# Uganda Preparation to the WCIT- 12- WORKING / CONSULTATION DOCUMENT

1. **Introduction**

The current version of the International Telecommunications Regulations (ITRs) was adopted by the World Administrative Telephone and Telegraph Conference held in Melbourne in 1988. Its purpose was to update the previous set of regulations governing the telegraph and telephone services that were drawn up in 1973.

PP-2006 (Antalya), in its Resolution 146, decided that a review of the ITRs should be carried out and a World Conference on International Telecommunications (WCIT) be convened in 2012 and that, *inter alia*, the ITU-T should undertake a review of the existing ITRs, engaging with the other Sectors as may be required.

The Council Working Group to Prepare for the World Conference on International Telecommunications in 2012 (CWG-WCIT12) was thus created with terms of reference that provide for discussion of proposals for revisions to the existing ITRs, including proposals for suppressions of provisions and/or abrogation as appropriate, and proposals relating to new and emerging issues.

The CWG-WCIT-12 met on 25 January 2010, 12 and 23 April 2010, 4-6 April 2011, 27-30 September 2011, 27-29 February 2012, 23-25 April 2012,. The group considered and studied all relevant work and outputs that have been developed in the ITU regarding ITRs, 124 contributions and numerous temporary documents. Full details of the group’s work, and the reports of the group’s meetings, can be found at: <http://www.itu.int/council/groups/cwg-wcit12/index.html>

The results of all discussions are reflected in the reports of CWG-WCIT12 and in the “Compilation of proposals with options for revisions to the ITRs” (CWG-WCIT12/TD 62 Rev.3). Document 2(CWG-WCITI12/TD 64 Rev.3) contains the Draft of the future ITRs

1. **Consultation Matrix and Proposals for Uganda**

The matrix below is extracted from CWG WCITI draft for future ITR TD (64 Rev 3) containing proposals /options from all participating member states. The matrix shows those proposal/ options that may be considered by Uganda including the options agreed at the African meeting in Durban.

The matrix should be used as a basis for consultation with various stakeholders at national level. The key areas that require detailed review by all stakeholders are highlighted.

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| **Consultation Matrix ITR – UGANDA** |
|  |  | **Uganda’s position[[1]](#footnote-1)/ And or other Comments**  | **AFRICA Positions** |
| General | Proposal systematically to replace “CCITT” by “ITU-T” | Agree | Agree |
| Proposal systematically to replace “Member” by “Member State” | Agree | Agree |
| Proposal to update references to Administrative Council, IRB, etc. | Agree | Agree |
| Proposal to revisit the use of “administration or recognized private operating agency” and to consider use of “Member State” and/or “operating agency”, as the case may be. The treaty is agreed by Member States and this must be reflected in the text. | Replacement should be made on a case by case basis as propose |  |
| Proposal to refer to “ITU Recommendations” rather than to “ITU-T Recommendations” | On a case by case basis. |  |
| Incorporation of certain provisions of the Constitution and Convention in the ITRs should be kept to the minimum necessary. (Proposals that contravene the ITU constitution should not be considered) | Need to revisit the criteria proposed by Africa. Page 7 TD 62EMaintain ITU-T Recommendation – ITU recommendation is broad and may be misleading in that it does not specify field- ITR should also be exclusive of ITU-R recommendations.  |  |
| **Preamble** | **Preamble** *(title)* | **NOC** | **NOC** |
| While the sovereign right of each ~~country~~ state to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations [(hereinafter Regulations”)] ~~supplement~~ complement the Constitution and Convention of the International Telecommunication Union ~~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. | Endorse -Replace Country with Member State. Complement the Constitution and convention of the International Telecommunications Union. | Endorse |
| **1. Purpose and Scope of the Regulations** *(title)* | **NOC** | **NOC** |
| **OPTION 1**2 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.~~ Portugal, CEPT**OPTION 2**2 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 administration~~s. Member States may apply these rules to recognized operating agencies. ( USA)**OPTION 3**2 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~~y~~ Regulations also set rules applicable to [Member States and] operating gencies\*~~administration (~~Arabs States, Africa)\* The term “operating agency” includes “recognized operating agency” and is used in that sense throughout these Regulations.**OPTION 4**2 1.1 a) These Regulations establish general principles which relate to the [provision | interoperability] and operation of international telecommunication services [for the provision of international telecommunication services] offered to the public as well as to the underlying international telecommunication transport means used to provide such services. They [place obligations on Member States in respect of fulfilment of the provisions of the Regulations by administrations and operating agencies involved in international telecommunications | require Member States to ensure that administrations and operating agencies engaged in international telecommunications comply with the provisions of the ITRs] ~~also set rules applicable to administrations~~. | Consider to endorse OPTION 3OPTION 2 – OptionalOPTION 3 – Binding to Member states and extended to operating agencies- **Need to examine further the obligatory requirements within the convention and constitution. If obligations are binding only to Member States then to consider OPTION 2**  | Endorse OPTION 3  |
| **OPTION 1 NOC****OPTION 2**  b) These Regulations recognize ~~in Article 9~~ the right of Member~~s~~ States to allow special arrangements as provided in Article 9.**OPTION 3** b) These Regulations recognize in Article 9 the right of Member~~s~~ States to allow special arrangements. (USA, CEPT, Mexico) | Endorse OPTION 2-No significant difference with Option 3 so can also be considered | OPTION 2 |
| ADD 1.1 cOPTION 1 – No AddOPTION 2- c) These Regulations recognize that Member States shall take the necessary measures to prevent interruptions of services and shall ensure that no harm is caused by their operating agencies to the operating agencies of other Member States which are operating in accordance with the provisions of these Regulations.- (RCC), Arab State - | ?????---  | Silent |
| ADD 1.1 d d) These Regulations recognize the absolute priority for safety of life telecommunications, including distress telecommunications, emergency telecommunications services and telecommunications for disaster relief as provided in Article. (Arab State)OPTION 1; NO ADD | NO Add Send to Article 5 as a mandate not scope | Consider to take to Article 5 as a mandate not scope |
| ADD 1.1 ee) Member States shall cooperate for the purpose of implementing the International Telecommunication Regulations.OPTION 2 NO ADD | Option not to add Already contained in 1.7 c | ?? |
| 4 1.2 In these Regulations, "the public" is used in the sense of the population, including governmental and legal bodies. | NOC | NOC |
| **Option 1 NOC**5 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. Canada, USA, Portugal**OPTION 2**5 1.3 a) 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 and the security of international telecommunication services;[ and in particular the availability, operation, and use of advanced telecommunications facilities in all countries]. Africa, Arab State, | An in depth review the ITU definition, scope and mandate in relation to Security should be done- Reference should be made to the discussions a PP10 regarding cyber security.Reserve. | Endorsed OPTION 1 |
| **OPTION 1**6 1.4 Unless otherwise specified in these Regulations, r~~R~~eferences to ~~CCITT~~ Recommendations of the ITU ~~[and Instructions]~~ in these Regulations are not to be taken as giving to those Recommendations ~~[and Instructions]~~ the same legal status as the Regulations. Africa, Russia, Arab State**OPTION 2**6 1.4 References to ~~CCITT~~ ITU-T 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.- USA, Portugal, CITEL, APT etc  | Reserve with the possibility to Endorse OPTION 2 ITU Recommendations are not mandatory- Should be reviewed further in line with the constitution and Convention. | Endorse OPTION 1 |
| **OPTION 1**7 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 | Member States] and/or operating agencies, as the case may be~~administrations~~.**OPTION 2** 7 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 recognized operating agencies~~administrations~~. Japan, USA**OPTION 3 -SUP 1**7 ~~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.~~ Africa, CEPT, Portugal | Endorse SUP in light of the competitive and dynamic international market- Not practical  | Endorsed |
| **OPTION 1**8 1.6 In implementing the principles of these Regulations, administrations~~\*~~ [and operating agencies] should comply with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations[, including any Instructions forming part of or derived from these Recommendations].**OPTION 2**8 1.6 In implementing the principles of these Regulations, ~~administrations~~ Member States should [encourage | take measures to ensure that] operating agencies to comply with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations~~, including any Instructions forming part of or derived from these Recommendations~~. Africa**OPTION 1**8 1.6 In implementing the principles of these Regulations, ~~administrations~~ Member States and operating agencies should comply with, to the greatest extent practicable, the relevant ~~CCITT~~ ~~ITU-T~~ Recommendations by the ITU having policy or regulatory implications, ~~including any Instructions forming part of or derived from these Recommendations.~~ Arab State**OPTION 2**8 1.6 ~~In implementing the principles of these Regulations, administrations should comply with,~~ For the purposes of these Regulations and the principles enshrined in them, Member States shall provide, to the greatest extent practicable, for the implementation of the relevant ITU ~~CCITT~~ Recommendations and Resolutions by administrations and operating agencies~~, including any Instructions forming part of or derived from these Recommendations~~.**OPTION 3**8 1.6 In implementing the principles of these Regulations~~, administrations should comply with~~ there shall be compliance with, to the greatest extent practicable, the relevant ~~CCITT~~ ITU-T Recommendations, including any Instructions forming part of or derived from these Recommendations. | Endorse OPTION 2Adopt- take measures to ensureThis is more binding to Member States | OPTION 2 |
| OPTION 19 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 administrations and recognized ~~private~~ operating agencies(ROAs), which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member State. USA, Rwanda,**OPTION 2**9 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 administrations and ROAs ~~private operating agencies~~, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member State and be subject to transparency and accountability requirements. Global Voice Group, Africa**OPTION 3**9 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 ~~administrations\*~~operating agencies, which operate in its territory [and provide and international telecommunication service to the public | or provide an international telecommunication service to the public in its territory], be authorized by that Member State. Arab State,  | Reserved- Additions in Option 2 are domestic (and be subject to transparency and accountability requirements) Already implied in the 1st sentence and may be additional requirements in relation to international telecommunications services other than transparency and accountability.Emphasis should be on ensuring the authorisation of providers of international service by all Member States- and Member States to take all necessary measures to ensure that they abide by the ITR as contained in 1.1a. | Endorsed OPTION 2 |
| **OPTION 1**10 b) The Member State concerned shall, as appropriate, encourage the application of relevant ITU-T ~~CCITT~~ Recommendations by such service providers. USA, Rwanda & Mexico**OPTION 2**10 b) The Member State concerned shall, as appropriate, encourage the application of relevant ~~CCITT~~ ITU-T Recommendations by such ~~service providers~~ operating agencies. Arab States**SUP** 10 ~~b) The Member concerned shall, as appropriate, encourage the application of relevant CCITT Recommendations by such service providers.~~ Portugal, Africa & Arab State  | SUPAlready considered in 1.6 | SUP |
| **OPTION 1**11 c) The Member~~s~~ States, and operating agencies where appropriate, shall cooperate in implementing the International Telecommunication Regulations. Rwanda, Arab State, Portugal**OPTION 2**11 c) The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations. The need to promote compliance will be given emphasis and appropriate assistances will be provided to strengthen national capacity in developing countries and countries in transition in support of compliance. Malaysia **OPTION 3 SUP**11 ~~c) The Member, where appropriate, shall cooperate in implementing the International Telecommunication Regulations.~~ (Mexico , Africa) |  |  |
| **OPTION 4; ADD**12A 1.9 Nothing in these regulations shall be interpreted as Optionifying the rights and obligations of Member States under any other treaties to which they are parties.- USAOPTION 2 – Africa, UAE, Arab State, Portugal, Russia | NOC Addition should not be included as it is covered in 1.1b that allows for special arrangements  | NOC  |
| **ARTICLE 2- Definition Title** | **NOC** | **NOC** |
|  **OPTION 1 NOC**13 For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.**OPTION 2 NOC**13 For the purpose of these Regulations, the following definitions shall apply. ~~These terms and definitions do not, however, necessarily apply for other purposes.~~ Mexico | NOC NOC or Add (14A)The definition for telecommunications has stood the test of time the inclusion of processing is also not necessary.  | NOC |
| 14 OPTION 1 **NOC**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. (Portugal, USA, Iran, Rwanda etc)**OPTION 2 SUP** 14 ~~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.~~OPTION 3 14A NOC.**OPTION 4 ADD** 14A 2.1A *Telecommunication/ICT:* Any transmission, emission or reception, including processing, of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.**OPTION 5; ADD** 14A 2.1A *Telecommunication/ICT:* 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.**Reasons:** Differs from the previous proposal only by omitting the term “or processing”. |  |  |
| **OPTION 1 NOC**15 2.2 *International telecommunication service:* The offering of a telecommunicationcapability between telecommunication offices or stations of any nature that are in or belong to different countries. (USA, Portugal, CITEL, RCC etc**Option 2 SUP**15 ~~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~~. APT, Mexico**Reasons:** This definition is found in 1011 CS.**ADD** 15A 2.2A *International telecommunication service/ICTs:* The offering of a telecommunicationcapability including, but not limited to: offering of a telecommunication capability in roaming, international public telegram service, telex, traffic termination services (including Internet traffic termination), any kind of circuit provision services, other services integral to provision of international telecommunication services between telecommunication offices or stations of any nature that are in or belong to different countries.- Russia, Cote dvoire, Belarus etc | Option 1 NOC- Option 3 An outline of the various International services may not be necessary- I.E. Defination is not dynamic | Not considered |
| **Option 1 MOD**16 2.3 *Government telecommunications*: ~~A t~~Telecommunications 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 replies~~y~~ to ~~a~~ government ~~telegram~~ telecommunications mentioned above.**Reasons:** Align with 1014 CS.**Option 2 SUP** 16 ~~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. (~~Rwanda, APT, Mexico). | Option 1 |  |
| **Option 1**17 Service telecommunication: A telecommunication that relates to public international telecommunications and that is exchanged [by agreement] among the following:- [administrations | Member States];- [recognized] ~~private~~ operating agencies,- and the Chairman of the ~~Administrative~~ Council, the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux ~~International Consultative Committees~~, the members of the Radio Regulations ~~International Frequency Regulation~~ Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union. **Option 2: SUP**17 ~~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.~~ (Mexico, Portugal, APT)**Reasons:** This definition is found in 1006 CS. | Consider Option 1 |  |
| **Option 1 MOD** 18 2.5 Privilege telecommunication 19 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~~ General Secretariat and of the three Bureaux and members of the Radio Regulations Board 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 ( USA & Secretariat)20 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~~ senior officials of the General Secretariat and of the three Bureaux and members of the Radio Regulations Board 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 (USA, Secretariat)**Option 2 SUP**18 ~~2.5~~ *~~Privilege telecommunication~~* 19 ~~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.~~20 ~~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.~~ (Mexico, CEPT)- Obsolete  | Consider to Suppress-Requirement is Obsolete  |  |
| **Option 1: NOC** 21 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.**Option 2: MOD** 21 2.6 *International route:* A route for the transmission of traffic between t~~T~~echnical facilities and installations located in different countries ~~and used for telecommunication traffic between two international telecommunication terminal exchanges or offices~~. (RCC)**Option 3 MOD** 21 2.6 *International route:* Technical facilities and installations located in different countries and used to send ~~for~~ telecommunication traffic between two international telecommunication terminal exchanges or stations ~~offices~~. (Mexico)**Option 4 SUP** 21 ~~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. (~~ USA, Global Voice, Portugal) | Consider Option 2. |  |
| **Option 1 MOD**22 2.7 *Relation:* Exchange of traffic between two terminal countries, always referring to a specific service if there is between their ~~administrations\*~~operating agencies:23 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), and24 b) normally, the settlement of accounts [by manual or other billing systems as appropriate].**Option 2 SUP- Does not reflect existing competitive international market**  | Consider to suppress- No-longer practical. |  |
| **Option 1 SUP** 25 ~~2.8~~ *~~Accounting rate:~~* ~~The rate agreed between administrations\* in a given relation that is used for the establishment of international accounts.~~**Option 1 MOD** 26 2.9 *Collection charge:* The charge established and collected by an administration/ROA from its customers for the use of an international telecommunication service.**Option 2 MOD**26 2.9 *Collection charge:* The charge established and collected [~~by an administration\*~~ | by an [administration/]operating agency] from ~~its~~ customers for the use of an international telecommunication service.**Option 3 SUP** 26 ~~2.9~~ *~~Collection charge:~~* ~~The charge established and collected by an administration\* from its customers for the use of an international telecommunication service.~~ | Suppress |  |
| **Option 1 MOD** 27 2.10 *Instructions:* A collection of provisions drawn from one or more ITU-T ~~CCITT~~ Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting).**Option 2 SUP** 27 ~~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).~~ | Suppress  |  |
| **Option 1 ADD** 27A 2.11 *Transit rate*: a rate set by the point of transit in a third country (indirect relation).**Option 2 NOC**  | Consult SG2 on definition  |  |
| **Option 1 ADD** 27B 2.12 *Termination rate*: A rate set by the destination administration/ROA for terminating incoming traffic regardless of origin.**Option 2 NOC**  | Consult SG2 WP2 on definition  |  |
| **Option 1 ADD** 27C 2.13 *Spam*: information transmitted over telecommunication networks [as text, sound, image, tangible data used in a man-machine interface bearing advertizing nature or having no meaningful message,] simultaneously or during a short period of time, to a large number of particular addressees without prior consent of the addressee (recipient) to receive this information or information of this nature. Note: (Spam should be distinguished from information of any type (advertisements inclusive) transmitted over broadcasting (non-addressed) networks (such as TV and/or radio broadcasting networks, etc.)).Option 2 NOC | Consult SG2 WP2 on definition –Need to examine further if SPAM is within the scope of the ITR – Need to examine if issues can be handled at national or regional levels through the development of a code of conduct or best practises.If the argument to include SPAM in the ITR is not solid, Uganda should advocate to have a resolution on SPAM in the ITR. |  |
| **Option 1 ADD** 27D 2.14 *Hub*: a transit center (or network operator) that offers to other operators a telecommunication traffic termination service to nominated destinations contained in the offer.**Option 2 NOC****ADD** 27E 2.15 *Hubbing*: the routing of telecommunication traffic in hubbing mode consists in the use of hub facilities to terminate telecommunication traffic to other destinations, with full payment due to the hub.**Option 3 NOC** | Option 2 ensure that is the definition adopted by SG3 and the SG2 WP2 definition group.Add only when the concept has been used in the treaty. |  |
| **Option 1 ADD** 27F 2.16 *Fraud:* use of any telecommunications facilities or services with the intention of avoiding payment, without correct payment, with no payment at all, by making someone else pay, or by using a wrongful or criminal deception in order to obtain a financial or personal gain from the use of those facilities or services.**Option 2** 27F 2.16 *Fraud*: Use of public international telecommunication services or facilities with the intention of avoiding payment, without correct payment, with no payment at all, or by making someone else pay, by misusing numbering (addressing) resources, by intentional misrepresentation of identity or other deceptive practices, in order to obtain personal or financial gain that can lead to actual or potential disadvantage or financial harm to another individual or group. **Option 3 ADD** 27F 2.16 *Fraud:* use of any telecommunications facilities or services with the intention of avoiding payment, without correct payment, with no payment at all, by making someone else pay, by using a wrongful or criminal deception in order to obtain a financial or personal gain from the use of those facilities or services or by intentional misrepresentation of identity which can lead to actual or potential disadvantage or financial harm to another individual or group.**Option 4 ADD**27F 2.16 *Network fraud*: (fraud on international telecommunication networks): The causing of harm to operating agencies or to the public, the wrongful obtaining of gain in the provision of international telecommunication services through abuse of trust or deception, including through inappropriate use of numbering resources. | Review mandate of the ITU in relation to Fraud and Crime. Check which international entity should be charged with fraud. A resolution that calls upon cooperation and support by member states in this area may be considered other than adding Fraud in matters of the Treaty |  |
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| **Option 1 ADD** 27G 2.17 *Global telecommunication service (GTS)*: A service which enables communication to be established through a global number between subscribers whose physical location and national jurisdiction have no bearing on the tariff to be set for the service’s use; which satisfies and complies with recognized and accepted international standards; and which is provided over the public telecommunication network by operating agencies having obtained the relevant numbering resources from ITU-T. |  |  |
| **Option 1 ADD**27H 2.21 *Originating Identification*: The Originating Identification is the service by which the terminating party shall have the possibility of receiving identity information in order to identify the origin of the communication. |  |  |
| **Option 1 ADD**27I 2.22 *Emergency/distress telecommunications*: A special category of telecommunications with absolute priority for the transmission and reception of information relating to safety of life at sea, on land, in the air or in space, and of information of exceptional urgency concerning an epidemiological or epizootic situation issued by the World Health Organization.**Option 2 NOC**  |  |  |
| **Option 1 ADD** 27J 2.23 *Personal data*: Any information relating to a physical person (the subject of the personal data) identified or identifiable on the basis of such information.**Option 2 NOC**  |  |  |
| **Option 1. ADD** 27K 2.24 *Integrity of the international telecommunication net*work: The capability of the international telecommunication network to carry international traffic.**Option 2 NOC** |  |  |
| **Option 1 ADD** 27L 2.25 *Stability of the international telecommunication network*: The capability of the international telecommunication network to carry international traffic in the event of failure of telecommunication nodes or links and also in the face of internal and external destructive actions and to return to its original state.**Option 2 NOC** |  |  |
| **Option 1 ADD** 27J 2.23 *Personal data*: Any information relating to a physical person (the subject of the personal data) identified or identifiable on the basis of such information.**Option 2 NOC** **Option 1 ADD** 27K 2.24 *Integrity of the international telecommunication net*work: The capability of the international telecommunication network to carry international traffic.**Option 2 NOC** 27L **Option 1 ADD** 27L 2.25 *Stability of the international telecommunication network*: The capability of the international telecommunication network to carry international traffic in the event of failure of telecommunication nodes or links and also in the face of internal and external destructive actions and to return to its original state.**Option 2 NOC** **Optin 1 ADD** 27M 2.26 *Security of the international telecommunication network*: The capability of the international telecommunication network to withstand internal and external destabilizing actions liable to compromise its functioning.**Option 2 NOC** 27N  |  |  |
| **Option 1 ADD** 27N 2.27 [*International]* *Roaming*: Provision to the subscriber of the opportunity to use telecommunication services offered by other operating agencies, with which the subscriber has not concluded an agreement.**Option 1 NOC** 27O  | Definition not acceptable- Check/ adopt GSMA – EU definition  |  |
| **Option 1 ADD** 27O 2.28 *IP interconnection:* IP interconnection refers to technical and business solutions and rules to ensure the delivery of IP traffic through different networkOption 2 NOC | Propose not to be included- Technology neutrality  |  |
| **Option 1 ADD** 27P 2.29 *End to end quality of service delivery and best effort delivery:* End to End quality of service delivery refers to the delivery of PDU (Packet Data Unit) with predefined end-to-end performance objectives; Best-effort delivery refers delivery to of a PDU without predefined performance targets.Option 2 NOC |  |  |
| ARTICLE 3 International Network | NOC | NOC |
| **Option 1 MOD** 28 3.1 Member~~s~~ States shall encourage ~~ensure that~~ administrations\* and ROAs to cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.**Option 2 MOD** 28 3.1 Member~~s~~States shall ensure that ~~administrations\*~~ operating agencies cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service [and above a minimum level taking into consideration the relevant Recommendations of the ITU | and above a minimum level corresponding to the relevant ITU-T Recommendation]. [Member States shall facilitate the development of international IP interconnections providing both best effort delivery and end to end quality of service delivery.] Arab States**Option 2 MOD**28 3.1 Member~~s~~States shall ~~ensure that~~ ~~administrations\*~~ encourage operating agencies to cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.Option 3MOD \*\*\* (Uganda) .1 Member~~s~~ States shall ensure that administrations\* and ROAs cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service. (Africa) {and at above a minimum level corresponding to the relevant ITU Recommendation Egypt}  | Uganda Maintain the word ensure that instead of encourage. The later is subjective.The later... above minimum level corresponding to ITU .... is implied. | Option 2 |
| **Option 1 MOD**28 3.1 Member~~s~~States shall ~~ensure that~~ ~~administrations\*~~ encourage operating agencies to cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.**Option 2 MOD** 29 3.2 Member States ~~Administrations\*~~ shall endeavour to establish policies that promote the provision of technical facilities that support ~~provide sufficient telecommunication facilities to meet the requirements of and demand for~~ international telecommunication services USA, CEPT, Global Voice Option 3 MOD ....[and shall ensure that Operating Agencies endeavour to provide sufficient telecommunication facilities to meet the requirements and demand for these services]. Africa **Option 4 MOD** 29 3.2 ~~Administrations\*~~ Member States shall ensure that operating agencies endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunications ~~services~~/ICTs.**Option 5 MOD**29 3.2 ~~Administrations\*~~ Member States shall ensure that operating agencies endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunications ~~services~~.**Option 6 MOD** CWG/4/11529 3.2 ~~Administrations\*~~ ~~shall endeavour to provide sufficient telecommunication facilities~~ Member States shall establish policies to meet the requirements of and demand for international telecommunication services.**Option 7 MOD** CWG/4/11629 3.2 [~~Administrations\*~~ Operating agencies shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication. For this purpose, and to ensure an adequate return on investment in high bandwidth infrastructures, operating agencies shall negotiate commercial agreements to achieve a sustainable system of fair compensation for telecommunications services and, where appropriate, respecting the principle of sending party network pays.] ENTO**Option 8 SUP** 29 ~~3.2 Administrations\* shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication services.~~ | Consider Option 3 With added text as provided by AfricaOption 7 by ENTO is calling for content providers such as Google, face book to start paying for international infrastructure links through a revenue sharing mechanism- This is an ongoing debate at international level and should with lots of implications for Uganda- Something to watch.Strongly recommend that it should not be included in the ITR at this stage | Option 3 |
| **Option 1 MOD** 30 3.3 Member States ~~Administrations~~~~\*~~ shall have the power to determine ~~by mutual agreement~~ which national ~~international~~ routes are to be used for the management of international communications. ~~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.~~**Option 2 MOD** 30 3.3 ~~Administrations\*~~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 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.~~ [A Member State has the right to know how its traffic is routed. |A Member State shall have the right to know through where its traffic has been routed, and should have the right to impose any routeing regulations in this regard, for purposes of security and countering fraud].**Option 3 MOD** 30 3.3 Member States/operating agencies shall have the right to know which international routes are used for carrying traffic. ~~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.~~ Global voice**Option 4 SUP** 30 ~~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. (~~USA, CEPT, )**Option 5 MOD** 30 3.3 ~~Administrations~~ Member States/~~\*~~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 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.~~ (Uganda)- New | See Highlight for Uganda’s proposal | Africa opposed to routing restrictions or right to know routes.. |
| **Option 1 MOD** 31 3.4 Member States recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges and the safeguards shall be the same for all users in each category of correspondence without any priority or preference. ~~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~~ITU-T - Recommendations. TD 21 Rev.1**Option 2 MOD** 31 3.4 Subject to national law, any user, by having access to the international network established by an administration~~\*~~/ROA, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant ~~CCITT~~ ITU-T Recommendations. (USA)**Option 3 MOD** 31 3.4 Subject to national law, any user, by having access to the international network established by an ~~administration~~ operating agency, has the right to send traffic. A satisfactory quality of service and above a minimum level should be maintained ~~to the greatest extent practicable,~~ corresponding to relevant ~~CCITT~~ ~~ITU-T~~ Recommendations of the ITU. Arab States , Egypt**Option 4 MOD**31 3.4 Subject to national law, any user, by having access to the international network established by an ~~administration~~ operating agency, has the right to send traffic. A satisfactory quality of service [and above a minimum level] should be maintained to the greatest extent practicable and as much as possible, corresponding to relevant ~~CCITT~~ ITU-T Recommendations. Africa **Option 5 SUP** CWG/4/12631 ~~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. (~~CEPT)**Reasons:**There are two reasons for this proposal: (a) the proposal is to move the text elsewhere, not to suppress the text itself; (2) to suppress the text in the ITRs.**Option 6 Option MOD** 31 3.4 Subject to national law, any user, by having access to the international network established by an administration~~\*~~/ROA, has the right to send traffic. [~~A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant CCITT ITU-T Recommendations.]~~(Uganda) | Option 6 which omits the last line in respect to QoS which has already been addressed in 3.1 aboveThe Right to make international calls should be maintained. A full suppression is therefore not supported.  | Option 4 |
| **Option 1 ADD** 31A 3.5 Member States shall endeavour to prevent misuse and misappropriation of numbering resources. (Africa), Uganda **Option 2 ADD**31A 3.5 Misuse and misappropriation of numbering resources should be prevented to the greatest extent practicable, by implementing the relevant ITU-T Resolutions and Recommendations and, as appropriate, by transposing them to national laws. – (Recommendations not binding)**Option 3 ADD** 31A 3.5 Member States shall ensure that administrations recognized operating agencies, and operating agencies which operate in their territory and provide international telecommunications services offered to the public apply the ITU-T Resolutions and Recommendations relating to naming, numbering, addressing and identification. (Recommendations not binding)**Option 4 ADD** 31A 3.5 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Members shall require, subject to national law, that administrations, recognized operating agencies, and private operating agencies which operate in their territory and provide international telecommunications services offered to the public, apply the ITU-T Recommendations and national laws relating to naming, numbering, addressing and identification, including any Instructions forming part of, or derived from, said Recommendations.**Option 5 ADD** 31A 3.5 Member States shall ensure that the legal and regulatory frameworks and instruments applicable in their territories shall mandate [Administrations, Recognized Operating Agencies, and] Operating Agencies which operate in their territory and provide international telecommunications services offered to the public to apply the ITU-T Resolutions and Recommendations relating to naming, numbering, addressing and identification. [Member States shall ensure that these resources are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used.]**Option 6 ADD** 31A 3.5 Member States shall ensure that the legal and regulatory frameworks and instruments applicable in their territories shall mandate operating agencies which operate in their territory and provide international telecommunications services offered to the public to apply the following ITU-T Recommendations relating to naming, numbering, addressing and identification: E.190, E.164, E.164.1, E.212, E.156, E.157, Q.708.**Option 7 ADD** 31A 3.5 Member States shall ensure that international naming, numbering, addressing and identification resources are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used. The provisions of the relevant ITU-T Recommendations shall be applied.**Option 8 ADD** 31A 3.5 Members shall ensure, consistent with technical capabilities and national legal and regulatory frameworks, that telecommunication administrations and operators under their jurisdiction neither participate in the misuse/misappropriation of numbering resources not assigned to them or assigned to other administrations and operators, nor use these resources using procedures that do not conform to the relevant ITU-T Recommendations’ assignment criteria.**Option 9 ADD**31A 3.5 Member States shall ensure that international naming, numbering, addressing and identification resources are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources shall not be used. The provisions of the relevant ITU Recommendations shall [be applied |apply]. **Option 10 ADD** 31A 3.5 Member States should encourage the appropriate use of numbering resources, which are the responsibility and remit of the ITU, so that they are used only for the purposes for which they were assigned. Member States shall endeavour to ensure that unassigned resources, which are the responsibility and remit of the ITU, are not used.**Option 11 ADD** 31A 3.5 Member States shall encourage the appropriate use of numbering resources so that they are used only by the assignees and only for the purposes for which they were assigned. In accordance with the relevant ITU-T Recommendations, Member States shall endeavor to ensure that unassigned resources are not used.**Option 12 ADD** 31A 3.5 Member States shall ensure that numbering, naming, addressing and identification resources in international telecommunication networks are used in accordance with their intended purpose and stipulated allocation. **Option 13 ADD** **31A** 3.5 a) Member States shall ensure that international naming, numbering, addressing and identification resources specified in the 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. 3.5 b) Member states shall, if they so elect, be able to control all naming, numbering, addressing and identification resources used within their territories for international telecommunications/ICTs. (CEPT) | Consider Option 1Uganda should support the principle to include number misuse and misappropriation in the ITR.However this subject should be examined further within the context of international services taking cognizant of the international internet (IP) numbering issuesITU recommendations are not binding and therefore the use of recommendation in a Treaty may seem like a dictation. Number mis-use, appropriation etc  | Option 1  |
| **Option 1 NOC** **Reasons:** No new 3.6 (calling party identification)**Option 2 ADD** 31B 3.6 International calling party number delivery shall be provided [taking into account | in accordance with] relevant ITU-T Recommendations.**Option 3 ADD** 31B 3.6 International calling party number delivery shall be provided in accordance with relevant ITU-T Recommendations[, to the greatest extent practicable].**Option 4 ADD** 31B 3.6 Members shall ensure, consistent with technical capabilities and national legal and regulatory frameworks, that telecommunication administrations and operators cooperate in the implementation and application of the following measures:– Administrations and operators originating calls must provide the prefix designating the calling country code, in conformity with the relevant ITU-T Recommendations.– Transit administrations and operators must cooperate in identifying and transmitting to termination administrations and operators the code identifying the calling line corresponding to the traffic they receive.– Members will be able to respect the privacy of the data of the calling user, provided those data involve neither the code of the country of origin nor the national destination code. **Option 5 ADD** 31B 3.6 International calling party number delivery [and/or originating identification] shall be provided in accordance with relevant ITU-T Recommendations[, to the greatest extent practicable]. Member States [, in certain specific circumstances,] may provide for data privacy by authorizing the masking of information other than the country code and national destination code[, but that masked information shall be made available to duly authorized law enforcement agencies].**Option 6 ADD** 31B 3.6 Member States or Operating Agencies involved in a communication route – and in particular in transit nodes – shall ensure, to the greatest extent practicable, the provision, transport and forward of international calling party number delivery, calling line identification and/or origination identification, and its integrity end-to-end, in accordance with the relevant ITU-T Recommendations. Member States may provide for data privacy and data protection by authorizing the masking of information other than the country and operating agency identification codes or equivalent originating identifiers, but that masked information shall be made available to duly authorized law enforcement agencies.**Option 7 ADD** 31B 3.6 Member States shall encourage the provision of international calling party number delivery in accordance with the relevant ITU-T Recommendations.**Option 8 ADD** 31B 3.6 Member States shall, through various channels open to them, ensure that operating agencies:- implement CLI features, where technically possible- use appropriate standards when implementing CLI features,- ensure that integrity of CLI is maintained end to end- ensure that the requirements associated with data protection and data privacy are met. **Option 9 ADD** 31B 3.6 Member States should, through various channels open to them, encourage network operators and service providers to:- implement CLI features, in the international public switched telephony network services using naming, numbering and other resources within the remit and responsibility of the ITU, where technically possible,- use appropriate standards when implementing CLI features,- ensure the requirements associated with data protection, data privacy, consumer protection, and emergency provisions are met, when implementing CLI features.**Option 10 ADD** 31B 3.6 Member states shall, through various channels open to them, ensure that Operating Agencies implement Calling Line Identification (CLI) features, where technically possible, including at least presentation of country code, national destination code or equivalent origination identifiers in accordance with the relevant ITU-T Recommendations; ensure that integrity of the CLI is maintained end-to-end; ensure that the requirements associated with data protection and data privacy are met, but such masked information shall be made available to duly authorized law enforcement agencies. Member States may impose additional obligations.**Option 11 ADD** 31B 3.6 Member States shall ensure correct transmission of the calling party number / address / name / identity.**Option 12 ADD** 31B 3.6 Calling Party Identification is a basic right to any called party telecommunicated internationally, unless national legal and regulatory frameworks of the originating country conditionally restrict this identification excluding the Country Code and the National Destination Code. Member States shall endeavor to ensure that Administrations, ROAs and OAs which operate in their territory and provide international telecommunications services offered to the public to provide the delivery of the Calling Party Number to the called party.**Option 13 ADD** 31B 3.6 Member States shall ensure that operating agencies duly identify the subscriber when providing international telecommunication services, and shall ensure the appropriate processing, transmission and protection of identification information in international telecommunication networks. | Uganda in principle should support the inclusion of calling party identification. Option 8 should be considered.Need to examine the extent of implementation prior to the inclusion in the ITR.- Area for consultation with operators | Option 8 |
| **Option1 NOC** 31C **Reasons:** No new 3.7 (international Internet connectivity)**Option 2 ADD** 31C 3.7 Member states shall take appropriate measures nationally to ensure that all parties (including [recognized] operating agencies) involved in the provision of international telecommunication connections on any kind of network negotiate and agree to bilateral commercial arrangements, or an alternative type of arrangement [between Member States or recognized operating agencies], enabling direct international telecommunication ~~Internet~~ connections on any kind of network that take into account the possible need for compensation between [them | the mentioned recognized operating agencies] for the value of elements such as traffic flow, number of routes, and cost of international transmission, [and the possible application of network externalities, amongst others]. | Uganda should support the inclusion of IIC as a resolution of the revised ITR. Ensure that commercial concepts in relation to IIC are captured in Article 6 Uganda to work with Paraguay to develop the language for the resolution, | Africa supports an inclusion IIC as a resolution. |
| **Option 1 NO**31D **Reasons:** No new 3.8 (right to transmit traffic).**Option 2 ADD** 31D 3.8 The public having access to the international network shall have the right to transmit traffic. | No ADD Transmission is by OPA not public. The Right to international services is already captured. |  |
| Article 4International Telecommunication Services | NOC  | NOC |
| **Option 1 MOD** 32 4.1 Member~~s~~ States shall, to the greatest extent practicable, establish policies to promote the development ~~implementation~~ of international telecommunication services that are ~~and shall endeavour to make such services~~ generally available to the public ~~in their national network (s)~~. USA, Rwanda**Option 2 MOD** 32 4.1 Member~~s~~ States shall, to the greatest extent practicable, establish policies to promote the development ~~implementation~~ of international telecommunication services ~~and shall endeavour to make such services generally available~~ to foster the general availability to the public of such services~~in their national network (s)~~. Portugal, **Option 3 MOD** 32 4.1 Member~~s~~ States shall promote the implementation and development of international telecommunications/ICTs ~~services~~ . ~~and~~  They shall also endeavour to ensure that operating agencies make international telecommunication ~~such~~ services generally available to the public in their national network(s). Africa **Option 4 MOD** 32 4.1 Member~~s~~ States shall promote the availability ~~implementation~~ of international telecommunication services ~~and shall endeavour to make such services generally available~~ to the public ~~in their national network(s)~~. Mexico | Consider Option 3- which is more binding. | Option 3 |
| **Option 1 MOD** 33 4.2 Member ~~s~~ States shall encourage ~~ensure that~~ administrations~~\*~~~~/~~ROAs to 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 ITU-T ~~CCITT~~ Recommendations. USA, **Option 2 MOD** 33 4.2 Member~~s~~ States shall ensure that ~~administrations\*~~ operating agencies 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~~ ~~ITU-T~~ Recommendations of the ITU./ ITU-T (Africa, etc)**Option 3 MOD** 33 4.2 Member~~s~~ States shall ensure that administrations/operating agencies 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~~ of any type, including, but not limited to: - services for carrying traffic (including services for carrying Internet traffic and data transmission);- telecommunication roaming services;- services for the provision of telecommunication channels;- services in the public international telegraph service;- services in the international telex service;- telematic telecommunication services;- multimedia telecommunication services;- convergent telecommunication services;- global telecommunication services. (RCC)**Option 4 SUP** 33 ~~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.~~ | Consider Option 2 ITR should be broad and dynamic. A prescription of international services as proposed in Option 3 is not desirable in an such an industry. | Option 2 |
| **Option 1 MOD**34 4.3 Subject to national law, Member ~~s~~ States shall endeavour to ensure that ROAs ~~administrations~~~~\*~~ provide and maintain, to the greatest extent practicable, a satisfactory ~~minimum~~ quality of service corresponding to the relevant ITU-T ~~CCITT~~ Recommendations with respect to:**Option 2 MOD** 34 4.3 Subject to national law, Member*~~s~~* States shall endeavour to ensure that ~~administrations\*~~ operating agencies provide and maintain, to the greatest extent practicable, a satisfactory ~~minimum~~ quality of service corresponding to the relevant ~~CCITT~~ ITU-T Recommendations with respect to:**Option 3 MOD**34 4.3 Subject to national law, Member*~~s~~* States shall ~~endeavour to~~ ensure that ~~administrations\*~~ operating agencies provide and maintain, to the greatest extent practicable, a satisfactory ~~minimum~~ quality of service and above a minimum level ~~corresponding to~~taking into consideration the relevant ~~CCITT~~ ~~ITU-T~~ Recommendations of the ITU with respect to:**Option 4 MOD**34 4.3 ~~Subject to national law,~~ Member*~~s~~* States shall endeavour to ensure that operating agencies provide and maintain~~, to the greatest extent practicable, a minimum~~ an agreed quality of service ~~corresponding to the relevant CCITT Recommendations~~ with respect to: |  |  |
| **Option 1 NOC**35 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;**Option 2 MOD**35 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 [or to the public];**Option 3 MOD**35 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; harm to technical facilities and personnel shall be construed to include spam, malware, etc. as defined in relevant ITU-T Recommendations (as the case may be), as well as malicious code transmitted by any telecommunication facility or technology, including Internet and Internet Protocol. Furthermore, the said provision shall be construed to prohibit connection of terminals that cause harm to technical facilities or personnel.**Option 4 MOD** 35 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~~ diminish the level of security of technical facilities and personnel. |  |  |
| **Option 1 NOC**36 b) international telecommunication facilities and services available to customers for their dedicated use;**Option 2 MOD**36 b) international telecommunication facilities and services available to customers for their ~~dedicated~~ use |  |  |
| **Option 3 NOC** 37 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**Option 4 MOD**37 c) at least a form of telecommunication/ICTs which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and**Option 5 MOD** 37 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 |  |  |
| **Option 1 NOC**38 d) a capability for interworking between different services, as appropriate, to facilitate international communications.**Option 2 MOD**38 d) a capability for interworking between different services, as appropriate, to facilitate international telecommunications [services]. |  |  |
| **Option 1 NOC** 38A **Reasons:** No new 4.4 (transparency of roaming tariffs).**Option 2 ADD**38A 4.4 Member States shall ensure that operators providing international telecommunication services, in particular international roaming, at least provide free of charge transparent and up-to-date information on retail charges, including roaming charges. **Option 2 ADD** 38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services provide transparent and up-to-date information on retail charges to end users, including roaming charges. **Option 3 ADD** 38A 4.4 Member States shall ensure that operators providing international telecommunication services, in particular international roaming, provide transparent and up-to-date information on retail charges, including roaming charges. [In particular, each customer should also be able to easily have access to, and receive appropriate and timely pricing (including taxes) information free of charge when abroad on the relevant price plan, except when the customer has notified his home operator that he does not require this service]. **Option 4 ADD**38A 4.4 Members States shall ensure transparency of end-user prices, in particular to avoid unreasonable or surprising bills for international services (e.g mobile roaming and data roaming).**Option 5 ADD** 38A 4.4 Members States shall ensure transparency of end-user prices and the provision of clear information on how to access the services and the prices thereof, in particular to avoid unreasonable or surprising bills for international services (e.g mobile roaming and data roaming), and shall ensure that Operating Agencies take the necessary measures to fulfill these requirements.**Option 6 ADD** 38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers information on tariffs, including duties and fiscal taxes. Each subscriber should be able to have access to such information and receive it in a timely manner and free of charge when roaming (entering into roaming), except where the subscriber has previously declined to receive such information.**Option 6 ADD** 38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers information on the cost of additional paid services, including calls to short numbers, provided by the operating agency itself or by another service provider, through to their completion.**Option 7 ADD**38A 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers the option of declining any additional paid international telecommunication services (such as calls to short paid numbers) and/or basic services (voice, data) entirely, up to a given spending limit or on other conditions.**Option 8 ADD**38A 4.4 Member States shall implement measures to improve transparency in prices, modalities and conditions of access to mobile services in international mobile roaming as well as their effective and immediate communication to the user.**Option 9 ADD**38A 4.4 Member States, taking into account specific national and regional conditions, should encourage the development of effective ways to provide consumers with clear, transparent and timely information on retail charges for international mobile roaming services. |  |  |
| **Option 1 NOC** 38B **Reasons:** No new 4.5 (Global Telecommunications Services).**Option 2 ADD**38B 4.5 Given the particular characteristics of GTSs, which display both the features of international telecommunication services as well as their own specific features in the form of ubiquitous access in accordance with local legislations and of their own specially assigned country codes allowing subscribers to have a single worldwide number, national legislation may insert and implement GTSs into national law to the effect that GTS are considered local services in the applicable jurisdiction.**Option 2 ADD**38B 4.5 Given the particular characteristics of GTS, which allows subscribers to have a worldwide number, national legislation may allow and implement GTSs in such a way that GTSs are considered as local communication services in the applicable jurisdiction. |  |  |
| **Option 1 NOC** 38C **Reasons:** No new 4.6 (provision of roaming).**Option 2 ADD**38C 4.6 Member States shall implement measures to ensure that telecommunication servicesin international roaming of satisfactory levels of quality, comparable to that provided to their own local users, are provided to visiting users. |  |  |
| **Option 1 NOC** 38D **Reasons:** No new 4.7 (international IP interconnections).**Option 2 ADD**38D 4.7 Operating agencies shall cooperate in the development of international IP interconnections providing both, best effort delivery and end to end quality of service delivery. Best effort delivery should continue to form the basis of international IP traffic exchange. Nothing shall preclude commercial agreements with differentiated quality of service delivery to develop. |  |  |
| **Option 1 NOC**38E **Reasons:** No new 4.8 (border zone inadvertent roaming).**Option 2 ADD**38E 4.8 Member States shall foster the establishment of mutual agreements on mobile services accessed within a predetermined border zone in order to prevent or mitigate inadvertent roaming charges. |  |  |
| Article 5Safety of Life and Priority of Telecommunication | NOC | **NOC** |
| **Option 1 MOD** 39 5.1 Safety of life telecommunications, ~~such as~~ including distress telecommunications, emergency telecommunication services and telecommunications for disaster relief,shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Constitution and Convention ~~and~~ in accordance with relevant ~~CCITT~~ Resolutions andRecommendations of the ITU. TD 21 Rev1 **Option 2 MOD**39 5.1 ~~Safety of life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Convention and taking due account of relevant CCITT Recommendations.~~ International telecommunication services must give absolute priority to all telecommunications concerning safety of life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization. (Arab States)**Reasons:** Align with No. 191 Cs**Option 3 MOD** 39 5.1Member States shall adopt policies that, to the greatest extent practicable, ensure that s~~S~~afety of life telecommunications, such as distress telecommunications, are ~~shall be~~ entitled to transmission as of right and, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Constitution and Convention and taking due account of relevant ~~CCITT~~ ITU-T Recommendations. USA, Africa, Portugal **Option 4 MOD**39 5.1 Safety of life telecommunications, ~~such as~~ including distress telecommunications shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other international service telecommunications, in accordance with the relevant Articles of the Constitution and Convention and taking due account of/in accordance with relevant ITU ~~CCITT~~ [Resolutions and] Recommendations. When providing such services, departures from compliance with individual provisions of the ITRs (regarding spam or the protection of personal data), as well as the suspension or restriction of other international telecommunication services, is permissible. Russian Federation  | Adopt Option 3 which clarifies the role of Member statesChanges are also to align with the CS/CV | Option 3  |
| **Option 1 ADD**39A 5.1 b) Member States shall ensure that telecommunications relating to safety of life (distress), including for prevention, relief, and mitigation in emergency situations, are given absolute priority. (Arab States) Option 2 NO ADD  | Consider to adopt option 1 Add if it is not implied in 5.1 | No comment  |
| **Option 1 MOD** 40 5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over [types of] telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Constitution and Convention and taking due account of relevant ~~CCITT~~ ITU-(T) Recommendations. (USA, Mexico)**Option 2 SUP** 40 ~~5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Convention and taking due account of relevant CCITT Recommendations~~. (CEPT, Africa) | Consider Option 2 Suppression  | SUP |
| **Option 1 MOD**41 5.3 The provisions governing the priority enjoyed by any ~~all~~ other telecommunications services are contained in the relevant ~~CCITT~~ ~~ITU-T~~ Recommendations of the ITU. Africa, USA **Option 2 MOD** 41 5.3 The provisions governing the priority enjoyed by any ~~all~~ other telecommunications [services] are contained in the relevant ~~CCITT~~ ITU-T Recommendations. Russia, Mexico**SUP** CWG/4/21341 ~~5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations.~~ CEPT | Consider Option 1 | Option 1 |
| **Option 1 NOC** 41A (Africa, Portugal, Arab State, USA)**Reasons:** No new 5.4. **Option 2 ADD**41A 5.4 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Member States shall encourage administrations, recognized operating agencies, and operating agencies which operate in their territory and provide international telecommunications services offered to the public, to apply the ITU-T Recommendations relating to safety of life, priority telecommunications, disaster recovery and emergency telecommunications, including any Instructions forming part of, or derived from, said Recommendations. Td 21 Rev.1  | Consider Option 1 ITU recommendations not mandatory  |  |
| **Option 1 NOC**41B **Reasons:** No new 5.5 (single emergency number). ( Portugal, CEPT,) **Option 2 ADD** 41B 5.5 Member States should cooperate to introduce in addition to their existing national emergency numbers a global number for calls to the emergency services globally. (Arab States) | Reserve and examine if it is technically possible – Consultation issue | Silent  |
|  **Option 1 NOC** 41C **Reasons:** No new 5.6 (information on emergency number). Portugal, CEPT**Option 2 ADD**41C 5.6 Member States shall [ensure that operating agencies] inform [every roaming subscriber | every roaming user | all users including roaming users ], in good time and free of charge, of the number to be used for calls to the emergency services. (Russian Federation, Arab State) | Reserve CommentShould be implied if 41B above is adopted  |  |
|  Option 1 NO ADD Article 5A[Security] | [Confidence and security in the provision of international telecommunications and services] | [Confidence and security of telecommunications/ICTs]**Reasons:** no new article 5A**Option 2 ADD** Article 5A[Security] | [Confidence and security in the provision of international telecommunications and services] | [Confidence and security of telecommunications/ICTs] | Reserve –Consult on the inclusion of security- depth/ scope, mandate of ITU in line with CV/CSGeneral principles on security in network/ infrastructure may be considered to be added in the ITR. In light of this Option  |  |
| **Option 1 ADD** 41D 5A.1 Member-States have the responsibility and right to protect the network security of the information and communication infrastructure within their state, to promote the international cooperation to fight against network attacks and disruptions.5A.2 Member-States have the responsibility to require and supervise that enterprises operating in their territory use ICTs in a rational way and endeavour to ensure the effective functioning of ICTs, in secure and trustworthy conditions. 5A.3 User information in information and communication network should be respected and protected. Member-states have the responsibility to require and supervise that enterprises operating in their territory protect the security of user information.**Option 2 ADD** 41D 5A.1 Member States shall cooperate to enhance user confidence, build trust, and protect both data and network integrity; consider existing and potential threats to ICTs; and address other information security and network security issues.5A.2 Member States in cooperation with the private sector, should prevent, detect and respond to cyber-crime and misuse of ICTs by: developing guidelines that take into account ongoing efforts in these areas; considering legislation that allows for effective investigation and prosecution of misuse; promoting effective mutual assistance efforts; strengthening institutional support at the international level for preventing, detecting and recovering from such incidents; and encouraging education and raising awareness.**Reasons:** This proposal is based on 12 (a) and 12 (b) of the Geneva Plan of action.**Option 3 ADD** 41D 5A.1 Member States shall cooperate to strengthen security while enhancing the protection of personal information, privacy and data.5A.2 Member States shall cooperate with other stakeholders to develop necessary legislation for the investigation and prosecution of [cybercrime].5A.3 Member States should cooperate to take actions to counter spam, including through consumer and business education; appropriate legislation, law-enforcement authorities and tools; the continued development of technical and self-regulatory measures; best practices; and international cooperation.5A.4 Member States shall take measures to ensure Internet stability and security, to fight [cybercrime] and to counter spam, while protecting and respecting the provisions for privacy and freedom of expression as contained in the relevant parts of the Universal Declaration of Human Rights.**Reasons:** This proposal is based on 39-42 of the Tunis Agenda.**Option 4 ADD** 41D 5A.1 Member States should cooperate regarding telecommunications security matters (including cybersecurity), in particular to develop technical standards and acceptable legal norms, including among others those regarding territorial jurisdiction and sovereign responsibility.5A.2 Member States shall cooperate to harmonize national laws, jurisdictions, and practices in the areas of: the investigation and prosecution of [cybercrime] (including eavesdropping and breach of privacy of telecommunications); data preservation, retention, protection (including personal data protection), and privacy; and approaches for network defense and response to cyberattacks.5A.3 [Protection of critical infrastructure: text to be developed]5A.4 [Member States shall ensure that intercept and monitoring of international telecommunications be subject to due process authorized in accordance with national law.]**Reasons:** This proposal is related to the part in square brackets for the title.**Option 5 ADD** 41D 5A.1 Member States should encourage Operating Agencies in their territories to take appropriate measures for ensuring network security. 8A.2 Member States should collaborate to promote international cooperation to avoid technical harm to networks.**Option 6 ADD** 41D 5A.1 Member States should encourage operating agencies to take measures to further the security, safety, continuity, sustainability and robustness of their networks used for international telecommunication services.5A.2 Member States are encouraged to cooperate in that sense.**Option 7 ADD** 41D 5A.1 Member States shall do their utmost to promote the confidence required for effective use and harmonious development of international telecommunications as well as security in the provision of international telecommunication services.5A.2 Member States shall ensure the confidentiality of international telecommunications and of any related information that has become known to the operating agency in the course of providing international telecommunication services.5A.3 Member States shall ensure the protection of personal data handled for the purposes of providing international telecommunication services. 5A.4 Member States shall ensure unrestricted public access to international telecommunication services and the unrestricted use of international telecommunications, except in cases where international telecommunication services are used for the purpose of interfering in the internal affairs or undermining the sovereignty, national security, territorial integrity and public safety of other States, or to divulge information of a sensitive nature.5A.5 Member States shall prevent the propagation of spam. 5A.6 Member States shall combat network fraud. 5A.7 Member States shall ensure that numbering, naming, addressing and identification resources in international telecommunication networks are used in accordance with their intended purpose and stipulated allocation. 5A.8 Member States shall ensure that operating agencies duly identify the subscriber when providing international telecommunication services, and shall ensure the appropriate processing, transmission and protection of identification information in international telecommunication networks.5A.9 Member States shall ensure that operating agencies take the appropriate measures to ensure reliable operation, confidence and security of international telecommunications.**Option 8 ADD** 41D 5A.1 Member States shall undertake appropriate measures, individually or in cooperation with other Members states, to ensure Confidence and Security of Telecommunications/ICTs.5A.2 Issues related to security include physical and operational security; cybersecurity, [cybercrime,] and cyber attacks; denial of service attacks; other online crime; controlling and countering unsolicited electronic communication (e.g Spam); and protection of information and personal data (e.g. phishing).5A.3 Member States, in accordance to national law, shall cooperate to investigate, prosecute, correct and repair security breaches and incidents in timely manner.5A.4 Member States shall ensure that operating agencies and other concerned entities provide and maintain, to the greatest extent practicable, confidence and security of telecommunications/ICTs.5A.5 Member States shall ensure that operating agencies and other concerned entities cooperate with their counter parts in other Member states in ensuring confidence and security of telecommunications/ICTs. | Reserve –Consult on the inclusion of security- depth/ scope, mandate of ITU in line with CV/CS including the implementation- capacity etcGeneral principles on security in respect to network/ infrastructure may be considered to be added in the ITR.In light of this Option 5 may be considered.Other detailed issues related to security as proposed in option 2, and 3 may be extracted and incorporated as a supplement to the ITRs |  |
| **Option 1 NOC**Article 5B **Countering spam****Reasons:** No new article 5B.**Option 2 ADD** Article 5B **Countering spam****Reasons:** Add a new article on countering spam. The issue of spam is covered in some of the proposals for a new article 5A on security; if those proposals are adopted, the proposals below should be revisited so as to avoid overlaps. Alternatively, some of the proposals below could be contained in a WCIT Resolution.**Option 3 ADD** Member States are encouraged:a) to adopt national legislation to act against spam;b) to cooperate to take actions to counter spam;c) to exchange information on national findings/actions to counter spam.**Option 4 ADD** 41E Member States shall prevent the propagation of spam. | Reserve- Incorporate in principal but consult for acceptable text- **Option 3**   | Silent |
|  **Option 1 NOC Art**ticle 6 Charging and Accounting**Reasons:** Title of Article 6 remains unchanged. (Russian Federation), Iran, Portugal**Option 2 MOD** Article 6[International Telecommunication Service Arrangements | Pricing | Economic and Policy Issues]~~Charging and Accounting~~**Reasons:** Change in title.**Option 2 SUP** ~~Article 6 Charging and Accounting~~**Reasons:** Suppress all of article 6, possibly moving some provisions to a new appendix. | Reserve Title should correspond with the content of the text.If indeed most of the content contained in Article 6 is obsolete in a competitive market, then Article 6 should be replaced with general principles for pricing & accounting of international telecommunication services. Need to establish how many Administration/ ROAs are still using the accounting system | Retation of general principals endorsed with details in the annex.Uganda, Cote d voire to propose text for the next Africa Meeting  |
|  Option1 NOC 42 6.1 Collection charges43 6.1.1 Each administration/ROA shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation. ( Russia, Belarus, Moldova)**Option 2 MOD**43 6.1.1 Each administration~~\*~~ and operating agency [shall | could], subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation. TD 21 Rev 1Option 3 **MOD** 43 ~~6.1.1 Each administration\* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.~~ Subject to applicable national law, the terms and conditions [of arrangements] between [ROAs | operating agencies] for the provision of international telecommunication services shall be subject to [mutual] commercial agreement. (USA)**Reasons:**The proposal is related to proposal 2 for the title, and to the suppression of 6.1.2. Note that there are two variants: referring to ROA or of OA**Option 4 MOD** CWG/4/24043 6.1.1 Each ~~administration\*~~ROA shall, subject to applicable national law, establish the collection charges to be offered to ~~collected from~~ its customers. The level of the charges is a national matter; and as such could be regulated by the Member State in line with the principles in these Regulations . ~~great a dissymmetry between the charges applicable in each direction of the same relation~~. Global Voice **Option 5 MOD** CWG/4/24143 6.1.1 Each operating agency~~administration\*~~ shall, subject to applicable national law, establish the charges to be collected from its customers. ~~The level of the charges is a national matter; however, i~~In establishing these charges, Member States~~administrations~~ should take measures~~try~~ to avoid too great a dissymmetry between the charges applicable in each direction of the same relation, and they shall ensure transparency. **Option 6- Suppress Africa, USA , CEPT, Portugal** | Consider Suppression.Need to establish how many Administration/ ROAs are still using the accounting system | SUP |
|  **Option 1 NOC** 43A **Reasons:** No new 6.1.1A (costs of international roaming services).**ADD** CWG/4/24343A 6.1.1A Costs of International Roaming Services6.1.1 a) Member States shall encourage competition in the international roaming market; 6.1.1 b) Member States are encouraged to cooperate to develop policies for reducing charges on international roaming services. |  |  |
| **NOC** CWG/4/24444 6.1.2 The charge levied by an administration/ROA on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration.**MOD** CWG/4/24544 6.1.2 The charge levied by an administration~~\*~~ or operating agency on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration or operating agency.**MOD** CWG/4/24644 6.1.2 The charge levied by an ~~administration\*~~ operating agency on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that ~~administration~~ operating agency.**SUP** CWG/4/24744 ~~6.1.2 The charge levied by an administration\* on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration.~~ |  |  |
| **NOC** CWG/4/24845 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.**MOD** CWG/4/24945 6.1.3 ~~Where in accordance with the national law of a country, a~~ Countries are free to levy fiscal taxes on ~~is levied on collection charges for~~ international telecommunication services in accordance with their national laws, but international double taxation must be avoided~~,~~ ~~this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special arrangements~~.**MOD** CWG/4/25045 6.1.3 Member States shall not apply taxes to incoming international calls, so as to avoid double taxation. ~~Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~**MOD** CWG/4/25145 6.1.3 ~~Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~ National authorities are free to impose taxes on all telecommunications traffic, whether incoming or outgoing. However, such taxes should be reasonable and the proceeds should be directed where possible at the development of the industry. Regarding double taxation, Member States are encouraged to cooperate within the framework of bilateral, juridical double taxation treaties under which taxation arrangements are pre-determined by the terms of the treaty so as to protect against the risk of double taxation and avoidance or evasion of tax liability.**MOD** CWG/4/25245 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges, to be included or added to the collection charge, for international telecommunication services, this tax shall ~~normally~~ be collected only in respect of international telecommunication services ~~billed~~ presented for payment to customers in that country, unless other arrangements are made to meet special circumstances. This rule also applies in cases where accounts for international telecommunication services are handled through specialized accounting authorities on the basis of arrangements with administrations/operating agencies.**SUP** CWG/4/25345 ~~6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~ |  |  |
| **NOC** CWG/4/25445A **Reasons:** No new 6.1.3A.**ADD** CWG/4/25545A 6.1.3A Where an ROA has a duty or fiscal tax levied on its share of charges for providing international telecommunication services or other remunerations, it shall not in turn impose any such duty or fiscal tax on other ROAs.**Reasons:** 6.1.3A is taken from 1.6 in Appendix 1;6.1.3B is taken from 3.3.4 in Appendix 1.**ADD** CWG/4/256**45A** 6.1.3A Fiscal taxes on telecommunications equipment and services should not be excessive, and their proceeds should be used to finance the development of telecommunications services.**NOC** CWG/4/25745B **Reasons:** No new 6.1.3B.**ADD** CWG/4/25845B 6.1.3B The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor.**Reasons:**6.1.3A is taken from 1.6 in Appendix 1;6.1.3B is taken from 3.3.4 in Appendix 1. |  |  |
| **MOD** CWG/4/25946 6.2 Accounting rates47 ~~6.2.1~~ For each applicable service in a given relation, administrations~~\*~~ shall by mutual agreement establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant ITU-T~~CCITT~~ Recommendations and relevant cost trends.**MOD** CWG/4/26046 6.2 Accounting, transit and termination rates47 ~~6.2.1~~ For each applicable service in a given relation, [administrations]~~\*~~ or operating agencies shall by mutual agreement[, on the basis of costs,] establish and revise accounting, transit and termination rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant ITU-T ~~CCITT~~ Recommendations and relevant cost trends.**MOD** CWG/4/26146 6.2 ~~Accounting rates~~Wholesale prices47 6.2.1 Each ROA shall, subject to applicable national law, agree with other ROAs under commercial agreement, the terms and conditions, including prices, for the provision of international communications services. Member States shall have the power to regulate the terms and conditions of the services provided in their territory in line with the principles in these Regulations. ~~For each applicable service in a given relation, administrations~~~~\*~~ ~~shall by mutual agreement establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant CCITT Recommendations and relevant cost trends.~~**SUP** CWG/4/26246 ~~6.2 Accounting rates~~47 ~~6.2.1 For each applicable service in a given relation, administrations\* shall by mutual agreement establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant CCITT Recommendations and relevant cost trends.~~ |  |  |
| **MOD** CWG/4/26348 6.3 Monetary unit49 ~~6.3.1~~ In the absence of special arrangements concluded between administrations~~\*~~ or operating agencies, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:- either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;- or freely convertible currencies or other currencies agreed by debtors and creditors ~~or the gold franc, equivalent to 1/3.061SDR~~.**MOD** CWG/4/26449 6.3.1 In the absence of special arrangements concluded between ~~administrations\*~~operating agencies*,* the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:- either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;- or the gold franc, equivalent to 1/3.061 SDR.**SUP** CWG/4/26548 ~~6.3 Monetary unit~~49 ~~6.3.1 In the absence of special arrangements concluded between administrations\*, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:~~~~- either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;~~~~- or the gold franc, equivalent to 1/3.061 SDR.~~ |  |  |
| **SUP** CWG/4/26650 ~~6.3.2 In accordance with relevant provisions of the International Telecommunication Convention, this provision shall not affect the possibility open to administrations\* of establishing bilateral arrangements for mutually acceptable coefficients between the monetary unit of the IMF and the gold franc.~~ |  |  |
| **MOD** CWG/4/26751 6.4 Establishment of accounts and settlement of balances of account52 ~~6.4.1~~ Unless otherwise agreed, administrations\* shall follow the relevant provisions as set out in Appendices 1 and 2.**MOD** CWG/4/26852 ~~6.4.1~~ Unless otherwise agreed, administrations~~\*~~ or operating agencies shall apply ~~follow~~ the relevant provisions as set out in Appendices 1 and 2.**MOD** CWG/4/26952 ~~6.4.1~~ Unless otherwise agreed, ~~administrations\*~~operating agencies shall follow the relevant provisions as set out in Appendices 1 and 2.**MOD** CWG/4/27052 ~~6.4.1 Unless otherwise agreed, administrations\* shall follow the relevant provisions as set out in Appendices 1 and 2.~~ The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations. Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.**Reasons:** Align with 497, 498 CV.**SUP** CWG/4/27151 ~~6.4~~ *~~Establishment of accounts and settlement of balances of account~~*52 ~~6.4.1 Unless otherwise agreed, administrations\* shall follow the relevant provisions as set out in Appendices 1 and 2.~~ |  |  |
| **MOD** CWG/4/27253 6.5 Service and privilege telecommunications54 ~~6.5.1~~ Administrations~~\*~~ and operating agencies shall apply ~~follow~~ the relevant provisions as set out in Appendix 3.**MOD** CWG/4/27354 ~~6.5.1~~ Administrations/ROAs shall follow the relevant provisions as set out in Appendix 3.**MOD** CWG/4/27454 ~~6.5.1~~ ~~Administrations\*~~Operating agencies shall follow the relevant provisions as set out in Appendix 3.**NOC** CWG/4/27554A **Reasons:** No new 6.6.**ADD** CWG/4/27654A 6.6 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Members States shall, as appropriate, encourage administrations, recognized operating agencies, and private operating agencies which operate in their territory and provide international telecommunications services offered to the public, to apply the ITU-T Recommendations relating to charging and accounting and alternate calling procedures, including any Instructions forming part of, or derived from, said Recommendations.**ADD** CWG/4/27754A 6.6 Notwithstanding the provisions of Art.1, §1.4 and §1.6, and to enshrine the purpose set out in the Preamble; in Art. 1, §1.3; in Art.3, §3.3.; and taking into account Art.3, §3.1, Members States shall, as appropriate, encourage administrations\*, which operate in their territory and provide international telecommunications services, to apply the ITU-T Recommendations relating to charging and accounting and alternate calling procedures, including any Instructions forming part of, or derived from, said Recommendations. |  |  |
| **NOC** CWG/4/27854B **Reasons:** No new 6.7.**ADD** CWG/4/27954B 6.7 Member States shall ensure that each party in a negotiation or agreement related to or arising out of international connectivity matters including those for the Internet will have standing to have recourse to the competition authorities of the other party's country.**ADD** CWG/4/28054B 6.7 Member States shall ensure that each party in a negotiation or agreement related to or arising out of international connectivity matters, including those for the Internet, will have access to alternative dispute resolution mechanisms and will have standing to have recourse to the relevant regulatory or competition authorities of the other party's country. |  |  |
| **NOC** CWG/4/28154C **Reasons:** No new 6.8.**ADD** CWG/4/28254C 6.8 When evaluating significant market power and its abuse, national competition authorities should also take into account international market share and international market power. |  |  |
| **NOC** CWG/4/28354D **Reasons:** No new 6.9.**ADD** CWG/4/28454D 6.9 Member States shall take measures to ensure that foreign creditors for telecommunications accounts can obtain payment quickly and efficiently. **NOC** CWG/4/285 |  |  |
| **NOC** CWG/4/28554E **Reasons:** No new 6.10.**ADD** CWG/4/28654E 6.10 Subject to national law, members shall ensure that administrations collaborate in preventing and controlling fraud in international telecommunications by:– Identifying and transmitting to the transit and destination administrations and operators the pertinent information required for the purposes of payment for the routing of international traffic, in particular the calling line code.– Following up requests by administrations of other countries to investigate calls that cannot be billed, and helping to resolve outstanding accounts.- Respecting the right of members to decide the payment procedure for international telecommunications terminating on their territory.**ADD** CWG/4/28754E 6.10 Subject to national law, members shall ensure that administrations collaborate in preventing and controlling fraud in international telecommunications by:– Identifying and transmitting to the transit and destination administrations and operators the pertinent information required for the purposes of payment for the routing of international traffic, in particular the originating Country Code, National Destination Code and the Calling Party Number.– Following up requests by administrations of other countries to investigate calls that cannot be billed, and helping to resolve outstanding accounts.- Following up requests by other Member States and Administrations to identify the source of calls originated from their territories exerting potential fraudulent activity. |  |  |
| **NOC** CWG/4/28854F **Reasons:** No new 6.11**ADD** CWG/4/28954F 6.11 The ITU Standardization Sector shall be responsible for disseminating the regulatory frameworks in place in administrations having an impact on matters related to fraud. |  |  |
| **NOC** CWG/4/29054G **Reasons:** No new 6.12**ADD** CWG/4/29154G 6.12 Member States shall ensure that rates (in particular transit rates, termination rates, and roaming rates) are cost-based. |  |  |
| **NOC** CWG/4/29254H **Reasons:** No new 6.12A**ADD** CWG/4/29354H 6.12A Member States shall foster the establishment of international roaming mobile services prices based on principles of reasonability, competitiveness and non-discrimination relative to prices applied to local users of the visited country. |  |  |
| **NOC** CWG/4/29454I **Reasons:** No new 6.12B**ADD** CWG/4/29554I 6.12B Member States shall ensure that operating agencies providing international communications services, including mobile services, enable open equivalent access by devices used by subscribers contracted to other operating agencies, such that they are able to connect to applications and content service without charges beyond that normally applied to their own contracted subscribers. |  |  |
| **NOC** CWG/4/29654J **Reasons:** No new 6.13.**ADD** CWG/4/29754J 6.13 Member States shall promote transparency with respect to retail and wholesale prices, costs, and quality of service. |  |  |
| **NOC** CWG/4/29854K **Reasons:** No new 6.14.**ADD** CWG/4/29954K 6.14 Member States should foster continued investment in high-bandwidth infrastructures. |  |  |
| **NOC** CWG/4/30054L **Reasons:** No new 6.15.**ADD** CWG/4/30154L 6.15 Member States shall promote cost-oriented pricing. Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms and to the extent that such measures do not hinder competition. |  |  |
| **NOC** CWG/4/30254M **Reasons:** No new 6.16.**ADD** CWG/4/30354M 6.16 Member States shall take measures to ensure that fair compensation is received for carried traffic (e.g. interconnection or termination). Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms and to the extent that such measures do not hinder competition. |  |  |
| **NOC** CWG/4/30454N **Reasons:** No new 6.17.**ADD** CWG/4/30554N 6.17 Members States shall ensure transparency of end-user prices, in particular to avoid surprising bills for international services (e.g mobile roaming and data roaming). |  |  |
| **NOC** CWG/4/30654O **Reasons:** No new 6.18.**ADD** CWG/4/30754O 6.18 Member States should consider measures to favour special interconnection rates for landlocked countries.**NOC** CWG/4/308 |  |  |
| 54P **Reasons:** No new 6.13A.**ADD** CWG/4/30954P 6.18A Member States shall ensure that operators establish charging units and parameters that bill telecommunication service consumers according to what is effectively consumed. |  |  |
| **NOC** CWG/4/31054Q **Reasons:** No new 6.19.**ADD** CWG/4/311**54Q** 6.19 Charges and Free Services The provisions regarding charges for telecommunications and the various cases in which free services are accorded are set forth in the Administrative Regulations.**Reasons:** The text is taken from 496 CV. |  |  |
| **NOC** CWG/4/31254R **Reasons:** No new 6.20.**ADD** CWG/4/313**54R** 6.20 Rendering and Settlement of Accounts 6.20.1 The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations. 6.20.2 Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits. 6.20.3 The statement of accounts with respect to debits and credits referred to in No. 498 above shall be drawn up in accordance with the provisions of the Administrative Regulations, unless special arrangements have been concluded between the parties concerned. |  |  |
| **Reasons:** The text is taken from 497, 498,499 CV.**NOC** CWG/4/31454S **Reasons:** No new provisions.**ADD** CWG/4/31554S 6.A Member States shall ensure transparency with respect to retail and wholesale prices, costs, and quality of service.6.B Member States should foster continued investment in high-bandwidth infrastructures.6.C Member States shall [take measures to] ensure that prices are oriented on costs. Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms.6.D Member States shall take measures to ensure that an adequate return is provided on investments in network infrastructures. If this cannot be achieved through market mechanisms, then other mechanisms may be used.6.E Member States shall [take measures to] ensure that fair compensation is received for carried traffic (e.g. interconnection or termination). Regulatory measures may be imposed to the extent that this cannot be achieved through market mechanisms.6.F The right to create universal service funds or universal service obligations is reserved.6.G Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances. |  |  |
| **SUP** CWG/4/316~~Article 6~~~~Charging and Accounting~~**Reasons:** Suppress existing provisions of article 6, except for 6.1.3.Replace existing provisions of article 6 with new provisions above.**NOC** CWG/4/31754T **Reasons:** No new provisions.**ADD** CWG/4/31854T **6.2 Accounting, transit and termination rates**6.2.1 For each applicable service in a given relation, [administrations]~~\*~~ or Operating Agencies shall by mutual agreement, on the basis of cost orientation, establish and revise accounting, transit and termination rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant ITU-T ~~CCITT~~ Recommendations and relevant cost trends.6.2.2 Member States shall ensure that each party in a negotiation or agreement related to or arising out of international connectivity matters, will have access to alternative dispute resolution mechanisms and will have standing to have recourse to the relevant regulatory or competition authorities of the other party's state, [this dispute resolution mechanism may also be by a body mutually agreeable to the parties of the dispute (a neutral body in one of the concerned countries or by a neutral international body, or as agreed by the concerned parties).]6.2.3 Member States shall ensure that rates (in particular transit rates, termination rates, and roaming rates) are cost-oriented. |  |  |
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|  | **Article 7: Suspension of Services**  | No Major Issues- See presntation |  |
|  | **Article 8 : Dissemination of Information**  | No Major Issues- See presentation |  |
|  | **Article 9: Special Arrangement**  | No Major issues – See presentation |  |
|  | **Article 10: Final Provision**  | No major issues- See presentation |  |
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1. To be discussed Internally [↑](#footnote-ref-1)