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CWG-WCIT12 CONTRIBUTION 104

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CEPT CONTRIBUTION TO THE FINAL MEETING OF THE CWG-WCIT12

This submission was developed by CEPT in a preparatory meeting to the WCIT-2012 in which 21 Member States have participated.

The contribution takes in consideration document CWG-WCIT12 TD 62 (Draft compilation of options). TD 64 (Anticipated final draft of the future ITRs) and TD 63 (Draft structure of the revised ITRs) are also considered.

The submission includes three tables which address the following issues:

- **Table 1:** CEPT proposals for ADD, MOD or SUP that entail new alternative options;
- **Table 2:** Positions on existing options identified in document TD 62;
- **Table 3:** Comments on proposals from other regions.

CEPT reserves the right to revise its proposals in light of new CEPT proposals and assessments, as well as in light of the exchange of views that is taking place with other regions and Administrations in the process of the preparation for the WCIT-12.

Table 1: CEPT proposals for ADD, MOD or SUP

CEPT proposals for ADD, MOD or SUP	Reasons and comments
<p>1.7 a) These Regulations recognize the right of any Member <u>State</u>, subject to national law and should it decide to do so, to require that administrations* <u>operating agencies</u>, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member <u>State</u>.</p>	<p><i>Revised Opinion 4</i></p> <p>In C71, CEPT proposed the following text:</p> <p><i>“These Regulations recognize the right of any Member <u>State</u>, subject to national law and should it decide to do so, to require <u>require</u> that administrations* <u>operating agencies</u>, which operate in its territory and provide an international telecommunication service to the public, be authorized [/recognized] by that Member <u>State</u>”.</i></p> <p>It was stated that the text in square bracket was under consideration.</p> <p>CEPT confirms that the term authorized should be kept. Amendments to the existing ITRs should only be proposed where needed.</p>
<p>Option 11</p> <p>New 3.6</p> <p>Member States should, through various channels open to them, encourage network operators and service providers to:</p> <ul style="list-style-type: none"> • implement CLI features, in the international public switched telephony network services using naming, numbering and other resources within the remit and responsibility of the ITU, where technically possible, • use appropriate standards when implementing CLI features, • ensure the requirements associated with data protection, data privacy, consumer protection, and emergency provisions are met, when implementing CLI features. 	<p><i>Revised Opinion 11</i></p> <p>CEPT believes that the ITR’s should avoid references to technical aspects associated with International CLI, and require policy statements and requirements to be included.</p> <p>Text provided in C 93 should be suppressed from both TD 62 and TD 64 and replaced by the proposed text in this contribution.</p>

CEPT proposals for ADD, MOD or SUP	Reasons and comments
<p>Option 4 Add 4</p> <p>New 3.7</p> <p>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.</p>	<p>Revised Option 4</p> <p>CEPT proposes to address the issue related to the conformity of use of naming, numbering and identification resources.</p> <p>Text provided in C 71 should be suppressed from both TD 62 and TD 64 and replaced by the proposed text in this contribution.</p>
<p>Option 1: ADD</p> <p>6.X Tariff Transparency</p> <p>Member States shall ensure that operators providing international telecommunication services, in particular international roaming, at least provide free of charge transparent and up-to-date information on retail charges, including roaming charges.</p>	<p>Revised Option 1</p> <p>CEPT favours the strengthening of retail tariff transparency on international telecommunication services, in particular international roaming.</p> <p>Text provided in C71 should be suppressed from both TD 62 and TD 64 and replaced by the proposed text in this contribution.</p>

CEPT proposals for ADD, MOD or SUP	Reasons and comments
<p>Option 1 ADD: 6.y Costs of International Roaming Services</p> <ul style="list-style-type: none">- Member States shall encourage competition in the international roaming market;- Member States are encouraged to cooperate to develop policies for reducing charges on international roaming services.	<p>Revised Option 1</p> <p>To complement proposal on transparency of retail charges, CEPT is addressing the level of mobile roaming charges as well and the need to – over time - reduce them.</p> <p>In order to reduce the charges it is recognised that a one-size-fits-all, regulatory solution at global level might be premature. However, we do believe that some general principles should be taken up in the ITR's to address this issue.</p> <p>Text provided in C71 should be suppressed from both TD 62 and TD 64 and replaced by the proposed text in this contribution.</p>

CEPT proposals for ADD, MOD or SUP	Reasons and comments
<p>Option 6 SUP 6.1.1. and ADD:</p> <p>6.1 “Subject to applicable national law, the terms and conditions between operating agencies for the provision of international telecommunication services shall be subject to commercial agreements”.</p>	<p>Revised Option 6</p> <p>CEPT proposes a MOD to provision 6.1. (on collection charges) to include a provision related to International Telecommunication Service Arrangements.</p> <p>CEPT supports the view that the ITRs should be technological neutral and in no circumstance should provide prominent treatment to a sort of arrangement over others.</p> <p>In particular, the accounting rates system is one among different sort of arrangements that are currently used by the industry and therefore the ITRs should not provide a prominent treatment to it.</p> <p>CEPT considers that any reference to particular arrangements should be dealt within ITU-T Recommendations which can more easily be adapted to technical developments and market circumstances.</p> <p>Text provided in C71 should be suppressed from both TD 62 and TD 64 and replaced by the proposed text in this contribution.</p>

CEPT proposals for ADD, MOD or SUP	Reasons and comments
<p>Option 11. ADD11</p> <p>New Article X</p> <p>“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.</p> <p>Member States are encouraged to cooperate in that sense.</p>	<p>Revised Option 11</p> <p>CEPT proposes text relating to technical measures in relation to combating security issues in the revised ITRs that are in connection to protecting telecommunication /communication networks, but resist any wording that contravenes CEPT criterion 4: “exclusion of areas related to Member States’ application of legal or policy principles which are within their sovereign rights’ e.g. those issues covering content, cybercrime and national security and defense” (as per Resolves 3, Resolution 130 rev. Guadalajara 2010).</p> <p>Text provided in C93 should be suppressed from both TD 62 and TD 64 and replaced by the proposed text in this contribution.</p>

Table2: CEPT support to options identified in document TD 62 (compilation of options).

CEPT support to options identified in document TD 62	Reasons and comments
<p>Option 1 MOD1: 1.7 c) The Members <u>States</u>, where appropriate, shall cooperate in implementing the International Telecommunication Regulations. <i>Source TD 21 Rev.1 and C68 (Arab States) and C 91 (Rwanda)</i></p>	
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i> Option 1 ADD: new 1.9 Nothing in these regulations shall be interpreted as modifying the rights and obligations of Member States under any other treaties to which they are parties. <i>Source C 45 (USA)</i></p>	<p>CEPT is considering the proposal on provision 1.9)</p>
<p>Option 5 SUP: 2.4 <i>Source C 92 (APT)</i></p>	<p>On C35, CEPT has endorsed Option 3 MOD3. At this stage, CEPT changes its position to SUP as the definition no longer seems meaningful. In addition, Service Telecommunication is defined in the CV of the ITU (1006).</p>
<p>New 2.18 <i>Calling Party Identification (CPI):</i> Option 0 NOC: no ADD. <i>Source C 90 (Canada)</i></p>	<p>CEPT supports NOC.</p>
<p>2.19 Calling Party Number Option 0 NOC: no ADD. <i>Source C 90 (Canada)</i></p>	<p>CEPT supports NOC.</p>
<p>2.20 <i>International Calling Party Number Delivery (ICPND)</i> Option 0 NOC: no ADD. <i>C 90 (Canada)</i></p>	<p>CEPT supports NOC</p>
<p>new 2.21 <i>Originating Identification</i> Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC</p>
<p>new 2.22 Emergency/distress telecommunications: Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC</p>
<p>new 2.23 Personal data: Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC.</p>
<p>new 2.24 Integrity of the international telecommunication Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC.</p>

CEPT support to options identified in document TD 62	Reasons and comments
<p>new 2.25 Stability of the international telecommunication network: Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC. In CEPT's point of view, the proposed definition is related to cybercrime issues. Therefore, it is not in line with Resolution 171 and CEPT criteria 1.</p>
<p>new 2.26 Security of the international telecommunication Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC. In CEPT's point of view, the proposed definition is related to cybercrime issues. Not in line with Resolution 130. See also CEPT criterion 4.</p>
<p>new 2.27 Roaming: Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p>	<p>CEPT supports NOC. Technical definition better addressed at a Study Group level. See ITU-T Recommendation D.98 (due to be formally approved in the next SG3 meeting). If a definition is to be consider is should refer to "international roaming" as to clarify the purpose of the provision.</p>

CEPT support to options identified in document TD 62	Reasons and comments
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p> <p>new 3.9</p> <p>Administrations shall take appropriate measures nationally to ensure that all parties (including operating agencies authorized by Member States) involved in the provision of international Internet connections negotiate and agree to bilateral commercial arrangements, or an alternative type of arrangement between administrations, enabling direct international Internet connections that take into account the possible need for compensation between them for the value of elements such as traffic flow, number of routes, geographical coverage and cost of international transmission, and the possible application of network externalities, amongst others. <i>Source C 84 (Paraguay)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p> <p>SG3 is more appropriate to address this particular issue.</p> <p>CEPT believes that to attempt to regulate the costs of international internet interconnectivity is not the best option to increase international interconnectivity. The establishment of national and regional IXPs is an effective way for countries to reduce international internet connectivity costs.</p> <p>A number of studies and benchmarks on best practices sustain this view.</p>
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p> <p>new 3.10</p> <p>The public having access to the international network shall have the right to transmit traffic. <i>Source C 94 (RCC)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p>
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p> <p>new 3.11</p> <p>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. <i>Source C 94 (RCC)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p>

CEPT support to options identified in document TD 62	Reasons and comments
<p>Option 2 MOD2: 4.3 Subject to national law, Member–s <u>States</u> shall endeavour to ensure that <u>Operating Agencies administrations*</u> provide and maintain, to the greatest extent practicable, a <u>satisfactory minimum</u> quality of service corresponding to the relevant <u>ITU-T CCITT</u> Recommendations with respect to:</p>	<p>CEPT supports Option 2, with the understanding that it should apply to OAs. The text complements the wording proposed by CEPT for the revision of provision 3.1</p> <p>3.1 Members <u>States</u> shall <u>ensure that administrations* encourage operating agencies to</u> cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service. <i>Source C 71 (Portugal) and Mexico</i></p>
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i> new 4.9</p> <p>Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers the option of declining any additional paid international telecommunication services (such as calls to short paid numbers) and/or basic services (voice, data) entirely, up to a given spending limit or on other conditions. <i>Source C 94 (RCC)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p> <p>CEPT considers that the implementation of the proposal is not technically feasible worldwide.</p> <p>The cut-off conditions are not defined (and it is not possible to define them worldwide) and for that reason it would raise a number of discrepancies in the implementations which would harm both consumers and operating agencies.</p>
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i> new 5.5</p> <p>Member States shall seek to introduce a single number, both within the country and in their region, for calls to the emergency services. <i>Source C 95 (Russian Federation)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p> <p>The provision is not related to international telecommunication services.</p> <p>See also CEPT criterion 5.</p>

CEPT support to options identified in document TD 62	Reasons and comments
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p> <p>new 5.6</p> <p>Member States shall inform every roaming subscriber, in good time and free of charge, of the number to be used for calls to the emergency services. <i>Source C 95 (Russian Federation)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p> <p>These provisions are very detailed. CEPT queries the feasibility of the application of such measure worldwide.</p> <p>CEPT considers that SGs are the appropriate level to address this topic.</p>
<p>Option 7 SUP: 6.1.3. <i>Source C 34 (Global Voice Group)</i></p>	<p>CEPT supports Option 7 (SUP).</p> <p>CEPT considers that fiscal policy is not within the scope of the revised ITRs (see CEPT criteria 5).</p>
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p> <p>new 6.12</p> <p>Member States shall ensure that rates (in particular transit rates, termination rates, and roaming rates) are cost-based. <i>Source C 60 (Africa)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p> <p>The proposal is not in line with criterion 5 (“Exclusion of areas not related to the Purpose and Scope of the ITRs”) and both with the Preamble of both ITU Constitution and the ITRs which fully recognise “the sovereign right of each State to regulate its telecommunication”.</p>
<p>Option 0 NOC: no ADD. <i>Source CWG-WCIT</i></p> <p>New provision on settlement of disputes by a body mutually agreeable to the parties in dispute (for example by a neutral body in one of the concerned countries or by a neutral international body). Text to be developed.</p> <p><i>Source C 60 (Africa)</i></p>	<p>CEPT supports Option 0 NOC: no ADD.</p> <p>This proposal is not related with the purpose of the ITR as presented in article 1 of the said Treaty (CEPT criterion 5 “Exclusion of areas not related to the Purpose and Scope of the ITRs”). In addition, the proposal does not seem appropriate in order to attain with “the sovereign right of each State to regulate its telecommunication”.</p>

Table 3: Comments on proposals from other regions.

Proposed revisions from other regions	CEPT position
<p>Option 5 MOD4: 4.2 Members States shall ensure that administrations/<u>operating agencies</u> 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 <u>of any type, including, but not limited to:</u></p> <ul style="list-style-type: none"> - <u>services for carrying traffic (including services for carrying Internet traffic and data transmission);</u> - <u>telecommunication roaming services;</u> - <u>services for the provision of telecommunication channels;</u> - <u>services in the public international telegraph service;</u> - <u>services in the international telex service;</u> - <u>telematic telecommunication services;</u> - <u>multimedia telecommunication services;</u> - <u>convergent telecommunication services;</u> - <u>global telecommunication services.</u> <p>Source C 94 (RCC)</p>	<p>CEPT reiterates its position for the suppression of provision 4.2.</p> <p>The proposed amendment is not technological neutral. Such principle is relevant so that the ITRs are flexible to accommodate technological developments.</p> <p>Some of the services identified are no longer used.</p>
<p>Option4 MOD4: 5.1 Safety of life telecommunications, such as <u>including</u> distress telecommunications shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other <u>international service</u> telecommunications, in accordance with the relevant Articles of the <u>Constitution and</u> Convention and taking due account of/in accordance with relevant <u>ITU</u> CCITT Recommendations. <u>When providing such services, departures from compliance with individual provisions of the ITRs (regarding spam or the protection of personal data), as well as the suspension or restriction of other international telecommunication services, is permissible.</u> Source C 95 (Russian Federation)</p>	<p>CEPT does not support the propose text as it could be interpreted as a content related provision.</p>

Confidence and Security in the Provision of International Telecommunication Services

(in place of the old article on dissemination of information)

8.1 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.

8.2 [Member States shall ensure the confidentiality of information in international telecommunications ...] – *For further study*

8.3 Member States shall ensure the **protection of personal data handled** for the purposes of providing international telecommunication services.

8.4 [Member States shall ensure free public access to international telecommunication services ...] – *For further study*

8.5 Member States shall prevent the propagation of **spam**.

8.6 Member States shall combat network fraud.

8.7 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.

8.8 [Member States shall ensure appropriate identification...] – *For further study*

8.9 Member States shall ensure that operating agencies take the appropriate measures to ensure reliable operation, confidence and security of international telecommunications.

Source C 94 (RCC)

CEPT is considering the proposed text, However, CEPT is not in position to support it at this stage.

<p>Confidence and security in the provision of international telecommunication services</p> <p>8.2 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.</p> <p>8.4. 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.</p> <p>8.8. 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.</p> <p><i>Source C 95 (Russian Federation)</i></p>	<p>CEPT is considering the proposed text, However, CEPT is not in position to support it at this stage.</p>
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