the manner in which each ITR provision fosters the provision and development of international telecommunication services and networks.
* Aspects of the provisions that need enhancement or to be changed
* Analysis of each provision to determine the level at which it accommodates new trends
* Identification of new trends and emerging issues
* Analysis of the flexibility of each provision to accommodate new trends and emerging issues and what can be done to enhance flexibility
* A fact finding exercise through a questionnaire administered on indigenous operators within Member States, on the issues under discussion.

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