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| **Agenda item: PL 3** | **Document C23/88-E** |
| **27 June 2023** |
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| Contribution from the Russian Federation |
| DRAFT REVISION OF COUNCIL RESOLUTION 1379 (MOD. 2019) “EXPERT GROUP ON THE INTERNATIONAL TELECOMMUNICATION REGULATIONS (EG-ITRs)”  |
| **Purpose**The Administration of the Russian Federation invites the Council to consider the draft revision of Council Resolution 1379 (Mod. 2019) “Expert Group on the International Telecommunication Regulations (EG-ITRs)”, which aims to streamline the working methods of the EG-ITRs to more effectively continue the review of the International Telecommunication Regulations, considering the achievements of the work of the two previous EG-ITRs meetings and with the aim of facilitating the possible development of a unified text of the ITRs**.** **Action required by the Council**The Council is invited to **endorse** the proposals contained in this contribution and to take appropriate action.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**References***Resolution* [*146*](https://www.itu.int/en/council/Documents/basic-texts-2023/RES-146-E.pdf) *(Rev. Bucharest, 2022) of the Plenipotentiary Conference, on periodic review and revision of the International Telecommunication Regulations* [CS](https://www.itu.int/en/council/Documents/basic-texts/Constitution-E.pdf)*[/Art. 10, No. 69](https://www.itu.int/en/council/Documents/basic-texts/Constitution-E.pdf)**[CV/Art.4, No. 61В, 10 ter)](https://www.itu.int/en/council/Documents/basic-texts/Convention-E.pdf)* |

# 1 Background

The Expert Group on the International Telecommunication Regulations (EG-ITRs), open to all Member States and Sector Members, was established in accordance with Resolution 146 (Rev. Busan, 2014) of the Plenipotentiary Conference (PP) and Council Resolution 1379 (Mod. 2019). The expert group held four physical meetings from February 2017 through April 2018 to discuss some of the key issues, such as the applicability and the legal analysis of the 2012 version of the International Telecommunication Regulations (ITRs) and the possible conflicts between the 1988 and the 2012 versions, and formed related opinions.

PP-18 revised Resolution 146 (Rev. Dubai, 2018) and decided to conduct a comprehensive review of the International Telecommunication Regulations, and thus instructed the Secretary-General to reconvene the EG-ITRs, open to ITU Member States and Sector Members. The Council revised Resolution 1379 at its 2019 session, specifying the terms of reference of the new EG-ITRs. In September 2019, the EG-ITRs held its first meeting, and all parties reached an agreement on the working methods and plans of the review, and developed a template for the provision-by-provision examination of the International Telecommunication Regulations and a work plan, which was accepted by all parties. From February 2020 to January 2022, the EG-ITRs held the second to sixth meetings, during which the 2012 version of the International Telecommunication Regulations was successfully reviewed provision by provision.

PP-22 revised Resolution 146 (Rev. Bucharest, 2022) and decided to continue examining the issues related to the ITRs, including their review, and instructed the Secretary-General to reconvene the EG-ITRs, open to ITU Member States and Sector Members, with terms of reference and working methods established by the ITU Council.

# 2 Proposal

In accordance with Article 4 "Instruments of the Union" of the ITU Constitution, the International Telecommunication Regulations (ITRs) are one of the two Administrative Regulations included in the list of Instruments of the Union. To date, the ITRs remain the only treaty in the world that establishes general principles to promote the provision and operation of international telecommunications. They are conducive to the improvement of the efficiency, practicability and availability of global international telecommunication networks, infrastructure and services, especially for the vast number of members from developing countries. At the same time, considering the new trends of telecommunications/ICTs and the emerging issues in the international telecommunication/ICT environment, it is also very important to cultivate a legal and regulatory environment that can keep up with the rapidly changing information and communication technology ecosystem.

In view of this, the Administration of the Russian Federation invites the Council to consider the draft revision of Council Resolution 1379 (Mod. 2019) "Expert Group on the International Telecommunication Regulations (EG-ITRs)", which is aimed at streamlining the working methods of the expert group to more effectively continue the review of the ITRs in view of the convincing achievementsof the work of the two previous meetings of the EG-ITRs, and to facilitate the possible development of a unified text of the ITRs.

The draft proposal is contained in the Annex to this contribution.

appendix

Draft REVISION OF council resolution 1379 (modified, 2023)

(adopted at the XXX Plenary Meeting)

Expert Group on the International Telecommunication Regulations (EG-ITRs)

The ITU Council,

considering

*a)* Article 25 of the ITU Constitution, on World Conferences on International Telecommunications (WCIT);

*b)* No. 48 in Article 3 of the ITU Convention, on other conferences and assemblies;

*c)* Resolution 146 (Rev. Dubai, 2018) of the Plenipotentiary Conference, on periodic review and revision of the International Telecommunication Regulations;

*d)* Resolution 4 (Dubai, 2012) of the World Conference on International Telecommunications, on periodic review of the International Telecommunication Regulations;

*e)* that the Council shall take all steps to facilitate the implementation by the Member States of the provisions of this Constitution, of the Convention, of the Administrative Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union, and perform any duties entrusted to it by the Plenipotentiary Conference,

recalling

*a)* that the 2016 Council created an Expert Group on the International Telecommunication Regulations (EG‑ITRs) that pursuant to its terms of reference prepared a final report on the review of the 2012 ITRs subsequently submitted to the 2018 Plenipotentiary Conference;

*b)* that the 2019 Council reconvened the EG-ITRs, which pursuant to its terms of reference prepared a final report on the comprehensive reviewof the ITRs with the aim of reaching a consensus on future actions relating to the ITRs subsequently submitted to the 2022 Plenipotentiary Conference;

*c)* that the 2022 Plenipotentiary Conference resolved to continue the consideration of issues relating to the ITRs, including their review,

resolves

1 that an Expert Group on the International Telecommunication Regulations (EG-ITRs), open to Member States and Sector Members, be reconvened to continue considering issues relating to the EG-ITRs, including their review for a possible unified version of the text of the ITRs;

2 that the Group has a Chairman and six Vice-Chairmen, one from each ITU region, nominated by the Council and taking into account competency and qualification as well as enhancing gender balance;

3 that the EG-ITRs shall prepare a progress report to the annual sessions of the Council;

4 that the EG-ITRs shall prepare a final report to the 2026 session of the Council for submission of the report to the 2026 plenipotentiary conference with the Council's comments;

5 that, to the maximum extent possible, translation and simultaneous interpretation in the six ITU official languages will be provided;

6 that all the output documents of meetings of the Group shall be made publicly available consistent with the ITU’s document access policy, and that all input documents shall be made publicly available subject to the decision of the submitter;

7 that the EG-ITRs should meet physically as part of the cluster of Council Working Group meetings in 2023, 2024 and 2025, and that a final physical meeting should be held prior to Council in 2026,

instructs the Secretary-General

1 to make necessary arrangements to implement this Resolution;

2 to submit the report of the EG‑ITRs on the outcome of the review to the 2026 session of the Council for consideration, publication and subsequent submission to the 2026 plenipotentiary conference,

instructs the Directors of the Bureaux

1 each within their field of competence, with advice from the relevant advisory group, to contribute to the work of the Group, recognizing that the ITU Telecommunication Standardization Sector has most of the work relevant to the ITRs;

2 to submit the results of their work to the EG-ITRs;

3 to consider providing fellowships, where resources are available, for developing and least developed countries according to the list established by the United Nations, in order to widen participation in the Group,

invites Member States and Sector Members

to participate in and contribute to the EG-ITRs on the review of the International Telecommunication Regulations.

**Annex**: 1

Annex

Terms of Reference of the Expert Group on the International Telecommunication Regulations (EG-ITRs)

1 The EG-ITRs shall consist of representatives of the administrations of the Member States and Sector Members nominated from regional telecommunication organizations, in accordance with the requirements of No. 242 of the ITU Convention and Resolution 208 (Rev. Bucharest, 2022) of the Plenipotentiary Conference;

2 The Secretary-General and the Directors of the three Bureaux shall participate in EG‑ITRs meetings in an advisory capacity;

3 The regional telecommunication organizations shall nominate two candidates as members of the EG-ITRs: one from the administrations of the Member States and the other from Sector Members of each region, who shall be approved by the leadership of the EG‑ITRs with the agreement of the Council as permanent members of the EG-ITRs;

4 Each candidate nominated and approved as a permanent member of the EG-ITRs in accordance with paragraphs 1 and 3 above shall act in their personal capacity, representing the position of the administrations of the Member States and Sector Members of their region and the respective regional telecommunication organization;

5 Permanent members of the EG-ITRs shall serve for a term of no less than four years; Permanent members shall not receive any allowances or remunerationfrom ITU, with the exception of fellowships where appropriate;

6 If an EG-ITRs member resigns from their post or cannot continue their work, a new candidate from an administration of the Member States or a Sector Member from the respective region shall take their place and shall be appointed in due courseas a permanent member by the EG-ITRs;

7 In support of their duties, permanent members of the EG-ITRs may invite technical experts from the region they represent to participate as observers in EG-ITRs meetings on all matters relating to the EG-ITRs in an advisory capacity;

8 Non-permanent members from other administrations of the Member States or Sector Members may attend EG-ITRs meetings in an advisory capacity;

9 The Chairman and Vice-Chairmen of the EG-ITRs shall be elected by the 2023 session of the ITU Council;

10 The meetings shall be carried out in-person; Remote participation may be available, but only in-person participants who hold the right to vote shall have the right to a casting vote;

11 The Chairman of the EG-ITRs, the Secretary-General of the ITU, the Directors of the three Bureaux and permanent members of the EG-ITRs may invite other observers or technical experts to EG-ITRs meetings in an advisory capacity;

12 EG-ITRs meeting reports shall reflect only the opinions of permanent EG-ITRs members, the Secretary-General, the Directors of the three Bureaux and invited experts;

13 The EG-ITRs shall consider all contributions and supporting material submitted by Member States, Sector Members and the Directors of the three Bureaux to EG-ITRs meetings from 2017 to 2022 with the aim of preparing concrete proposals for a unified version of the text of the ITRs, as well as the current positions of the administrations of the Member States and Sector Members of the respective regions and regional telecommunication organizations on the issues in these contributions;

14 The EG-ITRs shall strive to give recommendations by consensus; If for any reason a consensus is not reached, the Chairman of the EG-ITRs and the Secretary-General shall convene a separate meeting on the issue in question, and also take additional necessary measures in order to finally reach a consensus;

15 In accordance with *resolves* 14 above, no issue may be left unresolved; In the event that the additional efforts of the Chairman and the Secretary-General do not bring the EG‑ITRs to a consensus, the issue in question shall besubmitted as a contribution by the Secretary-General to the next session of the Council, indicating the majority and minority opinions of the permanent members of the EG-ITRs;

16 The EG-ITRs shall work in the six official languages of ITU; The work of the EG-ITRs shall be supported by the ITU General Secretariat;

17 A detailed written report on each EG-ITRs meeting shall be prepared by the secretariat to be reviewed and adoptedby the EG-ITRs;

18 A detailed written report on the proceedings of the meetings, the recommendations made at each EG-ITRs meeting and on cases of a lack of consensus shall be submitted to the respective sessions of the Council by the Secretary-General, and by the permanent members of the EG-ITRs at the respective meetings or by any other suitable means to the administrations of the Member States and Sector Members of their regional telecommunication organizations;

19 The EG-ITRs shall prepare a report for the 2024 World Telecommunication Standardization Assembly (WTSA) on its work, which the Secretary-General shall present at WTSA-24;

20 The EG-ITRs shall prepare a final report for the 2026 plenipotentiary conference on its work, which shall reflect:

a) recommendations regarding the revision[[1]](#footnote-1)1 of the ITRs (whether a review is necessary or not, and to what extent: in part or in full);

b) recommendations regarding a future WCIT including recommendations depending on the item;

c) recommendations regarding the revision of Resolutions and Recommendations of WCIT-12;

21 The EG-ITRs shall take into account, in its work and when preparing the final report for the 2026 plenipotentiary conference:

a) relevant work concerning the ITRs undertaken before WCIT-12;

b) discussions that took place at WCIT-12;

c) discussions that took place in the EG-ITRs between 2017 and 2022;

d) comments of the ITU Council and relevant advisory groups;

e) comments from WTSA-20.

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1. 1 Revision of the ITRs is understood to mean the work of ITU Member States and Sector Members at the WCIT to remove and/or modify relevant provisions of the ITRs, or to include new provisions in the ITRs. This work may concern the entire text of the ITRs (full revision) or only individual provisions of the ITRs agreed in advance during the preparatory process. [↑](#footnote-ref-1)