

ITU 世界国際電気通信会議 (WCIT-12) に関する説明会

日時：平成24年9月12日（水）
10:00～
場所：総務省第一会議室（10階）

- 1 開会
- 2 総務省挨拶
- 3 ITUのWCITにおけるITR改正について
- 4 質疑応答
- 5 閉会

配付資料一覧

- 資料1 ITUのWCITにおけるITR改正について
- 資料2 ITRの見直しに関する主な論点について
- 資料3 現行ITR全文（日英）
- 資料4-1 8月8日決定APT共同提案（素案）（APT資料）
- 資料4-2 6月15日提出APT共同提案（APT資料）
- 資料5 WCIT-12 総務省ホームページ

ITRとITUと国連

International Telecommunications Regulations (ITR)

国際電気通信規則

国際電気通信業務の提供、運用、料金決済方式等に関する業務規則

- ◆ 制定された1988年に一般的だった国営・独占の国際電話事業が前提。
⇒ その後の民営化、競争導入、インターネット普及に伴い、現状にそぐわなくなった。
- ◆ 国際電気通信連合(ITU)という国連専門機関の会議で定めた規則(法的拘束力あり)。
1990年7月に発効。

WCIT

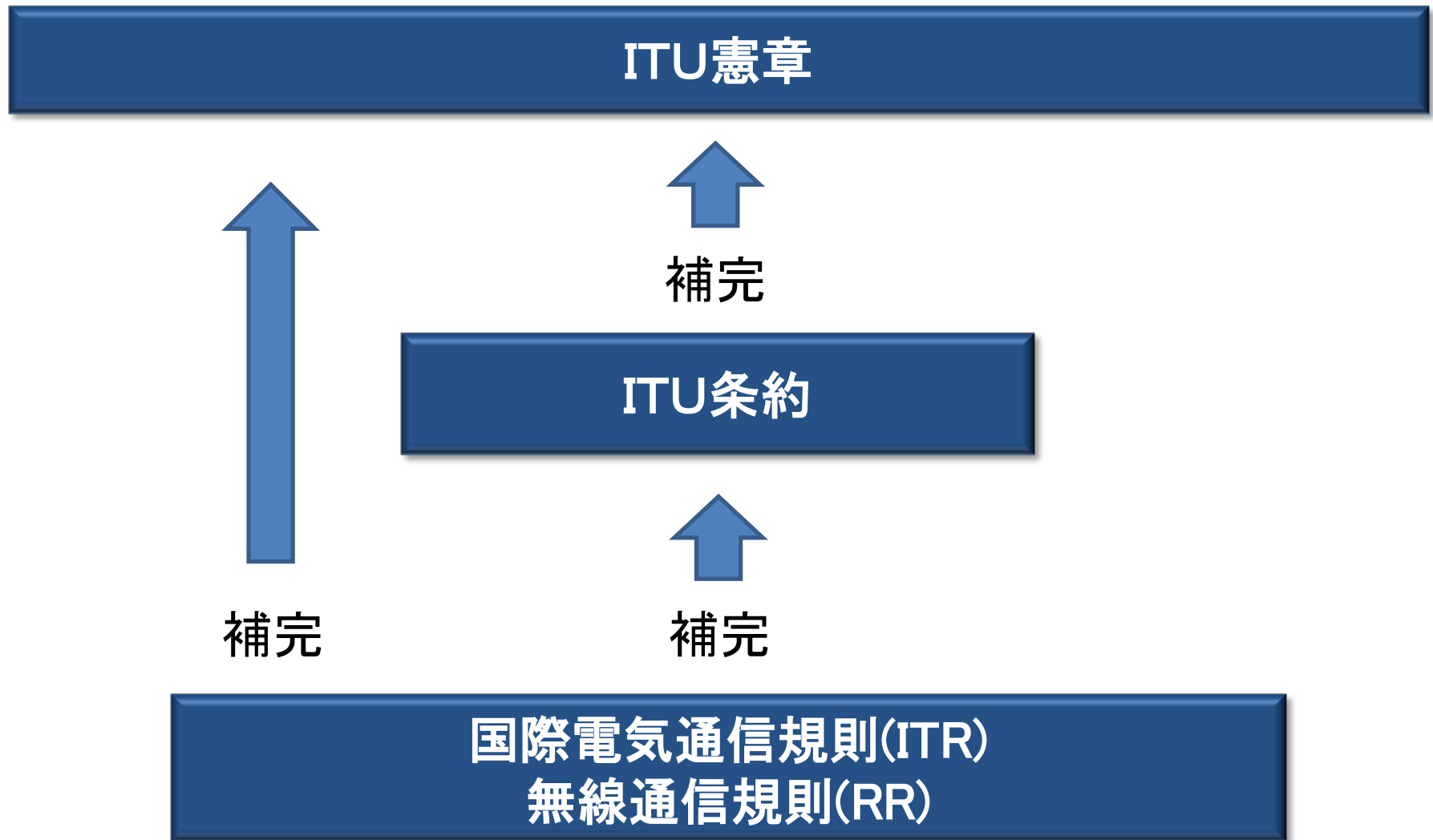
そこで ITU全権委員会議は、ITRを改正する会議を2012年に開催することを決定。

World Conference on International Telecommunications(WCIT) 読み「**ういきっと**」

2012年12月3日(月)～14日(金)

アラブ首長国連邦のドバイで開催

ITUの基本的な法体系



ITRの法的な位置付け

ITU憲章

第4条 連合の文書

3 この憲章及び条約は、電気通信の利用を規律し、及びすべての構成国を拘束する次に掲げる業務規則によって、更に補足される。

国際電気通信規則

無線通信規則

4 この憲章の規定と条約又は業務規則の規定との間に矛盾がある場合には、この憲章の規定が優先する。条約の規定と業務規則の規定との間に矛盾がある場合には、条約の規定が優先する。

第25条 世界国際電気通信会議

2 世界国際電気通信会議の決定は、いかなる場合にも、この憲章及び条約の規定に適合するものでなければならない。同会議は、決議及び決定を採択する場合には、予見可能な会計上の影響を考慮しなければならず、また、全権委員会会議の定めた会計上の限度額を超える支出をもたらすおそれのある決議及び決定の採択を避けるべきである。

第54条 業務規則

1 第四条に規定する業務規則は、拘束力を有する国際的な文書であり、また、この憲章及び条約の規定に適合するものでなければならない。

ITU条約

第36条 料金及び料金の免除

電気通信の料金に関する規定について及び料金の免除を行う諸種の場合については、業務規則で定める。

ITU憲章に規定されている各国の権利

ITU憲章

前文

国際電気通信連合の基本的文書であるこの憲章及びこれを補足する国際電気通信連合条約(以下「条約」という。)の締約国は、各国に対してその電気通信を規律する主権を十分に承認し、かつ、平和並びにすべての国の経済的及び社会的発展の維持のために電気通信の重要性が増大していることを考慮し、電気通信の良好な運用により諸国民の間の平和的關係及び国際協力並びに経済的及び社会的発展を円滑にする目的をもって、次のとおり協定した。

第34条 電気通信の停止

2 構成国は、また、国内法令に従って、他の私用の電気通信であって国の安全を害すると認められるもの又はその法令、公の秩序若しくは善良の風俗に反すると認められるものを切断する権利を留保する。

第36条 責任

構成国は、国際電気通信業務の利用者に対し、特に損害賠償の請求に関しては、いかなる責任も負わない。

第37条 電気通信の秘密

2 もっとも、構成国は、国内法令の適用又は自国が締約国である国際条約の実施を確保するため、国際通信に関し、権限のある当局に通報する権利を留保する。

条約・規則に対する「留保」

ITU条約

第32条のB 留保

32B.3 代表団は、業務規則の改正に係る決定であって、当該改正に拘束されることについての自国の政府による同意を妨げる性質を有すると認められるものに関しては、当該改正を採択する会議の終了の際に、暫定的又は確定的に留保を付することができる。そのような留保は、当該改正について権限のある会議に参加しない構成国から最終文書に署名するための権限を第三十一条の規定により委任された代表団が、当該構成国に代わって付することができる。

ITR

第10条 最終規定

10.3 連合員がこの規則の一又は二以上の規定の適用に関して留保を行う場合には、他の連合員及びその主管庁※は、この留保を行った連合員及び主管庁※との関係においては、これらの規定の適用を排除することができる。

(※)又は認められた私企業

「電気通信」の定義

ITU憲章

附属書:憲章、条約及び業務規則において使用する用語の定義

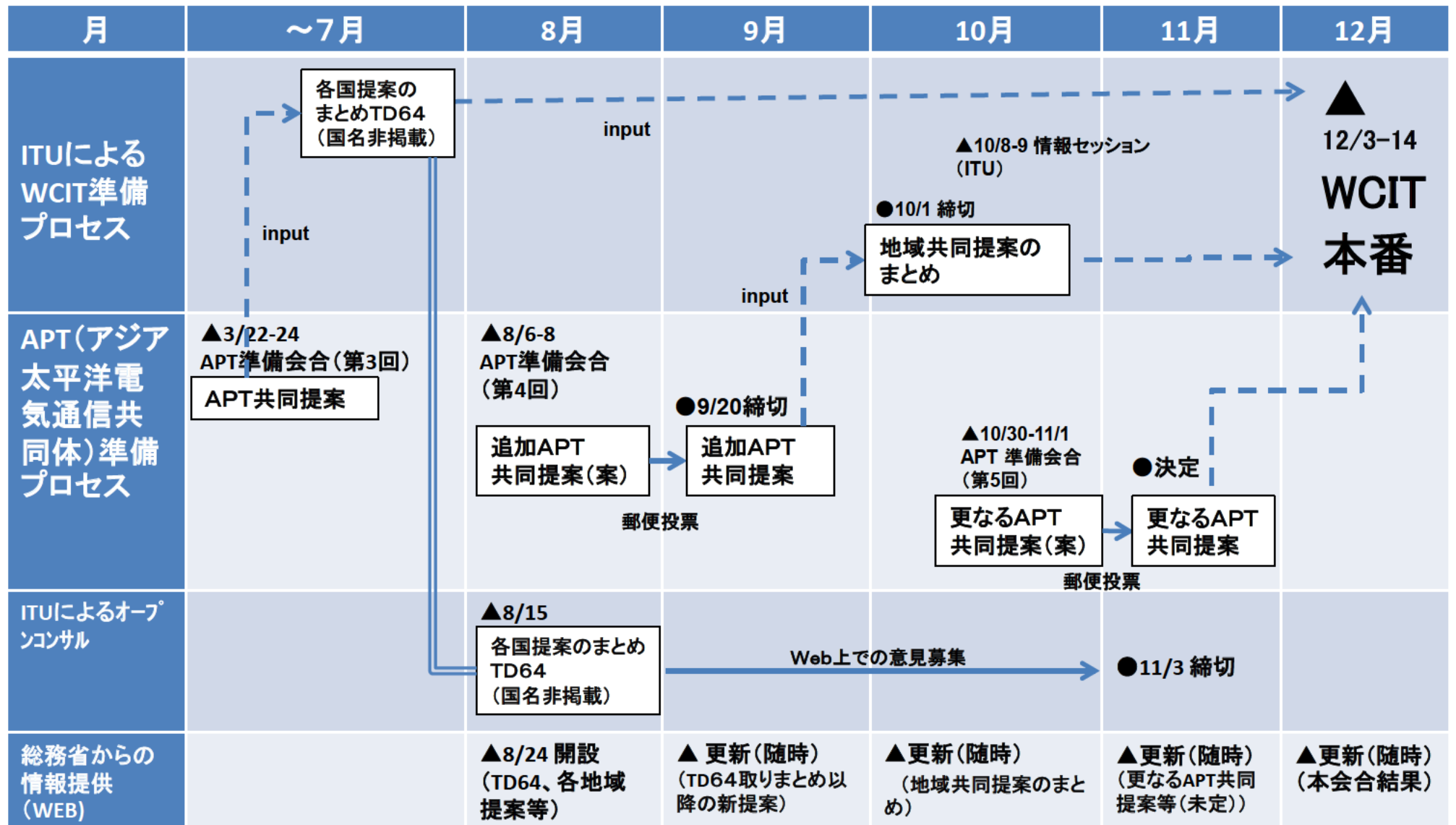
ITR

2.1 電気通信

両方とも同じ文言で定義

有線、無線、光線その他の電磁的方式によるすべての種類の記号、信号、文言、影像、音響又は情報のすべての伝送、発射又は受信

ITRの見直しに関する今後のスケジュール



WTPF: World Telecommunication Policy Forum (ITU世界電気通信政策フォーラム)

IGF: Internet Governance Forum (インターネットガバナンスフォーラム)

WTSA: World Telecommunication Standardization Assembly (ITU世界電気通信標準化総会)

ITU理事会作業部会における改正国際電気通信規則(ITR)の構成案

◆ 前文

◆ 第1条 規則の目的及び範囲

規則の目的及び範囲に、セキュリティ(情報セキュリティを含む)を追加する提案が提出。

◆ 第2条 定義

「電気通信」の定義に「ICT」の語を追加する提案、スパム、ハッキング、詐欺等の新たな定義を追加する提案が提出。

◆ 第3条 国際網

国による資源管理、番号資源の適正利用、発信者番号配信に関する規定の追加提案が提出。

◆ 第4条 国際電気通信業務

料金の透明性確保に関する規定の追加提案が提出。

◆ 第5条 人命の安全及び電気通信の優先

緊急電話番号統一に関する規定の追加提案が提出。

◆ 新設(第5A条) セキュリティ

セキュリティ(情報セキュリティ含む)確保及び個人情報保護に関する規定の追加提案が提出。

◆ 新設(第5B条) スпам対策

◆ 第6条 課金及び計算

規定の簡素化、二重課税禁止、国際ローミング料金の低廉化、コストに基づく料金設定、詐欺、紛争解決手段等に関する規定の追加提案が提出。

◆ 第7条 業務の停止

◆ 第8条 情報の周知

◆ 第9条 特別取極

◆ 第10条 最終規定

◆ 付録第1 計算に関する一般規定

◆ 付録第2 海上電気通信に関する追加規定

◆ 付録第3 業務用電気通信及び特権電気通信

インドネシアからの規則の目的及び範囲に関する提案

インドネシア(1. 8A、INS/8/1 提案)

構成国は、相互に協力して情報通信技術を安心して利用できるようにすべきという思想に基づき、サイバー犯罪対策、サイバー脅威からの保護を含むICTの不正利用を削減するサイバーセキュリティに関する世界規模の法的枠組みを定めることに協力しなければならない。

(※)この提案は、ITU理事会作業部会取りまとめ文書(TD64)には含まれていない。

アラブ地域からの定義に関する提案

アラブ地域提案(2.1A、提案48)

電気通信／ICT：

有線、無線、光線その他の電磁的方式によるすべての種類の記号、信号、文言、影像、音響又は情報のすべての伝送、発射又は受信（処理を含む）

ETNO提案(3.2、提案116)

事業者は、国際電気通信業務の要件及び需要を満たすための十分な電気通信手段を提供するように努める。この目的及び高帯域通信インフラへの投資に十分な収益を確保するために、事業者は電気通信業務の公正な補償の持続可能な仕組みを実現させる商業協定を取り決め、適当な場合には、送信側ネットワーク料支払いの原則を尊重しなければならない。

ETNO: 欧州電気通信事業者協会

インドネシアからの国際網に関する提案

インドネシア(3. 4A、INS8/2)

各構成国が主権、とりわけそれぞれの国内で情報の受容性の程度に関し、規制する権利を有することを認識し、主管庁及び国際網に従事する私企業は、彼らの多様な関心事項を解決するための協力、及びそれがサイバー犯罪に与える影響について十分に配慮しなければならない。

(※)この提案は、ITU理事会作業部会取りまとめ文書(TD64)には含まれていない。

アラブ地域からの番号資源に関する提案

アラブ地域提案(3.5、提案140)

- a) 構成国は、ITU-T勧告で言及された国際的なネーミング、番号、アドレス、識別資源が、割り当てられた者により、割り当てられていた目的のためのみに使用されること、及び割り当てられていない資源が使用されないことを確保しなければならない。

- b) 構成国は、その選択に応じ、国際的な電気通信/ ICTのためにその領域内で使用される全てのネーミング、番号、アドレス及び識別資源を制御できなければならない。

旧ソ連諸国からの資源の割当てメカニズムに関する提案

RCC提案(3.6、C94)

加盟国は、電気通信ネットワーク上の番号、ネーミング、識別、アドレスに係る十分な資源を適時に提供するとともに、国際電気通信サービスの必要性及びそれに係る要請を満たすため、当該資源の割当てに係る(世界レベルを含めて)競合するメカニズムを提供するよう努力しなければならない。

(※)この提案は、ITU理事会作業部会取りまとめ文書(TD64)には含まれていない。

RCC:旧ソ連諸国

ETNO提案(4. 7、提案199)

企業は、ベストエフォート配信及びエンドツーエンドの品質保障配信の両方を提供する国際IP相互接続を発展させるために協力しなければならない。ベストエフォート配信は、引き続き国際IPトラフィック交換の基盤をなすものとする。差別化された品質保証配信に関し、商業協定を結ぶことを妨げてはならない。

ETNO: 欧州電気通信事業者協会

アラブ地域からのセキュリティに関する提案

アラブ地域提案(新設:第5A条、提案229)

- ①構成国は、電気通信/ICTの秘密及びセキュリティを確保するために、個別に又は他の構成国と協力し、適切な措置を取らなければならない。
- ②セキュリティに関連する問題には、物理的及び運用上のセキュリティ、；サイバーセキュリティ、サイバー犯罪及びサイバー攻撃；DoS攻撃；その他のオンライン犯罪；認められていない電子的な通信の制御及び対策（例：スパム）；及び情報及び個人情報の保護（例：フィッシング）が含まれる。
- ③構成国は、国内法に従って、適時に、セキュリティ違反及び事故を調査、訴追、訂正及び修復するために協力しなければならない。
- ④構成国は、最大限実行可能な程度に、事業者及び他の関係機関が電気通信/ICTの信頼性及びセキュリティを提供及び維持することを確保しなければならない。
- ⑤構成国は、事業者及び他の関係機関が、電気通信/ICTの信頼性及びセキュリティを確保するために他の構成国のカウンターパートと協力することを確保しなければならない。

中国からのネットワークセキュリティに関する提案

中国提案(新設:第5A条、提案222)

- ① 加盟国は、ネットワーク攻撃及び妨害に対抗するための国際協力を推進するため、国内の情報通信設備のネットワークセキュリティの保護に対する責任及び権利を有する。
- ② 加盟国は、領域内の企業に対し、ICTを合理的な方法で使うように要求及び監督を行い、安全で信頼できる条件でICTが効果的に機能するよう努力する責任を有する。
- ③ 情報通信ネットワークにおける利用者情報は尊重され保護されるべきである。加盟国は、領域内の企業に対し、利用者情報の安全を保護するよう要求及び監督を行う責任を有する。

APT共同提案(新設:第5A条、提案226)

- ①加盟国は、ネットワークに対する技術的障害を回避するための国際協力の促進のために協働すべきである。
- ②加盟国は、自国の領域内の電気通信事業者に対し、ネットワークセキュリティの確保のために適切な措置を講じるよう奨励すべきである。

ロシアからの国際電気通信サービスの利用に関する提案

ロシア提案(新設: 第5A条、提案228)

- (1) 加盟国は、国際電気通信サービスが内政干渉、主権・国家安全保障・領土保全・他国の安全の侵害を目的として利用される場合や、機微な性質を有する情報の漏洩のために利用される場合を除き、公衆による国際電気通信サービスに対する制約のないアクセス及び制約のない利用を保障しなければならない。
- (2) 加盟国は、電気通信事業者が国際電気通信サービスの提供時に正当に加入者を特定することを保障するとともに、国際電気通信ネットワークにおける発信者情報の適切な処理、伝送及び保護を確保しなければならない。

CEPTからのスパムに関する提案

CEPT提案(新設: 第5B条、提案232)

構成国は、以下のことを奨励される。

- ・スパムに対処するための国内法制を採択する。
- ・スパムに対処するために協力する。
- ・スパムに対処するための国内での知見・行為について情報交換する。

我が国政府の基本的な考え方

- (a) インターネットガバナンスについて、政府、企業、市民社会がそれぞれの役割を果たすマルチステークホルダーアプローチが最善の方法である
- (b) 情報が国境を越えて流通するインターネットから最大限の便益をユーザーが享受できるよう、インターネット政策が、国際レベルで首尾一貫性があり、整合的であることを確保する
- (c) 現在の情報の自由な流通を享受し続けることができるよう国際的なコンセンサスを実現する

インターネット政策課題に関する日英共同声明（2012年5月2日）より

ITRの見直しに関する主な論点について

(TD64抜粋及びインドネシア、ロシア提案)

(黒字：現行条文、赤字：改正提案、黄色：説明会で主に解説する箇所)

【第1条（規則の目的及び範囲）関係】

MOD CWG/4/19（アラブ地域提案）

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**.

1.3 b) **These Regulations promote greater confidence and security, including of information, in the provision of international telecommunications/ICTs.**

MOD CWG/4/21（アラブ地域提案、アフリカ地域提案、エジプト提案）

6 1.4 **Unless otherwise specified in these Regulations,** ~~r~~References 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.

ADD INS/8/1（インドネシア提案）

12A 1.8A Member States shall cooperate in establishing a global legal framework based on a mutual spirit for building confidence and security in the use of information and communication technologies (ICTs) for cybersecurity that reduce illicit use of ICTs, including combating cybercrime and protecting against cyberthreats.

【第2条（定義）関係】

ADD CWG/4/48（アラブ地域提案）

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.**

ADD CWG/4/78 (アラブ地域提案、ロシア提案、アルジェリア提案、エジプト提案)

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.)).

ADD CWG/4/84 (太平洋島嶼国提案、ITU-T SG3RG-AFR提案、キューバ提案)

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.

ADD CWG/4/85 (アラブ地域提案)

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.

ADD CWG/4/86 (エジプト提案、コートジボワール提案)

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.

ADD CWG/4/87 (RCC提案)

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.

【第3条（国際網）関係】

MOD CWG/4/110（ETNO提案）

28 3.1 Members 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.]

MOD CWG/4/116（ETNO提案）

29 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.]

MOD CWG/4/118（Global Voice Group提案）

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.~~

MOD CWG/4/119（アラブ地域提案、エジプト提案）

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].

MOD CWG/4/120（アフリカ地域提案、ロシア提案）

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.~~

MOD CWG/4/122 (TD 21 Rev.1)

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.

ADD INS/8/2 (インドネシア提案)

31A 3.4A Recognizing the sovereign right of each Member, inter alia in regulating the degree of acceptability of information within their countries, administrations and service providers engaged with international network shall take due considerations in their cooperation in solving their diverse interests and their implications to the degree of cybercrime.

new 3.5 (misuse)

ADD CWG/4/129 (ITU-T SG3RG-AFR提案)

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.

ADD CWG/4/130 (ITU-T SG3RG-AFR提案)

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.

ADD CWG/4/131 (イラン提案)

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.

ADD CWG/4/132 (アフリカ地域提案)

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.]

ADD CWG/4/133 (エジプト提案)

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.

ADD CWG/4/134 (太平洋島嶼国提案)

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.

ADD CWG/4/135 (キューバ提案)

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.

ADD CWG/4/137 (CEPT提案)

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.

ADD CWG/4/138 (APT共同提案)

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.

ADD CWG/4/139 (RCC提案)

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.

ADD CWG/4/140 (アラブ地域提案)

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.

ADD C94 (ロシア提案)

3.6 Member States shall endeavour to provide, in a timely manner, sufficient numbering, naming, identification and addressing resources on telecommunication networks and provide competing (including at global level) mechanisms for their allocation in order to meet the requirements of and demand for international telecommunication services.

new 3.6 (calling party identification)

ADD CWG/4/151 (RCC提案)

31B 3.6 Member States shall ensure correct transmission of the calling party number / address / name / identity.

ADD CWG/4/153 (ロシア提案)

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.

new 3.7 (international Internet connectivity)

ADD CWG/4/155 (パラグアイ提案、アラブ地域提案)

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].

【第4条（国際電気通信業務）関係】

new 4.7 (international IP interconnections)

ADD CWG/4/199 (ETNO提案)

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.

【新設：第5A条（セキュリティ）関係】

ADD CWG/4/222 (中国提案)

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.

ADD CWG/4/223 (ITU-T SG3RG-AO提案、アルジェリア提案、エジプト提案)

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.

ADD CWG/4/224 (ITU-T SG3RG-AO提案)

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.

ADD CWG/4/225 (アフリカ地域提案)

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.]

ADD CWG/4/226 (APT共同提案)

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.

ADD CWG/4/227 (CEPT提案)

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.

ADD CWG/4/228 (RCC提案、ロシア提案)

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.

ADD CWG/4/229 (アラブ地域提案)

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.

【新設：第5B条（スパム対策）関係】

ADD CWG/4/232 (CEPT提案、アフリカ地域提案)

41E 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.

ADD CWG/4/233 (RCC提案)

41E Member States shall prevent the propagation of spam.

【第6条（課金及び計算）関係】

ADD CWG/4/279 (ITU-T SG3RG-AFR提案、ITU-T SG3RG-AO提案)

54B 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/4/280 (アフリカ地域提案)

54B 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.

国際電気通信規則(ITR)

和 訳	原 文
<p>【前文】</p> <p>1 この規則の規定は、自国の電気通信を規律する各国の主権を十分に承認して、世界的な電気通信手段の発展を調和しつつ、電気通信業務の発展及びその最も能率的な運用を促進することにおいて、国際電気通信連合の目的を達成するため、国際電気通信条約を補充する。</p> <p>【第1条 規則の目的及び範囲】</p> <p>2 1.1 a) この規則は、公衆に提供される国際電気通信業務の提供及び運用並びにその業務を提供するために使用される基盤的な国際電気通信伝送手段に関する一般原則を定める。この規則は、また、主管庁※に適用する規則を定める。 注)※又は認められた私企業(以下同じ)</p> <p>3 b) この規則は、第9条において特別取極を認める連合員の権利を承認する。</p> <p>4 1.2 この規則において、「公衆」は、政府機関及び法人を含む人の意味で用いられる。</p> <p>5 1.3 この規則は、電気通信手段の世界的な相互接続及び相互運用を容易にするとともに、技術的手段の調和ある発展及び能率的運用並びに国際電気通信業務の能率、利便性及び公衆の利用可能性を促進</p>	<p>PREAMBLE</p> <p>1. While the sovereign right of each country to regulate its telecommunications is fully recognized, the provisions of the present Regulations supplement the International Telecommunication Convention, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for worldwide telecommunications.</p> <p>Article 1 Purpose and Scope of the Regulations</p> <p>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*.</p> <p>3b) These Regulations recognize in Article 9 the right of Members to allow special arrangements.</p> <p>4 1.2 In these Regulations, “the public” is used in the sense of the population, including governmental and legal bodies.</p> <p>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.</p>

<p>するために定められる。</p> <p>6 1.4 この規則におけるCCITT勧告及び指示書への言及は、これらの勧告及び指示書にこの規則と同一の法的地位を与えるものと解してはならない。</p> <p>7 1.5 各関係における国際電気通信業務の提供及び運用は、この規則の範囲内で、主管庁※間の相互協定に従う。</p> <p>8 1.6 主管庁※は、この規則の原則を実施するにあたって、勧告の一部を構成するか又は勧告に由来する指示書を含む関連のCCITT勧告を最大限実行可能な程度に遵守するものとする。</p> <p>9 1.7 a) この規則は、自己の領域内において運営し、国際電気通信業務を公衆に提供する主管庁※及び私企業がその連合員によって許可されることを求める連合員の権利を、国内法に従い、かつ連合員がそうすることを決定した場合に承認する。</p> <p>10 b) 関係の連合員は、適当と認められる場合に前号の私企業に対し関連のCCITT勧告の適用を奨励する。</p> <p>11 c) 連合員は、適当な場合に国際電気通信規則の実施に際して、協力する(この解釈については、決議第2も参照のこと。)</p> <p>12 1.8 この規則は、無線通信規則に別段の定めのない限り、使用する伝送手段のいかにかわらず適用する。</p>	<p>6 1.4 References to CCITT Recommendations and Instructions in these Regulations are not to be taken as giving to those Recommendations and Instructions the same legal status as the Regulations.</p> <p>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*.</p> <p>8 1.6 In implementing the principles of these Regulations, administrations* should comply with, to the greatest extent practicable, the relevant CCITT Recommendations, including any Instructions forming part of or derived from these Recommendations.</p> <p>9 1.7 a) These Regulations recognize the right of any Member, subject to national law and should it decide to do so, to require that administrations and private operating agencies, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member.</p> <p>10 b) The Member concerned shall, as appropriate, encourage the application of relevant CCITT Recommendations by such service providers.</p> <p>11 c) The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations (for interpretation, also see Resolution No.2)</p> <p>12 1.8 The Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise.</p>
--	--

【第2条 定義】

13

この規則の目的のため、次の定義を適用する。もともとこれらの語及び定義は必ずしも他の目的に適用されない。

14 2.1 電気通信:

有線、無線、光線その他の電磁的方式によるすべての種類の記号、信号、文言、影像、音響又は情報のすべての伝送、発射又は受信

15 2.2 国際電気通信業務:

異なった国に存在し、又は属するすべての種類の電気通信の局の間における電気通信機能の提供

16 2.3 官用電気通信:

次のいずれかから発する電気通信。元首、政府の長及び政府の一員である者、陸軍、海軍又は空軍の司令長官、外交官又は領事官、国際連合事務総長、国際連合の主要機関の長、国際司法裁判所又は官報への返信

17 2.4 業務用電気通信

国際電気通信業務に関係するものであって、次の者の間に交換される電気通信:

- － 主管庁
- － 認められた私企業
- － 及び、管理理事会議長、事務総局長、事務総局次長、国際諮問委員会の委員長、IFRB委員、連合のその他の代表者、又は権限を与えられた職員（連合の所在地以外において公務を遂行する者を含む。）

Article 2 Definitions

13

For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.

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.

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.

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.

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

<p>18 2.5 特権電気通信</p> <p>19 2.5.1 一方において管理理事会の構成員の代表者、ITUの会議及び会合に出席する代表団の構成員、連合の常設機関の上級職員、並びにその許可された同行者、他方において上記の代表者又は代表団の構成員が所属する主管庁、若しくは認められた私企業、又はITUとの間で、管理理事会並びにITUの会議及び会合で討議されている問題又は国際公衆電気通信に関し、次の会期中に交換される電気通信</p> <ul style="list-style-type: none"> ・ITUの管理理事会の会期 ・ITUの会議及び会合 <p>20 2.5.2 ITU管理理事会並びにITUの会議及び会合の会期中、ITUの会議及び会合に出席する管理理事会構成員の代表者、代表団の構成員、連合の常設機関の上級職員、並びにITUの会議及び会合を支援する連合の事務局の職員に対し、それらの者の居住する国との通信を可能にするために交換される私用通信</p> <p>21 2.6 国際経過線路 異なる国に設置され、かつ、二の国際電気通信の端末交換局又は端末局間の電気通信トラヒックのために使用される技術的手段及び設備</p> <p>22 2.7 関係 二の端末国間のトラヒックの交換であって、両主管庁※の間に次のものがある場合には常に特定の業務に関して用いる。</p> <p>23 a)直通回線(直通関係)又は第三国の中継点経由(非直通関係)による特定の業務に関しトラヒックの交換の手段、及び</p>	<p>Union.</p> <p>18 2.5 Privilege telecommunication</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>22 2.7 Relation: Exchange of traffic between two terminal countries, always referring to a specific service if there is between their administrations*:</p> <p>23 a) a means for the exchange of traffic in that specific service: – over direct circuits (direct relation), or</p>
---	---

<p>24 b) 通常は、計算書の決済</p> <p>25 2.8 計算料金 一定の関係において主管庁※間で合意し、国際計算書の作成のために用いる料金</p> <p>26 2.9 収納料金 国際電気通信業務の利用に関して、主管庁※が定め、その顧客から収納する料金</p> <p>27 2.10 指示書 電気通信トラヒックの取扱い(例えば、受付、伝送、計算)のために実務上の運用手続きを扱う一又は二以上のCCITT勧告からなる規定の集成</p> <p>【第3条 国際網】</p> <p>28 3.1 連合員は、主管庁※が満足すべき業務の品質を提供するため、国際網の設置、運用及び維持に協力することを確保する。</p> <p>29 3.2 主管庁※は、国際電気通信業務の要件及び需要を満たすための十分な電気通信手段を提供するよう努める。</p> <p>30 3.3 主管庁※は、使用する国際経過線路を相互協定によって決定する。協定締結に至るまでの間は、関係端末主管庁※間に直通経過線路が存在しないことを条件として、発信主管庁※は関連の中継主管庁※及び着信主管庁※の利益を考慮しつつ、発信トラヒックの経過線路を任意に決定できる。</p> <p>31 3.4</p>	<p>– via a point of transit in a third country (indirect relation), and</p> <p>24 b) normally, the settlement of accounts.</p> <p>25 2.8 Accounting rate: The rate agreed between administrations* in a given relation that is used for the establishment of international accounts.</p> <p>26 2.9 Collection charge: The charge established and collected by an administration* from its customers for the use of an international telecommunication service.</p> <p>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).</p> <p>Article 3 International Network</p> <p>28 3.1 Members shall ensure that administrations* cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.</p> <p>29 3.2 Administrations* shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication services.</p> <p>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*.</p>
--	--

<p>すべての利用者は、国内法に従い、主管庁※により設置された国際網に接続することによりトラフィックを送出する権利を有する。関連のCCITT勧告に応じて最大限実行可能な程度に、満足すべき業務の品質は、維持するものとする。</p> <p>【第4条 国際電気通信業務】</p> <p>32 4.1 連合員は、国際電気通信業務の実施を促進するとともに、その業務が自国の国内網において、公衆に対して一般的に利用可能となるよう努める。</p> <p>33 4.2 連合員は、主管庁※がこの規則の範囲内で、相互協定により最大限実行可能な程度に関連のCCITT勧告に従った広範囲な国際電気通信業務を提供するため協力することを確保する。</p> <p>34 4.3 国内法に従い、連合員は主管庁※が次のものに関して、関連のCCITT勧告に応じた最小限の業務の品質を最大限実行可能な程度に提供し及び維持するよう、確保することに努める。</p> <p>35 a)網への接続が認められ、かつ技術的手段及び人身に損害を及ぼさない端末を使用した利用者による国際網への接続、</p> <p>36 b)顧客の専用に供される国際電気通信の手段及び業務、</p> <p>37 c)ある特定の電気通信業務の加入者でない者を含む公衆が、合理的に利用可能な少なくとも一つの電気通信の形態、及び</p>	<p>31 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.</p> <p>Article 4 International Telecommunication Services</p> <p>32 4.1 Members shall promote the implementation of international telecommunication services and shall endeavour to make such services generally available to the public in their national network(s).</p> <p>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.</p> <p>34 4.3 Subject to national law, Members shall endeavour to ensure that administrations* provide and maintain, to the greatest extent practicable, a minimum quality of service corresponding to the relevant CCITT Recommendations with respect to:</p> <p>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;</p> <p>36 b) international telecommunication facilities and services available to customers for their dedicated use;</p> <p>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</p>
---	--

<p>38 d)国際間の通信を容易にするため、適当な場合には異なる業務を相互に接続するための機能</p> <p>【第5条 人命の安全及び電気通信の優先順位】</p> <p>39 5.1 遭難通信などの人命の安全に関する電気通信は、伝送される権利を与えられており、条約の関連条項に従い、かつ関連のCCITT勧告を十分に考慮し、技術的に実行可能な場合は、他のすべての電気通信に対して絶対的優先順位を有する。</p> <p>40 5.2 国際連合憲章の特定の規定の適用に関連する電気通信を含む官用通信は、条約の関連条項に従い、かつ関連のCCITT勧告を十分に考慮し、技術的に実行可能な場合には、第5.1項に掲げる以外の電気通信に対して優先順位を有する。</p> <p>41 5.3 他のすべての電気通信に与えられる優先順位に関する規定は、関連するCCITT勧告による</p> <p>【第6条 課金及び計算】</p> <p>42 6.1 収納料金</p> <p>43 6.1.1 各主管庁※は、関係国内法に従い、自己の顧客から収納すべき料金を定める。収納料金の水準は国内問題である。ただし主管庁※は、収納料金を定めるに当たって、同一の関係の各々の方向に適用される料金の上に著しい不均衡が生じないように努めるものとする。</p> <p>44 6.1.2 ある特定の通信について主管庁※が顧客から収納する料金は、一定</p>	<p>38 d) a capability for interworking between different services, as appropriate, to facilitate international communications.</p> <p>Article 5 Safety of Life and Priority of Telecommunications</p> <p>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.</p> <p>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.</p> <p>41 5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations.</p> <p>Article 6 Charging and Accounting</p> <p>42 6.1 Collection charges</p> <p>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.</p> <p>44 6.1.2 The charge levied by an administration* on customers for a</p>
--	--

<p>の関係においては、その主管庁※が選択する経過線路のいかんを問わず、原則として同一とするものとする。</p> <p>45 6.1.3 国際電気通信業務の収納料金に、国内法に従い税金が課される場合、特別な事情に対応するための取極がない限り、この税金は通常、その国における顧客に対して、料金請求を行う国際業務についてのみ徴収する。</p> <p>46 6.2 計算料金</p> <p>47 6.2.1 主管庁※は、一定の関係において適用可能な各業務について、付録第1の規定に従い、かつ関連するCCITT勧告及びコストの傾向を考慮して、各主管庁※の間に適用すべき計算料金を相互協定により定め、及び改訂する。</p> <p>48 6.3 貨幣単位</p> <p>49 6.3.1 主管庁※間で締結された特別取極がない場合、国際電気通信業務の計算料金の構成及び国際計算書の作成に使用する貨幣単位は以下のいずれかとする。 －国際通貨基金(IMF)の貨幣単位であって、現在はこの機関により定義された特別引出権(SDR) －1/3.061SDRと等価の金フラン</p> <p>50 6.3.2 前項の規定は、国際電気通信条約の関連規定に従い、主管庁※が、IMFの貨幣単位と金フランとの間の相互に合意可能な係数に関し、二国間取極を締結することを妨げない。</p>	<p>particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration.</p> <p>45 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.</p> <p>46 6.2 Accounting rates</p> <p>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.</p> <p>48 6.3 Monetary unit</p> <p>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.</p> <p>50 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 IMP and the gold franc.</p> <p>51 6.4</p>
--	---

<p>51 6.4 計算書の作成及び計算書の差額の決済</p> <p>52 6.4.1 別段の合意がある場合を除き、主管庁※は、付録第1及び付録第2に定める関連規定に従う。</p> <p>53 6.5 業務用電気通信及び特権電気通信</p> <p>54 6.5.1 主管庁※は、付録第3に定める関連規定に従う。</p> <p>【第7条 業務の停止】</p> <p>55 7.1 連合員が、条約に従い国際電気通信業務を部分的又は全面的に停止する権利を行使する場合には、その連合員は直ちに事務総局長に対し、最も適当な通信手段により、その停止及びその後の正常な状態への復帰を通知する。</p> <p>56 7.2 事務総局長は最も適当な通信手段を用い、直ちにこの情報について他のすべての連合員に注意を促す。</p> <p>【第8条 情報の周知】</p> <p>57 事務総局長は、最も適切かつ経済的な方法を用い、主管庁※が提供する国際電気通信の経過線路及び業務に関する管理上、運用上、料金上、又は統計上の情報を周知する。この情報は、条約及び本条の関連規定に従い、管理理事会又は権限を有する主管庁会議の決定に基づき、かつ国際諮問委員会総会の結論又は決定を考慮して周知され</p>	<p>Establishment of accounts and settlement of balances of account</p> <p>52 6.4.1 Unless otherwise agreed, administrations* shall follow the relevant provisions as set out in Appendices 1 and 2.</p> <p>53 6.5 Service and privilege telecommunications</p> <p>54 6.5.1 Administrations shall follow the relevant provisions as set out in Appendix 3.</p> <p>Article 7 Suspension of Services</p> <p>55 7.1 If a Member exercises its right in accordance with the Convention to suspend international telecommunication services partially or totally, that Member shall immediately notify the Secretary-General of the suspension and of the subsequent return to normal conditions by the most appropriate means of communication.</p> <p>56 7.2 The Secretary-General shall immediately bring such information to the attention of all other Members, using the most appropriate means of communication.</p> <p>Article 8 Dissemination of Information</p> <p>57 Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by administrations, of an administrative, operational, tariff or statistical nature concerning international telecommunication routes and services. Such information shall be disseminated in accordance with the relevant provisions of the</p>
---	--

る。

【第9条 特別取極】

58 9.1 a)

国際電気通信条約(1982年ナイロビ)第31条に従い、特別取極は、連合員全般に関係しない電気通信の問題に関し、締結することができる。国内法に従い、連合員は、主管庁※又はその他の機関若しくは人が、相手国においてもそのように認められた連合員、主管庁※又はその他の機関若しくは人との間で、関係の連合員の領域内又は領域間の特別な国際電気通信の需要を満たすため、特別な国際電気通信の需要を満たすため、特別な電気通信の網、システム及び業務の設定、運用及び利用に関して、必要により、遵守すべき財政上、技術上又は運用上の条件も含めて、相互に特別取極を締結することを認めることができる。

59 b)

前号の特別取極は、第三国の電気通信手段の運用に対し、技術的損害を生じさせないものとする。

60 9.2

連合員は、適当な場合に、第58号に従って締結される特別取極の当事者が、CCITT勧告の関連規定を考慮するよう奨励するものとする。

【第10条 最終規定】

61 10.1

この規則はこれと一体をなす付録第1、2及び3を含め、1990年7月1日0001時(協定世界時)に効力を生ずる。

62 10.2

第10.1項に定める日に、この国際電気通信規則(1988年メルボルン)

Convention and of this Article, on the basis of decisions taken by the Administrative Council or by competent administrative conferences, and taking account of conclusions or decisions of Plenary Assemblies of the International Consultative Committees.

Article 9 Special Arrangements

58 9.1 a)

Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), special arrangements may be entered into on telecommunication matters which do not concern Members in general. Subject to national laws, Members may allow administrations or other organizations or persons to enter into such special mutual arrangements with Members, administrations* or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Members concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.

59 b)

Any such special arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries.

60 9.2

Members should, where appropriate, encourage the parties to any special arrangements that are made pursuant to No. 58 to take into account relevant provisions of CCITT Recommendations.

Article 10 Final Provisions

61 10.1

These Regulations, of which Appendices 1, 2 and 3 form integral parts, shall enter into force on 1 July 1990 at 0001 hours UTC.

62 10.2

は、国際電気通信条約に従い、電信規則(1973年ジュネーヴ)及び電話規則(1973年ジュネーヴ)に代わる。

63 10.3

連合員がこの規則の一又は二以上の規定の適用に関して留保を行う場合には、他の連合員及びその主管庁※は、この留保を行った連合員及び主管庁※との関係においては、これらの規定の適用を排除することができる。

64 10.4

連合員は、この会議によって採択された国際電気通信規則の承認を事務総局長に通知する。事務総局長は、この承認通知の受領を速やかに連合員に通告する。

【付録第1 計算に関する一般規定】

1 計算料金

1.1

一定の関係において運用可能な各業務について、主管庁※はCCITT勧告及び特定の電気通信業務を提供するためのコストの傾向を考慮して、各主管庁※の間に適用すべき計算料金を相互協定により定め、及び改定する。また、主管庁※はその料金を端末国の主管庁※に支払うべき首尾分収、及び適当な場合は、中継国の主管庁※に支払うべき中継分収に分ける。

1.2

前項の他、CCITTのコスト研究を基礎として用いることができるトラヒック関係においては、計算料金は次の方法に従って定めることができる。

On the date specified in No. 61, the Telegraph Regulations (Geneva, 1973) and the Telephone Regulations (Geneva, 1973) shall be replaced by these International Telecommunication Regulations (Melbourne, 1988) pursuant to the International Telecommunication Convention.

63 10.3

If a Member makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members and their administrations* shall be free to disregard the said provision or provisions in their relations with the Member which has made such reservations and its administrations.

64 10.4

Members of the Union shall inform the Secretary-General of their approval of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members promptly of the receipt of such notifications of approval.

APPENDIX 1 General Provisions Concerning Accounting

1. Accounting rates

1.1

For each applicable service in a given relation, administrations* shall by mutual agreement establish and revise accounting rates to be applied between them, taking into account the Recommendations of the CCITT and trends in the cost of providing the specific telecommunication service, and shall divide such rates into terminal shares payable to the administrations* of terminal countries, and where appropriate, into transit shares payable to the administrations of transit countries.

1.2

Alternatively, in traffic relations where CCITT cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method:

<p>a) 主管庁※は、CCITT勧告を考慮して自己の首尾分収及び中継分収を定め、並びに改定する。</p> <p>b) 計算料金は、首尾分収及び中継分収の合計とする。</p> <p>1.3 一又は二以上の主管庁※が定額補償又はその他の措置によって他の主管庁※の回線又は設備の一部を利用する権利を取得した場合は、前者の主管庁※は、この関係におけるその部分に関して、第1.1項及び第1.2項の規定に従って分収を定める権利を有する。</p> <p>1.4 主管庁※間の合意により、一又は二以上の経過線路が設定されている場合であって、発信主管庁※が、着信主管庁※との合意がない経過線路に一方的にトラフィックを迂回させた時は、着信主管庁※に支払うべき首尾分収は、トラフィックが合意させた第一の経過線路で疎通されたものと仮定したときに支払うべきものと同じとし、また、中継コストは発信主管庁※が負担する。ただし、着信主管庁※が異なる分収に合意する用意がある場合はこの限りではない。</p> <p>1.5 トラフィックが中継分収に関する承認又は協定なしに中継点を經由して疎通された場合、中継主管庁※は国際計算書に含められる中継分収の水準額を定める権利を有する。</p> <p>1.6 主管庁※が受け取る計算料金の分収又はその他の補償に税金が課せられる場合は、その主管庁※はこの税金を他の主管庁※に転嫁してはならない。</p> <p>2 計算書の作成</p> <p>2.1 別段の合意がある場合を除き、料金の収納に責任を有する主管庁※は、支払うべきすべての金額を示した月次計算書を作成し、これを関係の主管庁※に送付する。</p>	<p>a) administrations* shall establish and revise their terminal and transit shares taking into account the Recommendations of the CCITT;</p> <p>b) the accounting rate shall be the sum of the terminal shares and any transit shares.</p> <p>1.3 When one or more administrations* acquire, either by flat rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another administration*, the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation.</p> <p>1.4 In cases where one or more routes have been established by agreement between administrations* and where traffic is diverted unilaterally by the administration* of origin to a route which has not been agreed with the administration* of destination, the terminal shares payable to the administration* of destination shall be the same as would have been due to it had the traffic been routed over the agreed primary route and the transit costs are borne by the administration* of origin, unless the administration of destination is prepared to agree to a different share.</p> <p>1.5 In cases where the traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit administration* has the right to set the level of the transit share to be included in the international accounts.</p> <p>1.6 Where an administration* has a duty or fiscal tax levied on its accounting rate shares or other remunerations, it shall not in turn impose any such duty or fiscal tax on other administrations.</p> <p>2. Establishment of accounts</p> <p>2.1 Unless otherwise agreed, the administrations* responsible for collecting the charges shall establish a monthly account showing all the amounts due</p>
---	---

<p>2.2 計算書は、できる限り速やかに、かつ、不可抗力の場合を除き、それが関係する月の翌月から起算して3ヶ月の期間の満了前に送付する。</p> <p>2.3 原則として、計算書はこれを送付した主管庁※に対して特に承認の通告がなくても承認されたものとみなす。</p> <p>2.4 もっとも、すべての主管庁※は、計算書の受領の日から2暦月の期間内に、計算書の差異を相互に合意した限度内とするために必要な限りにおいて、計算書の内容について異議を申し立てる権利を有する。</p> <p>2.5 特別に協定のない関係においては、貸方の主管庁※は、関係する期間の月次計算書に基づく差額を示す四半期の清算書をできる限り速やかに作成し、その2通を借方の主管庁※に送付する。借方の主管庁※はこれを検査した後、その1通に承認の旨を記載して返送する。</p> <p>2.6 中継主管庁※が両端末地点間の計算の仲介者となる非直通の関係においては、その中継主管庁※は、発信主管庁※から中継トラヒックを計算するデータは受領した後できる限り速やかに、そのデータを、経過線路の順序で自己の後に位置する主管庁※に送る関連の発信トラヒックを計算書に含める。</p> <p>3 計算書の差額の決済</p> <p>3.1 支払い通貨の選択</p> <p>3.1.1 国際電気通信計算書の差額の支払いは、債務者との協議の上、債権</p>	<p>and send it to the administrations* concerned.</p> <p>2.2 The accounts shall be sent as promptly as possible and, except in cases of force majeure, before the end of the third month following that to which they relate.</p> <p>2.3 In principle an account shall be considered as accepted without the need for specific notification of acceptance to the administration which sent it.</p> <p>2.4 However, any administration* has the right to question the contents of an account for a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits.</p> <p>2.5 In relations where there are no special agreements, a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared as soon as possible by the creditor administration and shall be sent in duplicate to the debtor administration*, which, after verification, shall return one of the copies endorsed with its acceptance.</p> <p>2.6 In indirect relations where a transit administration* acts as an accounting intermediary between two terminal points, it shall include accounting data for transit traffic in the relevant outgoing traffic account to administrations beyond it in the routing sequence as soon as possible after receiving that data from the originating administration.</p> <p>3. Settlement of balances of accounts</p> <p>3.1 Choice of the currency of payment</p> <p>3.1.1</p>
--	---

<p>者が選定した通貨で行う。意見の相違があるときは、第3.1.2項の規定に従うことを条件として、すべての場合に債権者の選択が優先する。債権者が通貨を選定しない場合は、債務者がこれを選定する。</p> <p>3.1.2 債権者が、一方的に価値を定めた通貨又は一方的に価値を定めた通貨との関係によってその等価が決定される通貨を選定する場合は、その選定通貨の使用については、債務者の承認を必要とする。</p> <p>3.2 支払額の決定</p> <p>3.2.1 以下各項により決定する選定通貨での支払い額は計算書の差額と等価とする。</p> <p>3.2.2 計算書の差額がIMFの貨幣単位で表示される場合は、選定通貨の額は、IMFの貨幣単位と選定通貨との関係で、支払いの前日に有効であったもの、又はIMFが公表した最新のものによって決定する。</p> <p>3.2.3 もつとも、IMFの貨幣単位と選定通貨の関係が公表されていない場合は、計算書の差額は、第一段階として、支払いの前日に有効であった関係又は公表された最新の関係を用いて、IMFが関係を公表している通貨に換算する。そのようにして得られた額は、第二段階として、債務国の主要金融地における公的又は一般に認められた外国為替市場において建てられた、支払いの前日の有効な終値又は最新値を用いて、選定通貨の等価額に換算する。</p> <p>3.2.4 計算書の差額が金フランで表示される場合、その額は、特別取極がな</p>	<p>The payment of balances of international telecommunication accounts shall be made in the currency selected by the creditor after consultation with the debtor. In the event of disagreement, the choice of the creditor shall prevail in all cases subject to the provisions in 3.1.2 below. If the creditor does not specify a currency, the choice shall rest with the debtor.</p> <p>3.1.2 If a creditor selects a currency with a value fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a value also fixed unilaterally, the use of the selected currency must be acceptable to the debtor.</p> <p>3.2 Determination of the amount of payment</p> <p>3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account.</p> <p>3.2.2 If the balance of the account is expressed in the monetary unit of the IMF, the amount of the selected currency shall be determined by the relationship in effect on the day before payment, or by the latest relationship published by the IMF, between the monetary unit of the IMF and the selected currency.</p> <p>3.2.3 However, if the relationship of the monetary unit of the IMF to the selected currency has not been published, the amount of the balance of account shall, at a first stage, be converted into a currency for which a relationship has been published by the IMF, using the relationship in effect on the day before payment or the latest published relationship. The amount thus obtained shall, at a second stage, be converted into the equivalent value of the selected currency, using the closing rate in effect on the day prior to payment or the most recent rate quoted on the official or generally accepted foreign exchange market of the main financial centre of the debtor country.</p> <p>3.2.4</p>
--	--

いときは、この規則の第6.3項に従ってIMFの貨幣単位に換算する。支払い額は、その後、第3.2.2項の規定に従って決定する。

3.2.5

計算書の差額が特別取極に従って、IMFの通貨単位又は金フランのいずれによっても表示されない場合は、支払いもまたこの特別取極に従うとともに、

- a) 選定通貨が計算書の差額の通貨と同じ場合は、選定通貨の額は計算書の差額とする。
- b) 支払いのための選定通貨が差額を表示する通貨と異なる場合は、支払いの額は、第3.2.3項の規定に従い計算書の差額を選定通貨による等価に計算して決定する。

3.3 差額の支払い

3.3.1

計算書の差額の支払いは、できる限り速やかに、かつ、いかなる場合にも貸方の主管庁※が清算書を発送した日から2暦月以内に行う。この期間を経過したときは、貸方の主管庁※は、最終催告の形式による事前通告を行うことを条件とし、かつ別段の合意がある場合を除き、この期間の満了の日の翌日から起算して6パーセントを超えない年率で、利子を請求することができる。

3.3.2

清算書に基づく支払いは、その計算書についての異議の申立てが解決するまで遅らせてはならない。後に合意される調整額は、その後の計算書に含める。

3.3.3

債務者は、支払いの日に、前項までの規定によって計算された選定通貨の額を、債務者及び債権者の双方が承認する銀行小切手、振替、

If the balance of the account is expressed in gold francs, the amount shall, in the absence of special arrangements, be converted into the monetary unit of the IMF in accordance with the provisions of section 6.3 of the Regulations. The amount of payment shall then be determined in compliance with the provisions of 3.2.2. above.

3.2.5

If, in accordance with a special arrangement, the balance of the account is expressed neither in the monetary unit of the IMF nor in gold francs, the payment shall also be the subject of this special arrangement and:

- a) if the selected currency is the same as the currency of the balance of account, the amount of the selected currency shall be the amount of the balance of account;
- b) if the selected currency for payment is different from the currency in which the balance is expressed, the amount shall be determined by converting the balance of account to its equivalent value in the selected currency in accordance with the provisions of 3.2.3 above.

3.3 Payment of balances

3.3.1

Payment of balances of account shall be effected as promptly as possible, but in no case later than two calendar months after the day on which the settlement statement is despatched by the creditor administration. Beyond this period, the creditor administration* may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6% per annum, reckoned from the day following the date of expiry of the said period.

3.3.2

The payment due on a settlement statement shall not be delayed pending settlement of a query on that account. Adjustments which are later agreed shall be included in a subsequent account.

3.3.3

On the date of payment, the debtor shall transmit the amount of the selected currency as computed above by a bank cheque, transfer or any

又はその他の手段により送金する。債権者が送金の手段を指定しない場合は債務者がこれを選択する。

3.3.4

債務者の国において課される支払いに伴う費用(税金、手形交換の費用、手数料等)は、債務者が負担する。債権者の国において課されるこれらの費用は第三国において仲介する銀行が課す支払いに伴う費用も含め、債権者が負担する。

3.4 追加規定

3.4.1

主管庁※は、支払期限が守られること条件として、相互協定により、各種の差額を次の債権又は債務を相殺することによって清算することができる。

- －他の主管庁※との関係における債権又は債務、又は
- －適当な場合は、郵便業務から生じた債務

3.4.2

送金(銀行振替、小切手等)が行われた時と債権者がその送金を受領(口座入金、小切手換金等)した時との間に、第3.2項により計算された選定通貨の等価に変動が生じた場合であって、その変動から生じた差額がその変動後に計算された債務額の5パーセントを超えるときは、その差額の全額は債務者と債権者が等分に負担し、又は取得する。

3.4.3

前各項の一又は二以上を無効にするか又は不相当とするような国際通貨体制の根本的な変化が生じた場合は、主管庁※はこれらの規定の改正が行われるまで、相互協定により、計算書の差額の決済に関し、異なる貨幣ベース又は、異なる手続きを採用することができる。

【付録第2 海上電気通信に関する追加規定】

other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor.

3.3.4

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.

3.4 Additional provisions

3.4.1

Provided the periods of payment are observed, administrations* may by mutual agreement settle their balances of various kinds by offsetting:

- credits and debits in their relations with other administrations*;
- and/or
- debts arising from postal services, if appropriate.

3.4.2

If, between the time the remittance (bank transfer, cheques, etc.) is effected and the time the creditor is in receipt of that remittance (account credited, cheque encashed, etc.), a variation occurs in the equivalent value of the selected currency calculated as indicated in paragraph 3.2, and if the difference resulting from such variations exceeds 5% of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor.

3.4.3

If there should be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, administrations* are free to adopt, by mutual agreement, a different monetary basis and/or different procedures for the settlement of balances of accounts, pending a revision of the above provisions.

APPENDIX 2 Additional Provisions Relating to Maritime Telecommunications

<p>1 一般規定 第6条及び付録第1に含まれる規定は、以下の規定に別段の定めがない限り、関連のCCITT勧告を考慮して、海上電気通信にも適用する。</p> <p>2 計算担当機関</p> <p>2.1 海上移動業務及び海上移動衛星業務における海上電気通信の料金は、原則として、かつ、国内法及び慣行に従うことを条件として、次のいずれかの機関が海上移動局の免許人から収納する。</p> <p>a)許可書を発給した主管庁、又は b)認められた私企業、又は c)上記a)の主管庁によってこの目的のために指定された一又は二以上のその他の機関</p> <p>2.2 この付録においては、第2.1項に掲げる主管庁、認められた私企業又は一若しくは二以上の指定された機関は、「計算担当機関」という。</p> <p>2.3 第6条及び付録第1の規定を海上電気通信に適用する場合には、第6条及び付録第1における主管庁※の語は、「計算担当機関」と読み替えるものとする。</p> <p>2.4 連合員は、この付録を実施するため、一又は二以上の計算担当機関を指定し、船舶局局名録に掲載するため、その名称、識別コード、及び住所を事務総局長に通知する。通知する名称及び住所の数は、関連のCCITT勧告を考慮して制限される。</p> <p>3 計算書の作成</p>	<p>1. General The provisions contained in Article 6 and Appendix 1, taking into account the relevant CCITT Recommendations, shall also apply to maritime telecommunications in so far as the following provisions do not provide otherwise.</p> <p>2. Accounting authority</p> <p>2.1 Charges for maritime telecommunications in the maritime mobile service and the maritime mobile-satellite service shall in principle, and subject to national law and practice, be collected from the maritime mobile station licensee:</p> <p>a) by the administration that has issued the licence; or b) by a recognized private operating agency; or c) by any other entity or entities designated for this purpose by the administration referred to in a) above.</p> <p>2.2 The administration or the recognized private operating agency or the designated entity or entities listed in paragraph 2.1 are referred to in this Appendix as the “accounting authority”.</p> <p>2.3 References to administration* contained in Article 6 and Appendix 1 shall be read as “accounting authority” when applying the provisions of Article 6 and Appendix 1 to maritime telecommunications.</p> <p>2.4 Members shall designate their accounting authority or authorities for the purposes of implementing this Appendix and notify their names, identification codes and addresses to the Secretary-General for inclusion in the List of Ship Stations; the number of such names and addresses shall be limited taking into account the relevant CCITT Recommendations.</p> <p>3. Establishment of accounts</p>
--	--

<p>3.1 原則として、計算書は、これを送付した計算担当機関に対して特に承認の通告がなくても承認されたものとみなす。</p> <p>3.2 もともと、すべての計算担当機関は、計算書の発送の日から6暦月の期間内にその内容について異議を申し立てる権利を有する。</p> <p>4 計算書の差額の決済</p> <p>4.1 すべての海上電気通信計算書の支払いは、第4.3項に従って計算書の決済が行われる場合を除き、遅滞なく、かつ、いかなる場合にも計算書の発送の日から6暦月以内に計算担当機関が行う。</p> <p>4.2 国際海上電気通信計算書の支払いが、6暦月を経過しても行われなない場合は、その移動局に許可書を発給した主管庁は、請求に基づき、免許人からの計算書の決済を確保するため、適用可能な国内法の範囲内ですべての可能な措置をとる。</p> <p>4.3 発送の日から受領の日までに1ヶ月以上を経過している場合は、受領した計算担当機関は発送した計算担当機関に対し、照会及び支払いが遅延する可能性がある旨を直ちに通知するものとする。もともと、この遅延は計算書受領の日から起算して、支払いについては3暦月、照会については5暦月の期間を越えてはならない。</p> <p>4.4 借方の計算担当機関は、計算書が関係するトラヒックの発生した日から18暦月を経た後に提示された計算書の決済及び調整を拒絶することができる。</p>	<p>3.1 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the accounting authority that sent it.</p> <p>3.2 However, any accounting authority has the right to question the contents of an account for a period of six calendar months after dispatch of the account.</p> <p>4. Settlement of balances of account</p> <p>4.1 All international maritime telecommunication accounts shall be paid by the accounting authority without delay and in any case within six calendar months after dispatch of the account, except where the settlement of accounts is undertaken in accordance with paragraph 4.3 below.</p> <p>4.2 If international maritime telecommunication accounts remain unpaid after six calendar months, the administration that has licensed the mobile station shall, on request, take all possible steps, within the limits of applicable national law, to ensure settlement of the accounts from the licensee.</p> <p>4.3 If the period between the date of dispatch and receipt exceeds one month, the receiving accounting authority should at once notify the originating accounting authority that queries and payments may be delayed. The delay shall, however, not exceed three calendar months in respect of payment, or five calendar months in respect of queries, both periods commencing from the date of receipt of the account.</p> <p>4.4 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than eighteen calendar months after the date of the traffic to which the accounts relate.</p>
---	---

<p>【付録第3 業務用電気通信及び特権電気通信】</p> <p>1 業務用電気通信</p> <p>1.1 主管庁※は、無料で業務用電気通信を提供することができる。</p> <p>1.2 主管庁※は、国際電気通信条約及びこの規則の関連規定に基づいて、相互主義の取極の必要性を十分に考慮し、業務用電気通信を原則として国際計算に含めないことができる。</p> <p>2 特権電気通信 主管庁※は、無料で特権電気通信を提供することができ、そのため国際電気通信条約及びこの規則の関連規定に従って、この種の電気通信を国際計算に含めないことができる。</p> <p>3 適用のための規定 業務用電気通信及び特権電気通信に適用される運用、課金及び計算の一般規則は関連のCCITT勧告を考慮するものとする。</p>	<p>APPENDIX 3 Service and Privilege Telecommunications</p> <p>1. Service telecommunications</p> <p>1.1 Administrations* may provide service telecommunications free of charge.</p> <p>1.2 Administrations* may in principle forego inclusion of service telecommunications in international accounting, under the relevant provisions of the International Telecommunication Convention and the present Regulations, having due regard for the need for reciprocal arrangements.</p> <p>2. Privilege telecommunications Administrations may provide privilege telecommunications free of charge, and accordingly may forego the inclusion of such classes of telecommunication in international accounting, under the relevant provisions of the International Telecommunication Convention and the present Regulations.</p> <p>3. Applicable provisions The general operational, charging and accounting principles applicable to service and privilege telecommunications should take account of the relevant CCITT Recommendations.</p>
--	--

**PRELIMINARY APT COMMON PROPOSALS (PACPS) FOR THE WORK OF THE WORLD
CONFERENCE ON INTERNATIONAL TELECOMMUNICATIONS (WCIT-12)**

1.0 Introduction

The 4th APT Preparatory Meeting for the WCIT-12 which was held in Bangkok, Thailand from 6-8 August 2012 adopted the following proposals as Preliminary APT Common Proposals (PACPs) to the 2012 World Conference on International Telecommunications (WCIT-12) as contribution for the revision of the International Telecommunication Regulations (ITRs).

I. Proposed Revisions to the International Telecommunication Regulations

NOC PACP/01

PREAMBLE

Reasons: Title of Preamble should remain unchanged.

MOD PACP/02

1 While the sovereign right of each ~~country~~ State to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations, hereinafter referred to as Regulations, ~~supplement~~ complement the Constitution and Convention of the International Telecommunication Union, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for world-wide telecommunications.

Reasons: To comply with the language used in the Preamble of the Constitution.

Note: In the revision of the ITR there are many areas where either as the existing term or term proposed there is reference to the term "Convention". Council Working Group on a Stable ITU Constitution (CWG-STB-CS) is currently dealing with the term "Convention" and proposing options which should be submitted to the Plenipotentiary Conference 2014. Based on the decisions of the Plenipotentiary Conference 2014 should the term "Convention" is to be replaced by another term APT Members are of the view that the WCIT-12 should authorize the Secretariat to editorially carry forward the term in the revised ITR in order to be consistent with the decisions of the Plenipotentiary Conference 2014.

MOD PACP/03

3 *b)* These Regulations recognize ~~in Article 9~~ the right of Members States to allow special arrangements as provided in Article 9.

Reasons: To align with the Constitution.

NOC PACP/04

4 1.2 In these Regulations, “the public” is used in the sense of the population, including governmental and legal bodies.

MOD PACP/05

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.

Reasons: Instruction(s) is/are no longer exists/exit.

MOD PACP/06

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 private~~ operating agencies*, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member State.

Reasons: As stated in the footnote.

MOD PACP/07

10 b) The Member State concerned shall, as appropriate, encourage the application of relevant ~~CCITT-ITU-T~~ Recommendations by such service providers.

Reasons: To align with the Constitution.

NOC PACP/08

12 1.8 The Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise.

NOC PACP/09

**ARTICLE 2
Definitions**

Title of Article 2 remains unchanged.

NOC PACP/10

13 For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.

* Whenever, in these Regulations, reference is made to “Operating Agency”. It is understood that the term also covers “Recognised Operating Agency”, and/or “Private Operating Agency” and/or “Private Recognised Operating Agency”, “or other entities”, according to the context in which these terms are used in a given country.

NOC PACP/11

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.

NOC PACP/12

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.

SUP PACP/13

18 2.5 **Privilege telecommunication**

Reasons: Such facilities are currently not provided.

NOC PACP/14

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.

SUP PACP/15

27 2.10 *Instructions:*

Reasons: The provision is out of date. *Instructions* no longer exist.

NOC PACP/16

ARTICLE 4

International Telecommunication Services

Title of Article 4 remains unchanged.

MOD PACP/17

32 4.1 Members ~~States shall promote~~ recognize that the implementation and development of international telecommunication services ~~and need to be promoted.~~ They shall also endeavour to make that such services be made generally available to the public in their national network(s).

Reasons: To align with the Constitution.

MOD PACP/18

33 4.2 Members ~~States~~ shall to the extent possible ensure that ~~administrations*operating agencies* 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 ~~CCITT~~ ITU-T Recommendations.

Reasons: Reflects the reality of the current operating environment.

MOD PACP/19

34 4.3 Subject to national law, Members 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:

Reasons: Difficulty in specifying what constitutes a 'minimum' quality of service.

NOC PACP/20

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;

NOC PACP/21

36 b) international telecommunication facilities and services available to customers for their dedicated use;

NOC PACP/22

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

MOD PACP/23

38 d) a capability for interworking between different services, as appropriate, to facilitate international telecommunication services~~communications~~.

Reasons: To reflect the modern environment

NOC PACP/24

ARTICLE 5

Safety of Life and Priority of Telecommunication

Title of Article 5 remains unchanged.

MOD PACP/25

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 Constitution and Convention and taking due account of relevant ~~CCITT~~ ITU-T Recommendations.

Reasons: To align with the Constitution.

MOD PACP/26

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 Constitution and Convention and taking due account of relevant CCITT-ITU-T Recommendations.

Reasons: To align with the Constitution.

MOD PACP/27

41 5.3 The provisions governing the priority enjoyed by ~~all~~any other telecommunications services are contained in the relevant CCITT-ITU-T Recommendations.

Reasons: To align with the Constitution.

NOC PACP/28

ARTICLE 7
Suspension of Services

Title of Article 7 remains unchanged.

MOD PACP/29

55 7.1 If a Member State exercises its right in accordance with the Constitution and Convention to suspend international telecommunication services partially or totally, that Member State shall immediately notify the Secretary-General of the suspension and of the subsequent return to normal conditions by the most appropriate means of communication.

Reasons: To align with the Constitution.

MOD PACP/30

56 7.2 The Secretary-General shall immediately bring such information to the attention of all other Members States, using the most appropriate means of communication.

Reasons: To align with the Constitution.

NOC PACP/31

ARTICLE 8
Dissemination of Information

Title of Article 8 remains unchanged.

MOD PACP/32

57 Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by ~~administrations*~~ Member States, of an administrative, operational, tariff or statistical nature concerning international telecommunication routes and services. Such information shall be disseminated in accordance with the relevant provisions of the Convention and of this Article, on the basis of decisions taken by the Administrative Council or by competent ~~administrative~~ conferences, and taking account of conclusions or decisions of Plenary Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and World Telecommunication Development Conferences ~~of the International Consultative Committees~~.

Reasons: To align with the Constitution and current structure of ITU.

MOD PACP/33

ARTICLE 10

Entry into force and provisional application of the Final Acts Final Provisions

Modify existing Title as indicated.

Reasons: reflect new content of Article 10.

MOD PACP/34 (Modification to ACP/3/11)

62 10.2 On the date specified in No. 61 (10.1), the ~~Telegraph Regulations (Geneva, 1973) and the Telephone Regulations (Geneva, 1973)~~ International Telecommunication Regulations (Melbourne, 1988) shall be replaced by these International Telecommunication Regulations (~~Melbourne, 1988~~ Dubai, 2012) ~~pursuant to the International Telecommunication Convention.~~

Reasons: This is a small modification to ACP/3/11, adding a reference to Article 10.1 for greater clarity.

MOD PACP/35 (Modification to ACP/3/13)

63 10.3 If a Member State makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members States and their ~~administrations*operating agencies*~~ shall be free to disregard ~~are not obliged to abide by~~ the said provision or provisions in their relations with the Member State which has made such reservations and its ~~administrations*operating agencies*~~.

Reasons: Align to the French text which says “ne sont pas obligés d’observer”

MOD PACP/36 (Modification to ACP/3/14)

64 10.4 Members States of the Union shall inform the Secretary-General of their ~~approval consent to be bound by~~ of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members States promptly of the receipt of such notifications of ~~approval consent~~.

Reasons: More accurate reflection of the legal position.

MOD PACP/37 (Modification to ACP/3/15)

IN WITNESS WHEREOF, the delegates of the Members States of the International Telecommunication Union named below have, on behalf of their respective competent authorities, signed one copy of the present Final Acts in the Arabic, Chinese, English, French, Russian and Spanish languages. This copy shall remain in the archives of the Union. The Secretary-General shall forward one certified copy to each Member State of the International Telecommunication Union.

Done at ~~Dubai, 14 December 2012~~ Melbourne, 9 December 1988.

Reasons: Modifies existing ACP/3/15 by substituting the agreed term “Member State” for “Members”

SUP PACP/38

APPENDIX 3

Service and Privilege Telecommunications

Reasons: The concept of “privilege telecommunications” is no longer relevant.

II. Proposed Revisions to the Resolutions, Recommendations and Opinion

SUP **PACP/39**

RESOLUTION NO. 1
**Dissemination of Information Concerning
International Telecommunication Services
Available to the Public**

Reasons: The Resolution is out of date. Covered by nos. 202 and 203 of the Convention.

SUP **PACP/40**

RESOLUTION NO. 2
**Cooperation of the Members of the Union in Implementing
the International Telecommunication Regulations**

Reasons: ITR provision 1.7.c deals with the cooperation when implementing the ITRs, therefore Resolution 2 may not be needed.

SUP **PACP/41**

RESOLUTION NO. 3
**Apportionment of Revenues in
Providing International Telecommunication Services**

Reasons: No longer relevant, because the studies called for in the Resolution have been carried out by ITU-T Study Group 3. Moreover, the issue is fully addressed in Resolution 22(Rev.Antalya,2006) under the same title.

SUP **PACP/42**

RESOLUTION NO. 4
The Changing Telecommunication Environment

Reasons: No longer relevant, because the invitation was acted upon by the 1989 Plenipotentiary Conference.

SUP **PACP/43**

RESOLUTION NO. 5
CCITT and World-Wide Telecommunications Standardization

Reasons: No longer relevant, because the actions called for were taken by the Administrative Council* and the 1989 Plenipotentiary Conference.

* now Council

SUP **PACP/44**

RESOLUTION NO. 7
**Dissemination of Operational and Service Information
Through the General Secretariat**

Reasons: No longer relevant, since the information is published as appropriate in the Operational Bulletin, and covered by no. 202 and 203 of the Convention.

SUP **PACP/45**

RESOLUTION NO. 8
Instructions for International Telecommunication Services

Reasons: Not relevant anymore. As mentioned in CWG WCIT-12/INF-2 (Status of Instructions), both Recommendation C.3 (Instructions for international communications services) and ITU-T Recommendation E.141 (Instructions for operators on the operator-assisted international telephone service), have been withdrawn.

ADD **PACP/46**

DRAFT NEW RESOLUTION [APT –AA]
**Special measures for landlocked developing countries and small island
developing states for access the international optical fibre network**

The World Conference on International Telecommunications (Dubai, 2012),

considering

- a) resolution 65/172 of 20 December 2010 of the United Nations General Assembly on specific actions related to the particular needs and problems of landlocked developing countries;
- b) Resolution 30 (Rev. Guadalajara, 2010) of the Plenipotentiary Conference on special measures for the least developed countries, small island developing states, landlocked developing countries and countries with economies in transition;
- c) the Millennium Declaration and the 2005 World Summit Outcome;
- d) the outcome of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society (WSIS);
- e) the Almaty Declaration and Almaty Programme of Action Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,

recalling

the New Partnership for Africa's Development (NEPAD), which is an initiative intended to boost economic cooperation and development at regional level, given that many landlocked and transit developing countries are in Africa,

reaffirming

- a) the right of access of landlocked countries to the sea and freedom of transit through the territory of traffic transiting countries by all means of transport, in accordance with applicable rules of international law;
- b) that traffic transiting countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests,

recognizing

- a) the importance of telecommunications and new information and communication technologies (ICT) to the development of LLDCs and SID;
- b) current difficulties of the countries mentioned above continue to adversely affect their development,

noting

that access to the international optical fibre network for LLDCs and SIDS and the laying of optical fibre across traffic transiting countries are not indicated in the infrastructure development and maintenance priorities in the Almaty Programme of Action,

conscious

- a) that fiber optic cable is a profitable telecommunications transport medium;
- b) that access within landlocked countries to the international fiber optic network will promote their integral development and the potential for them to create their own Information Society;
- c) that the planning and laying of international optical fibre calls for close cooperation between landlocked and traffic transiting countries;
- d) that in making the basic investment in laying fiber optic cable, capital investments by the private sector are required,

resolves to instruct the Director of the Telecommunication Development Bureau

- 1 to study the special situation of telecommunication/ICT services in the LLDCs and SIDS, taking into account the importance of access to the international fiber optic network at reasonable costs;
- 2 to report to the ITU Council of measures taken with respect to the assistance provided to LLDCs and SIDS as referred to instructs 1;
- 3 to assist countries mentioned above to develop their required plan that contains practical guidelines and criteria to govern and promote sustainable regional, subregional, multilateral, and bilateral projects affording LLDCs and SIDS greater access to the international fiber optic network,

invites Member States

- 1 to cooperate with landlocked countries by promoting regional, subregional, multilateral, and bilateral projects for telecommunication infrastructure integration that afford LLDCs and SIDS greater access to the international fiber optic network;
- 2 to take appropriate measures to ensure that the Member States to collaborate actively in the development of telecommunication/ICT services in LLDCs and SIDS;
- 3 to assist landlocked developing countries, traffic transiting countries and SIDS in executing telecommunication infrastructure integration projects,

encourages landlocked developing countries and SIDS

to continue to accord high priority to telecommunication/ICT activities and projects that promote integral socioeconomic development, adopting technical cooperation activities financed from bilateral or multilateral sources that will benefit the general public,

invites Member States, Sector Members, Associates and Academia

to continue support the work of ITU-D in studies of the situation of telecommunication/ICT services in the least developed countries, LLDCs and SIDS, small island developing states, and countries with economies in transition so identified by the United Nations and requiring special measures for telecommunication/ICT development,

instructs the Secretary-General

to bring this resolution to the attention of the Secretary-General of the United Nations, with a view of bringing it to the attention of the United Nations High Representative for the Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDSs) their special needs.

SUP PACP/47

**RECOMMENDATION NO. 1
Application to the Radio Regulations of the Provisions
of the International Telecommunication Regulations**

Reasons : Not relevant because the actions called for have been carried out by the Administrative Council and the World Administrative Radio Conference. The mentioned transitional period between the entry into force of the partially revised Radio Regulations (October 3, 1989) and the entry into force of the International Telecommunication Regulations (July 1, 1990), is over.

SUP PACP/48

RECOMMENDATION NO. 2
**Changes to Definitions Which also Appear in
Annex 2 to the Nairobi Convention**

Reasons: The actions called for were taken by the Administrative Council and the 1989 Plenipotentiary Conference.

SUP PACP/49

RECOMMENDATION NO. 3
Expeditious Exchange of Accounts and Settlement Statements

Reasons: No longer required, because the provisions in question are covered by ITU-T D-series Recommendations (see in particular D.190 on Exchange of international traffic accounting data between Administrations using electronic data interchange (EDI) techniques).

PLENARY MEETING

Addendum 1 to
Document 3-E
15 June 2012
Original: English

Asia-Pacific Telecommunity Administrations

ASIA-PACIFIC COMMON PROPOSALS FOR THE WORK OF THE CONFERENCE

1. Proposal to systematically replace “CCITT” by “ITU-T”.

ACP/3A1/1

APT Members are of the view that for the replacement of “CCITT” by “ITU-T” needs to be done systematically.

2. Proposal for use of the term “Member”, “Member States”, “Administration”, “Operating Agency”, “Recognized Operating Agency and Recognized Private Operating Agency”

ACP/3A1/2

2.1 Agreement was reached for the replacement of the term “Member” with “Member State”.

2.2 For the replacement of the term “Administration” with “Member State” or “Operating Agencies”, to be considered on a case by case basis, since some provisions are dealing with responsibilities of Member States; while other provisions are dealing with the responsibilities of Operating Agencies.

2.3 In the ITRs reference is made to *Recognized Private Operating Agency*. In order to cover all three terms, *Operating Agency*, *Recognized Operating Agency* and *Recognized Private Operating Agency*, a possible option would be to refer to “Operating Agency” as an umbrella term while the two other terms, “Recognized Operating Agency” and “Recognized Private Operating Agency”, should be considered as subset of “Operating Agency”, to cover all possible cases in different countries as the situation may be.

3. Proposal to systematically refer to “ITU Recommendations” rather than to “ITU-T Recommendations”

ACP/3A1/3

Such a course of action seems to be incorrect, due to the fact that in the ITRs reference may be made to ITU-T Recommendations in general and, where it is absolutely necessary, reference may be made to ITU-R Recommendations. Moreover, the term “ITU Recommendations” is broad and misleading as it does not clearly indicate the field of application of the Recommendation.

Consequently, to make a general reference to ITU Recommendations seems to be inappropriate and thus APT does not support such a course of action.

4. Proposal to incorporate in the ITRs certain provisions found in the Constitution (CS) or Convention (CV)

ACP/3A1/4

This is a fundamental question which needs a proper reply. It is to be noted that there may be no need to repeat certain provisions as contained in the Constitution and the Convention in the ITRs unless such repetition is absolutely necessary. For example, very limited provisions of the Constitution and perhaps of the Convention have been included in the Radio Regulations only where such inclusion was absolutely necessary.

Consequently, every effort should be made to avoid such repetition and thus inclusion of certain terms from the Constitution and the Convention in the ITRs must be kept to the minimum absolutely necessary.

5. Proposal for the status of ITU-T Recommendations

ACP/3A1/5

Provision 1.4 of Article 1 of the ITRs stipulates:

“1.4 References to CCITT Recommendations and Instructions in these Regulations are not to be taken as giving to those Recommendations and Instructions the same legal status as the Regulations.”

It should be noted that as a general rule, the application of ITU-T Recommendations are non mandatory and optional/voluntary. There is neither a technical nor a regulatory basis for giving any of the ITU-T Recommendations the same legal status as the very general, high level provisions contained in the ITRs.

APT Members are therefore of the opinion that there seems to be no need to modify the existing provision 1.4 of Article 1 of the ITRs, except appropriate editorial revision to change “CCITT” to “ITU-T”, which establishes that the ITU-T Recommendations are voluntary for ITU Member States.

It is worth mentioning that the term “Instructions” referred to in the provision 1.4 of Article 1 currently does not exist in the ITRs. The above term may therefore be deleted.

6. Proposal for definitions

ACP/3A1/6

6.1 The terms:

- Telecommunication (CS 1012)
- International telecommunication Service (CS 1011)
- Government telecommunications (CS 1014)
- Service telecommunication (CV 1006)

are already contained in ITU CS or CV, therefore there seems to be no need to repeat them in the ITRs unless it is absolutely necessary.

In accordance with No. 32 of Article 4 of the ITU CS, terms contained in CS/CV shall prevail when there is inconsistency.

6.2 Regarding the proposed new definitions such as “Hub”, “Fraud” and “Spam” it was considered that since some of these issues may be outside the scope of ITRs it would therefore be difficult to include these definitions in the ITRs. Therefore one possible alternative is to adopt relevant Resolutions to address these issues.

7. Proposal for new Article 8A for Network Security

ITU Resolution 130 (Rev. Guadalajara, 2010), “Strengthening the role of ITU in building confidence and security in the use of information and communication technologies”

Based on item 12 in the Geneva Plan of action, “Confidence and security are among the main pillars of the Information Society.”

- a) Promote cooperation among the governments at the United Nations and with all stakeholders at other appropriate fora 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.
- b) Governments, in cooperation with the private sector, should prevent, detect and respond to cyber-crime and misuse of ICTs.
- f) Further strengthen the trust and security framework with complementary and mutually

reinforcing initiatives in the fields of security in the use of ICTs, with initiatives or guidelines with respect to rights to privacy, data and consumer protection.

According to Tunis Agenda for the information society,

“39 We reaffirm the necessity to further promote, develop and implement in cooperation with all stakeholders a global culture of cybersecurity, as outlined in UNGA Resolution 57/239 and other relevant regional frameworks. This culture requires national action and increased international cooperation to strengthen security while enhancing the protection of personal information, privacy and data.

42 We affirm that measures undertaken to ensure Internet stability and security, to fight cybercrime and to counter spam, must protect and respect the provisions for privacy and freedom of expression as contained in the relevant parts of the Universal Declaration of Human Rights and the Geneva Declaration of Principles.”

It is necessary to add contents and a new article 8A regarding network security issues. APT proposes to add the following provision under this new article (for instance, Article 8A).

ADD ACP/3A1/7

ARTICLE 8A

Network Security

57A Member States should encourage Operating Agencies¹ in their territories to take appropriate measures for ensuring network security.

57B Member States should collaborate to promote international cooperation to avoid technical harm to networks.

Reasons:

With the rapid development of ICTs, the use of ICTs and relevant services may be international and inter-regional. In order to build the confidence in secure use of ICTs and relevant services among the member states and users, it's necessary to protect the security of ICT infrastructure and prevent the misuse of ICTs.

8. Proposal for Number Misuse

The misuse of numbering resources continues to be an important issue for APT member countries and members are of the view that more should be done to mitigate the problem. It is acknowledged that while important and initial steps have been taken to address this issue, most notably at the WTSA-08 (Johannesburg), the problem persists and continues to affect several APT countries in particular the small island countries of the Pacific. Therefore the APT members are adamant that this issue be addressed in the WCIT process in the form of a new article.

In this regard, APT Members propose the following clauses to be added to the relevant part of ITR, for instance, a new provision to Article 3.

ADD ACP/3A1/8

31A 3.4A 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.

9. Proposal for Calling Party Number Delivery

¹Operating Agencies covers:

- *Authorized Private Operating Agencies*
- *Recognized Private Operating Agencies*

The APT member countries are of the view that the issue of Calling Party Identification should be addressed together with the misuse of numbering resources. The non-delivery of international calling party numbers, in particular, the country code of the originating country, only exacerbates the problem of misuse of numbering resources. Therefore the APT members are adamant that this issue be addressed in the ITRs in the form of a new article.

In this regard, APT Members propose the following clauses to be added to the relevant part of ITR, for instance, new provision to Article 3.

ADD ACP/3A1/9

31B 3.4B Member States shall encourage the provision of international calling party number delivery in accordance with the relevant ITU-T Recommendations.

10. Article 10 - Final Provisions

APT Members are of the view that the following changes should be made to the Article 10:

MOD ACP/3A1/10

61 10.1 These revised Regulations, of which Appendices 1, 2 and 3 form integral parts, shall enter into force on xx, yy, zzzz at 0001 hours UTC.

MOD ACP/3A1/11

62 10.2 On the date specified in No. 61, the International Telecommunication Regulations (Melbourne, 1988) shall be replaced by these International Telecommunication Regulations (Dubai, 2012) .

At the 6th Meeting of the CWG-WCIT12 there was a proposal relating to entry into force and provisional application which is proposed below.

“ The Regulations, which complement the provisions of the Constitution and Convention of the International Telecommunication Union, shall enter into force on 1 January 2015 and shall be applied as of that date pursuant to Article 54 of the Constitution”.

The APT is of the view that it is not appropriate to take a similar course of action to those taken with respect to the revision of the Radio Regulations. The Radio Regulations are subject to revision by the WRC which takes place every 3 to 4 years; no such arrangements are envisaged for the ITRs.

Revision of the ITRs

Generally speaking the revision of the ITR must be done by the same entity that adopted the initial/original version of that ITR. It should be noted that neither WTSA which is not a treaty making entity nor Plenipotentiary Conference can revise the ITRs.

Based on the above the following addition is proposed for 10.2:

ADD ACP/3A1/12

62A 10.2A The partial or total revision of ITR can only be undertaken by a competent World Conference on International Telecommunications in accordance with Article 25 of the ITU Constitution.

Editorial Note:

With respect to the revision of the ITRs, it is worth mentioning that Resolution 171 calls on Council to analyse the necessity for periodic review of the ITRs.

Once Council decides on this matter, a Resolution may be required to be adopted by the WCIT-12 in that regard.

MOD ACP/3A1/13

63 10.3 If a Member State makes reservations with regard to the application of one or more of the provisions of these Regulations, other Member States* and their administrations* shall be free to disregard the said provision or provisions in their relations with the Member State which has made such reservations and its administrations*.

*(*for reference, see note 2 below).*

Note 1: With respect to application of Appendices 1, 2 & 3 in order to satisfy the requirement of those Member States that do not wish to retain these Appendices in the ITR they may wish to make reservation on application of certain part or entire Appendix or Appendices, as appropriate or alternatively if situation arises other alternative such as Optional Protocol may be explored, if appropriate.

Note 2: It is necessary to carefully examine whether the term “Administration” referred to in 10.3 above should be retained, or should be replaced by operating agency with its subset of recognized operating agencies or recognized private operating agencies.

Note 3: The issue referred to in *Note 2* above is one of the instances mentioned in paragraph 2.2 of the proposals of the APT to WCIT (ACP 2).

Note 4: It should be noted that at the CWG-WCIT12 it was indicated that there is a need to align the French and English text, which are currently inconsistent.

Therefore it is necessary to carefully examine the matter for any alignment; if necessary.

MOD ACP/3A1/14

64 10.4 Members of the Union shall inform the Secretary-General of their approval of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform members promptly of the receipt of such notifications of approval.

MOD ACP/3A1/15

IN WITNESS WHEREOF, the delegates of the Members of the International Telecommunication Union named below have, on behalf of their respective competent authorities, signed one copy of the present Final Acts in the Arabic, Chinese, English, French, Russian and Spanish languages. This copy shall remain in the archives of the Union. The Secretary-General shall forward one certified copy to each Member of the International Telecommunication Union.

Done at Dubai, [14] December 2012.

ITU世界国際電気通信会議(WCIT-12)







概要

国際電気通信規則(ITR:International Telecommunication Regulations)は、国際電気通信連合(ITU)憲章及び条約を補完する業務規則であり、国際電気通信業務の提供、運用、料金決済等を取り決めています。

ITRは、2012年12月3日から14日まで、ドバイ(アラブ首長国連邦)において開催される世界国際電気通信会議(WCIT-12)で、昭和63年の制定以来、初めての見直しが予定されております。

(※)ITU(国際電気通信連合:International Telecommunication Union)は、電気通信に関する国際連合の専門機関です。現在構成国は、193か国です。

[関係情報]

- ・ ITRの概要 ([和文](#) )
- ・ ITRの改正におけるインターネット関連の議論(出典:ITUジャーナル Vol42) ([和文](#) )
- ・ ITU憲章及び条約 ([英文](#)  ・ [和文](#) )
- ・ 現行ITR全文 ([英文](#) ・ [和文](#) )
- ・ ITUのWCIT-12ホームページ ([英文](#) )

WCIT-12に対して提出されている各国からの提案(9月7日現在)

- ・ アジア・太平洋電気通信共同体(APT) ([英文1](#)  ・ [英文2](#) )
- ・ ハンガリー(Hungary) ([英文](#) )
- ・ アラブ各国(Arab States) ([英文](#) )
- ・ インドネシア(Indonesia) ([英文](#) )
- ・ 米国(United States of America) ([英文1](#)  ・ [英文2](#) )


ITUによる意見募集ホームページ

2012年7月に開催されたITU理事会において、各国からのWCIT-12への寄与文書の提出期限等につき議論があり、これまで各国から提出されたITR改正提案を整理した文書が一般に公開されるとともに、マルチステークホルダーを対象とした意見募集が行われることとなりました。ITUへの意見は、WCIT-12開始1か月前(11月3日)まで下記URLにおいて募集される予定です。

(下記URLを参照)

<http://www.itu.int/en/wcit-12/Pages/public.aspx> 

[関係資料]

これまでに各国より提出されたITR改正提案を取りまとめた文書(TD64) ([英文](#) )

これまでに6つの地域から提出された主なITR改正提案

- ・ アジア・太平洋電気通信共同体(APT) ([英文](#) )
- ・ 米州電気通信委員会(CITEL) ([英文](#) )
- ・ 欧州郵便電気通信主官庁会議(CEPT) ([英文1](#)  ・ [英文2](#) )
- ・ アフリカ地域(Africa Regions) ([英文](#) )
- ・ アラブ各国(Arab States) ([英文](#) )
- ・ (旧ソビエト連邦構成国による合同)通信地域連邦(RCC) ([英文](#) )

総務省による説明会

現時点における各国からのITR改正提案の内容のうち、インターネット関連部分を中心に、平成24年9月12日(水)(10:00~12:00)に中央合同庁舎第2号館(10階)総務省第1会議室にて説明会を開催します。詳細に関しては、下記ホームページをご覧ください。

http://www.soumu.go.jp/menu_news/s-news/01tsushin06_02000034.html



総務省

Ministry of Internal Affairs
and Communications

Copyright © 2009 Ministry of Internal Affairs and Communications All Rights Reserved.