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| **Expert Group on the International Telecommunication Regulations (EG-ITRs)** |  |
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| Egypt (Arab Republic of), Saudi Arabia (Kingdom of) | |
| Provision by Provision examination of the ITRs | |

Egypt and Saudi Arabia are grateful for the opportunity to participate in the Expert Group on the International Telecommunication Regulations (EG-ITRs). We believe that the provision by provision examination of the treaty will be very helpful and will guide the way forward on the future of the ITRs.

Below are the views of Egypt and Saudi Arabia regarding the provisions of the preamble, articles 1,2,3 and 4.

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| **2012 Article** | **Sub article and Provision** | **Related 1988 sub article and provision** | **Applicability in fostering provision and development of networks and services** | **Flexibility to accommodate New trends and Emergent issues** | **Summary Outcome** |
|  | **1**  While the sovereign right of each State to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations (hereafter referred to as "Regulations") complement the Constitution and the Convention of the International Telecommunication Union, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for worldwide telecommunications.  **2 *Member States affirm their commitment to implement these Regulations in a manner that respects and upholds their human rights obligations.***  **3 *These Regulations recognize the right of access of Member States to international telecommunication services.*** | While the sovereign right of each country to regulate its telecommunications is fully recognized, the provisions of the present Regulations supplement the International Telecommunication Convention, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for world-wide telecommunications. | Text is applicable | Text is flexible | Keep text as is |
| **1** | 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. These Regulations do not address the content-related aspects of telecommunications. | 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. They also set rules applicable to administrations[[1]](#footnote-1)\* | Text is applicable | Text is flexible, although there might be no need to include the sentence on “content” as it is a given fact in the scope of ITU. | We suggest to delete the part that specifies that the ITRs do not deal with content related aspects. |
|  | **1.1 b)** These Regulations also contain provisions applicable to those operating agencies, authorized or recognized by a Member State, to establish, operate and engage in international telecommunications services to the public, hereinafter referred as "authorized operating agencies". | **1.1 b)** These Regulations recognize in Article 9 the right of Members to allow special arrangements.(moved to 1.1 c) | Text is applicable. It is an alignment of 1992 version of Constitution.  Operating agency is defined in Article 5 of the ITU Constitution as“Any individual, company, corporation or governmental agency which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service.” | Text is flexible | Keep text as is |
|  | **1.1 c)** These Regulations recognize in Article 13 the right of Members to allow special arrangements. | **--** | Text is applicable, same as 1988 but change of article | Text is flexible | Keep text as is |
|  | **1.2** In these Regulations, “the public” is used in the sense of the population, including governmental and legal bodies. | **1.2** In these Regulations, “the public” is used in the sense of the population, including governmental and legal bodies. | Text is applicable and no change from 1988 | Text is flexible and broad has witnessed stability from 1988 | Keep text |
|  | **1.3** These Regulations are established with a view to facilitating global interconnection and interoperability of telecommunication facilities and to promoting the harmonious development and efficient operation of technical facilities, as well as the efficiency, usefulness and availability to the public of international telecommunication services. | 1.3 These Regulations are established with a view to facilitating global interconnection and interoperability of telecommunication facilities and to promoting the harmonious development and efficient operation of technical facilities, as well as the efficiency, usefulness and availability to the public of international telecommunication services. | Text is applicable and no change from 1988 | Text is flexible and broad | Keep text |
|  | 1.4 References to Recommendations of the ITU Standardization Sector (ITU-T) ~~and Instructions~~ in these Regulations are not to be takes as giving to those Recommendations ~~and Instructions~~ the same legal status as these Regulations. | 1.4 References to CCITT Recommendations and Instructions in these Regulations are not to be taken as giving to those Recommendations and Instructions the same legal status as the Regulations. | Text is applicable after deleting “Instructions”. Text makes it clear that Recommendations of ITU-T remain non-binding. | Text is not flexible enough to include other Recommendations of ITU, if other ITU sectors decide to have any. | Recommendations of ITU-T could be changed to ITU Recommendations. |
|  | **1.5** Within the framework of these Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between authorized operating agencies. | 1.5. Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between administrations. | Text is applicable to current times | Text is flexible | Keep text |
|  | **1.6** Within the framework of these Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between authorized operating agencies. | 1.6. In implementing the principles of these Regulations, administrations\* should comply with, to the greatest extent practicable, the relevant CCITT Recommendations, including any Instructions forming part of or derived from these Recommendations. | Text is applicable and the use of “to the greatest extent practicable” makes it non-mandatory. | Text is flexible | Keep text |
|  | **1.7 a)** These Regulations recognize the right of any Member State, subject to national law and should it decide to do so, to require that authorized operating agencies which operate in its territory and provide an international telecommunication service to the public be authorized by that Member State. | **1.7 a)** These Regulations recognize the right of any Member, subject to national law and should it decide to do so, to require that administrations and private operating agencies, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member.. | Text is applicable, it recognizes the rights of a MS to give licenses to telecom providers giving international services using its own laws. | Text is flexible | Keep text |
|  | **1.7 b)** The Member State concerned shall, as appropriate, encourage the application of relevant ITU-T Recommendations by such service providers. | **1.7 b)** The Member concerned shall, as appropriate, encourage the application of relevant CCITT Recommendations by such service providers.. | Text is applicable | Text is flexible | Keep text |
|  | **1.7 c)** The Member States, where appropriate, shall cooperate in implementing these Regulations. | The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations (for interpretation, also see Resolution No. 2). | Text is applicable and positive | Text is flexible in that it includes “where appropriate”. | Keep text |
|  | **1.8** These Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise. | **1.8** These Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise. | This provision gives a hierarchy, as it prioritizes the Radio Regulations over the ITRs. Text is applicable. | Text is not flexible, and it should not be flexible | Keep text |
| **2** | **Definitions**  (We believe that the definitions need to be revisited at the end of the process, as suggestions for amendments, suppressions, additions can be included.) | **Definitions** |  |  |  |
|  | **2.1** For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes. | For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.  . | Text is applicable | Text is flexible | Keep text as is |
|  | **2.2** *Telecommunication:* Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems. | **2.1** *Telecommunication:* Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems. | Text is applicable | Text is flexible | Keep text as is |
|  | **2.3** *International telecommunication service:* The offering of a telecommunication  capability between telecommunication offices or stations of any nature that are in or belong to different countries. | 2.2 *International telecommunication service:* The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries | Text is applicable | Text is flexible | Keep text |
|  | 2.4 *Government telecommunications*: Telecommunications originating with any: Head of State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice, or replies to government telecommunications mentioned above. | 2.3 *Government telecommunication:* A telecommunication originating with any: Head of a State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice, or reply to a government telegram. | Text is applicable | Text is flexible | Keep text |
|  | 2.5 Service telecommunication: A telecommunication that relates to public international telecommunications and that is exchanged among the following: – Member States; – authorized operating agencies; and – the Chairman of the Council, the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux, the members of the Radio Regulations Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union. | 2.4 Service telecommunication A telecommunication that relates to public international telecommunications and that is exchanged among the following:  – administrations;  – recognized private operating agencies;  – and the Chairman of the Administrative Council, the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the members of the International Frequency Registration Board, other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union. | Text is applicable | Text is flexible | Keep text |
|  | **~~2.5 Privilege telecommunication:~~** | 2.5 Privilege telecommunication:  2.5.1 A telecommunication that may be exchanged during:  – sessions of the ITU Administrative Council,  – conferences and meetings of the ITU  between, on the one hand, representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union and their authorized colleagues attending conferences and meetings of the ITU and, on the other, their administrations or recognized private operating agency or the ITU, and relating either to matters under discussion by the Administrative Council, conferences and meetings of the ITU or to public international telecommunications. |  |  |  |
|  |  | 2.5.2 A private telecommunication that may be exchanged during sessions of the ITU Administrative Council and conferences and meetings of the ITU by representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union attending ITU conferences and meetings, and the staff of the Secretariat of the Union seconded to ITU conferences and meetings, to enable them to communicate with their country of residence. |  |  |  |
|  | 2.6 *International route*: Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices. | 2.6 *International route:* Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices | Text is applicable | Text is flexible | Keep text |
|  | 2.7 *Relation*: Exchange of traffic between two terminal countries, always referring to a specific service, if there is between their authorized operating agencies:  a) a means for the exchange of traffic in that specific service: – over direct circuits (direct relation), or – via a point of transit in a third country (indirect relation), and  b) normally, the settlement of accounts. | 2.7 *Relation:* Exchange of traffic between two terminal countries, always referring to a specific service if there is between their administrations\*:  *a)* a means for the exchange of traffic in that specific service:  – over direct circuits (direct relation), or  – via a point of transit in a third country (indirect relation), and  *b)* normally, the settlement of accounts. | Text is applicable | Text is flexible | Keep text |
|  | 2.8 *Accounting rate*: The rate agreed between authorized operating agencies, in a given relation that is used for the establishment of international accounts. | 2.8 *Accounting rate:* The rate agreed between administrations\* in a given relation that is used for the establishment of international accounts. | Text is applicable | Text is flexible | Keep text |
|  | 2.9 *Collection charge*: The charge established and collected by an authorized operating agency from its customers for the use of an international telecommunication service. | 2.9 *Collection charge:* The charge established and collected by an administration\* from its customers for the use of an international telecommunication service. | Text is applicable | Text is flexible | Keep text |
|  | **~~2.10 Instructions~~** | 2.10 *Instructions:* A collection of provisions drawn from one or more CCITT Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting). |  |  |  |
| **3** | **International Network** | **International Network** |  |  |  |
|  | 3.1 Member States shall endeavour to ensure that authorized operating  agencies cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service. | 3.1 Members shall ensure that administrations\* cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service. | Text is applicable | Text is flexible | Keep text |
|  | **3.2** Member States shall endeavour to ensure the provision of sufficient telecommunication facilities to meet the demand for international telecommunication services. | 3.2 Administrations shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunications. | Text is applicable | Text is flexible | Keep text |
|  | 3.3 Authorized operating agencies shall determine by mutual agreement which international routes are to be used. Pending agreement and provided that there is no direct route existing between the terminal authorized  operating agencies concerned, the origin authorized operating agency has the choice to determine the routing of its outgoing telecommunication  traffic, taking into account the interests of the relevant transit and destination authorized operating agencies. | 3.3 Administrations shall determine by mutual agreement which international routes are to be used. Pending agreement and provided that there is no direct route existing between the terminal administrations concerned, the origin administration has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations. | Text is applicable | Text is flexible | Keep text |
|  | **3.4** Subject to national law, any user, by having access to the international network, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to the relevant ITU-T Recommendations. | **3.4** Subject to national law, any user, by having access to the international network established by an administration, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant CCITT Recommendations | Text is applicable | Text is flexible, provided we change it to “ITU Recommendations”. | Change to ITU Recommendations. |
|  | **3.5** Member States shall endeavour to ensure that international telecommunication numbering resources specified in ITU-T Recommendations are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used. | **--** | Text is applicable | Reference to the ITU-T Recommendations is limiting the flexibility of the text. | There is no need to specify ITU-T Recommendaitons in this provision and the text can be more flexible by eliminating it. |
|  | **3.6** Member States shall endeavour to ensure that international calling line identification (CLI) information is provided taking into account the relevant ITU-T Recommendations. | **--** | Text is applicable, but can be more applicable by making a reference to origin identifiers.  With the technological advancements and the introduction of IoT application in the international telecommunication service market we need to also consider origin identifiers. | Reference to the ITU-T Recommendations is limiting the flexibility of the text. | There is no need to specify ITU-T Recommendaitons in this provision and the text can be more flexible by eliminating it.  We need to broaden the subject to include Origin Identifiers. |
|  | **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. | **--** | Text is currently applicable | Text is specific and not flexible enough |  |
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| **4** | **International Telecommunication Service** | **4 International Telecommunication Service** |  |  |  |
|  | **4.1** Member States shall promote the development of international telecommunication services and shall foster their availability to the public. | 4.1. Members shall promote the implementation of international telecommunication services and shall endeavour to make such services generally available to the public in their national network(s). | Text is applicable | Text is flexible | Keep text as is |
|  | 4.2 Member States shall endeavour to ensure that authorized operating agencies cooperate within the framework of these Regulations to provide, by agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant ITU-T Recommendations. | 4.2 Members shall ensure that administrations\* cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant CCITT Recommendations. | Text is applicable | Text can be more flexible if we don’t limit it to ITU-T Recommendations. | Suggest to expand the text, that OA conform to all ITU Recommendations and not just ITU-T Recommendations, since there can be other ITU recommendations of relevance. |
|  | 4.3 Subject to national law, Member States shall endeavour to ensure that authorized operating agencies provide and maintain, to the greatest extent practicable, a satisfactory quality of service corresponding to the relevant ITU-T Recommendations with respect to: | 4.3 Subject to national law, Members shall endeavour to ensure that administrations\* provide and maintain, to the greatest extent practicable, a minimum quality of service corresponding to the relevant CCITT Recommendations with respect to: | Text is applicable | Text can be more flexible if we don’t limit it to ITU-T Recommendations. | We suggest to broaden the text to refer to ITU Recommendations at large, and not just Recommendations of the Standardization sector. |
|  | a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel; | a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel; | The term “harm” needs to be clarified to ensure the proper applicability of this text | Text is flexible | Need for clarification on the term “harm” |
|  | b) international telecommunication facilities and services available to users for their dedicated use; | b) international telecommunication facilities and services available to customers for their dedicated use; | Text is applicable | Text is flexible | Keep text |
|  | c) at least a form of telecommunication service which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and | c) at least a form of telecommunication which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and | The word “reasonably” is not measurable and can thus create can confusion and have a negative effect on applicability.wwwwet5v | Text is flexible | We suggest to delete “reasonably” |
|  | d) a capability for interworking between different services, as appropriate, to facilitate international telecommunication services. | d) a capability for interworking between different services, as appropriate, to facilitate international communications. | Text is applicable | Text is flexible | Keep text |
|  | 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 | No analogous provision | Text is applicable | Text is flexible | Keep text |
|  | 4.5 Member States shall foster measures to ensure that telecommunication services in international roaming of satisfactory quality are provided to visiting users. | No analogous provision | Text is applicable | Text is flexible | Keep text |
|  | 4.6 Member States should foster cooperation among authorized operating agencies in order to avoid and mitigate inadvertent roaming charges in border zones. | No analogous provision | Text is applicable | Text is flexible | Keep text |
|  | 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. | No analogous provision | Text is applicable | Text is flexible | Keep text |

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1. \* or recognized private operating agency(ies) [↑](#footnote-ref-1)