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|  | **Addendum 2 to Document EG-ITRs-1/2** |
| **7 September 2023** |
| **English only** |
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| Contribution from HILL | |
| ART. 2: DEFINITIONS | |
| **Purpose**  Discussion  **Action required**  The document is submitted to EG-ITRs **for discussion.**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Reference**  [Council Resolution 1379, revised 2023](https://www.itu.int/md/S23-CL-C-0121/en) | |

1. The work of the current ITR-EG is specified in its Terms of Reference[[1]](#footnote-1):

*2 Taking into consideration the work of the previous two Expert Groups, the review may consider, among others:*

*a) new trends in telecommunications/ICT and emerging issues in international telecommunications/ICT environment which may impact the ITRs,*

*b) empirical data on the current use of the ITRs by operating agencies and/or administrations and the proportion of global telecommunication services which now rely on the ITRs, and*

*c) the relevance of the ITRs which “consist of high-level guiding principles” in the current telecommunication/ICT environment.*

2. This contribution focuses on Art. 2 of the 2012 ITRs, Definitions, which states:

*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.*

*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.*

*2.3 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.*

*2.4 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.*

*2.5 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.*

*2.6 International route: Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.*

*2.7 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.*

*2.8 Accounting rate: The rate agreed between authorized operating agencies, in a given relation that is used for the establishment of international accounts.*

*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.*

**Discussion of Definitions**

3. As noted in an academic writing[[2]](#footnote-2), the first four definitions (arts. 2.2-2.5) overlap with the ITU Constitution (the same terms are defined in the same way).

4. In our view, the other definitions (2.6-2.9) are no longer relevant (see discussion regarding Article 8).

5. Therefore, Member States are invited to consider the situation and to consider how to address it in the context of the review of the ITRs, for example by considering whether to abrogate this article.

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1. <https://www.itu.int/md/S23-CL-C-0121/en> [↑](#footnote-ref-1)
2. Hill, Richard (2013) *The New International Telecommunications Regulations and the Internet: A Commentary and Legislative History*,Schulthess/Springer, p. 93 [↑](#footnote-ref-2)