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| **Expert Group on the InternationalTelecommunication Regulations (EG-ITRs)** |  |
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| Mexico |
| RESPONSE TO THE CITEL QUESTIONNAIRE |

**SUMMARY**:

During the EG-ITRs September 2019 meeting, the administrations of the Commonwealth of the Bahamas, Brazil, Canada, Mexico, Paraguay and the United States of America agreed to circulate the questions below to all CITEL Administrations and Associate Members.

Mexico is pleased to respond to the above questions as follows:

**Question 1: Do you use the ITRs? If so how? If not, why?**

According to the Political Constitution of the United Mexican States, in Mexico, the telecommunications are considered “public services of general interest, so that the State shall guarantee that they are provided on conditions of competence, plurality, quality, coverage, interconnection, convergence, continuity, free access and without arbitrary interference”. Thus is why, under operative terms, Mexico considers that the ITR is congruence under such principles, that is why the ITR is still used as reference for the emission of general administrative provisions and rules.

**Question 2: In the current international telecommunications/ICTs environment, are the 2012 ITRs applicable in fostering the provision and development of international telecommunication/ICT services and networks? Please give examples.**

Mexico considers that there are elements of the ITR 2012, which continue to be valid in the international context of the telecommunication sector since, by promoting a bigger regulatory coherence; they generate certainty to the international telecommunications.

Nowadays, the current international legal instruments such as the free trade treaties do not always include the current tendencies and issues of the telecommunication sector. However, the ITR embraces the provisions that are not included in such Treaties or in the Telecommunications Annex of the General Agreement on Trade in Services of the WTO. On the other hand, the ITR, compared to other instruments, includes provisions related to human life security regarding to disaster relief telecommunication, security and robustness of networks, unsolicited massive electronic communications, suspension of services, electronic waste or accessibility issues.

For instance, in matters of security and robustness of networks, the ITR establishes that the security and robustness of international telecommunications networks is an obligation, individual and collective, of the Member States, who shall look for the harmonious development of services offered to the public. In terms of accessibility, the ITR points that the Member States shall promote access for people with disabilities to the international telecommunication services. Regarding roaming, the ITR stipulates that the States will look to promote the competence and will encourage cooperation to avoid or reduce unnoticed roaming costs in border zones.

Finally, there are other relevant provisions to promote the development of the telecommunications networks, as follows:

* The promotion, by the Member States, of the investment on international telecommunication networks and wholesale prices that are competitive for the traffic under such telecommunication networks.
* Regarding the telecommunications sector and its economic development, the ITR stipulates that the “authorized exploitation companies” will establish the “Distribution and Perception Rate” and the international routes; this face the realities of the telecommunications market and the promotion of competence.
* The ITR stablishes provisions related to ensuring the identification of an international calling line, ensuring the proper use of numbering resources, creating auspicious environments to stablish regional telecommunication traffic exchange centers and seeking measures to prevent the spread of unsolicited mass electronic communications.
* The ITR compromises Member States to encourage "authorized exploitation companies" to inform end users in a timely and freeway about emergency service call numbers, as well as to collaborate to offer a wide range of international telecommunication services with satisfactory quality.

**Question 3: In the current international telecommunications/ICTs environment, are the 2012 ITRs flexible to accommodate new trends in telecommunications/ICT and emerging issues? Please give examples.**

It is considered that the ITR is not currently flexible to face the new tendencies in the telecommunications and ICT sector; subjects as international cooperation, internet, network development and broadband services, effective protection of data and personal information, among others, could be considered in a possible review of the ITR, in order to amend the relevant provisions and define a language with stronger and clearer obligations, as necessary.