



# World Conference on International Telecommunications 2012 (WCIT-12)

***Arab Views on the ITRs and the WCIT-2012***

## Why the ITRs are important?

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Treaty-level provisions are required with respect to international telecommunication networks and services.

The ITRs serve as the binding global treaty outlining the principles which govern the way international voice, data and video traffic is handled, and which lay the foundation for ongoing innovation and market growth.

The ITRs:

- Establish general principles relating to the provision and operation of international telecoms;
- Facilitate global interconnection and interoperability;
- Underpin harmonious development and efficient operation of technical facilities;
- Promote efficiency, usefulness, and availability of international telecommunication services;



# The need to revise ITRs

1988

ITRs  
(came into  
force in 1990)

2012

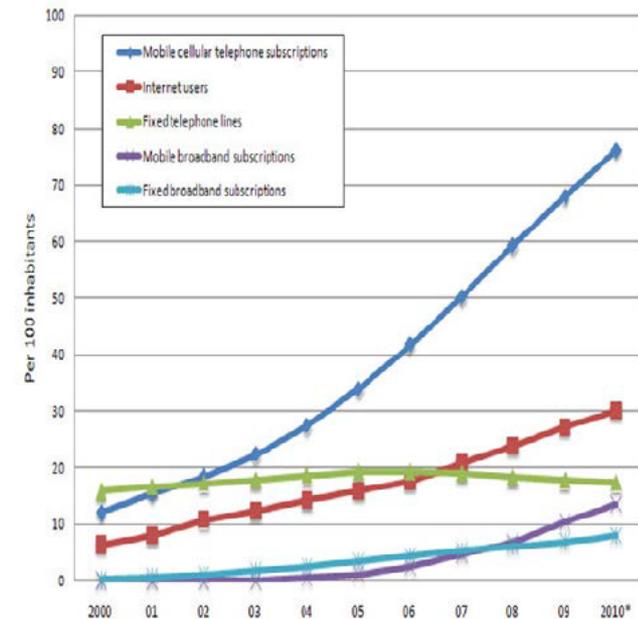
The international telecom/ICTs environment has significantly evolved, both from the technical and regulatory/policy perspectives, and that it continues to evolve rapidly;

Advances in technology have resulted in an increased use of IP-enabled infrastructure and relevant applications, presenting opportunities and challenges for the ICT sector;

As technology evolves, Member States are evaluating their policy and regulatory approaches to ensure an enabling environment.

The ITRs were last negotiated in Melbourne, Australia in 1988, at that time there were very few countries with a liberalized market; most operators were a monopoly regime, under government or state control. In addition there is broad consensus that the text now needs to be updated to reflect the dramatically different information and communication technologies (ICTs) landscape of the 21st century.

Global ICT development, 2000-2010



\*Estimates  
Source: ITU World Telecommunication /ICT Indicators database

Shift from  
**fix to mobile**, from  
**voice to data**  
as the drivers of  
traffic and main  
sources of revenue

## Preparatory Status

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- Since its establishment in 2009, the CWG-WCIT12 held total eight meetings open to all ITU Membership (States, Industry, and associations). All meetings were held in the ITU HQ in Geneva.
- The final (8<sup>th</sup>) meeting was during 20-22 June 2012. The meeting resulted and published the following two main docs:
  1. The compilation of all proposals submitted to the CWG (TD 62- Rev2);
  2. Anticipated final draft of the future ITRs –with various options- (TD 64-Rev3)
- ❖ During Council 2012, it was decided to open the access to Doc. TD 64-Rev3 to all public.
- ❖ Moreover, it was decided to have an ITU webpage open for the public for comments and information gathering

# Revising the ITRs

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- The existing ITRs consists of **Preamble, 10 Articles, 3 Appendices, 8 Resolutions, 3 Recommendations, and 1 Opinion.**
- Preamble, Articles 1, 5, 7, 8, 9, &10 are of Generic and Administrative nature and hence they are slightly updated (i.e. 60% of the existing ITRs would only be subject to minor amendments)
- Article 2 (Definitions): Should have few alignments with definitions in the CS&CV. In addition to New important Definitions such as ICTs, SPAM, Fraud, etc.
- Articles 3 & 4 (Operation of Int. Telecommunications): Should have few modifications to emphasize on Access, Quality of Service, Traffic Routing. New provisions are added to limit Misuse of Numbering and to recognize Governments Ability to Manage/Control its numbering, naming, addressing resources. Moreover New provisions are added to promote cooperation and collaboration between the different stakeholders to on services to be provided and also limit Fraud.
- Article 6 and the Appendices (Charging & Accounting): This Article is proposed to be modified substantially to reflect todays reality and further improvements to be achieved to promote efficiency, transparency, fairness.. Etc. There are several divergent views on this Article.
- **New Articles:** New Article 5 A on Security of the ICT is introduced, the main objective to promote Global commitments, cooperation, and partnership among governments and operating agencies to promote security of the networks and in the use of the ICTs. Another Article 5B is introduced specifically to promote global cooperation to limit SPAM.

# The Arab Preparation

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- Arab Group consists of the Regulators, concerned Government entities, and private operators from all the Arab countries. Its Mandate to develop while considering the following:
  - CWG-WCIT12 Output
  - Contributions from the members of the Arab Group
  - Other Regional Groups views,the Arab Position from the ITRs Revision that will serve the Arab Regional and International Interests.
- ✓ Consequently the Arab Group met three times and the last meeting was held in Dubai-UAE during 8-12 September 2012.
- ✓ The Arab Common views were discussed during the CWG-WCIT and they are now part of the CWG-WCIT final outcomes(See Documents 67, 68, and 103)
- ✓ The Arab position was further discussed at the Bi-Regional, and International Levels
- ✓ Further, Arab Group has submitted preliminary Common Arab Proposal to WCIT12 and it is appeared under Doc No.7
- ✓ In the last of Arab group, a Common Arab proposal been developed and it will given to WCIT12 very soon as Doc. No.7 Rev-1.

# The Arab Common Views on WCIT-12

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- ✓ The ICT Sector is among the top most important sectors for all countries.
  - ✓ The ICTs Industry has been contributing greatly to countries economies and developments
  - ✓ Governments services, and economies today are highly reliant on electronic communications
  - ✓ Hence it is important to ensure that the ICT sector remains to grow and flourish, and for the world to continue reaping ICTs social and economic benefits.
  - ❖ This could be achieved via light global regulations that promote commitment, cooperation, and partnership to ensure access, quality of service, healthy competition, and confidence and security in the use of the ICTs.
  - ❖ WCIT 2012 and the revised ITRs provides an opportunity for more open, innovative, sustainable, reliable, and secure ICT environment
- ➔ On this basis the Arab Group developed its Common Proposals in relation to the revised ITRs. (See CWG-Docs# 67, 68, &103 and WCIT-Docs# 7)

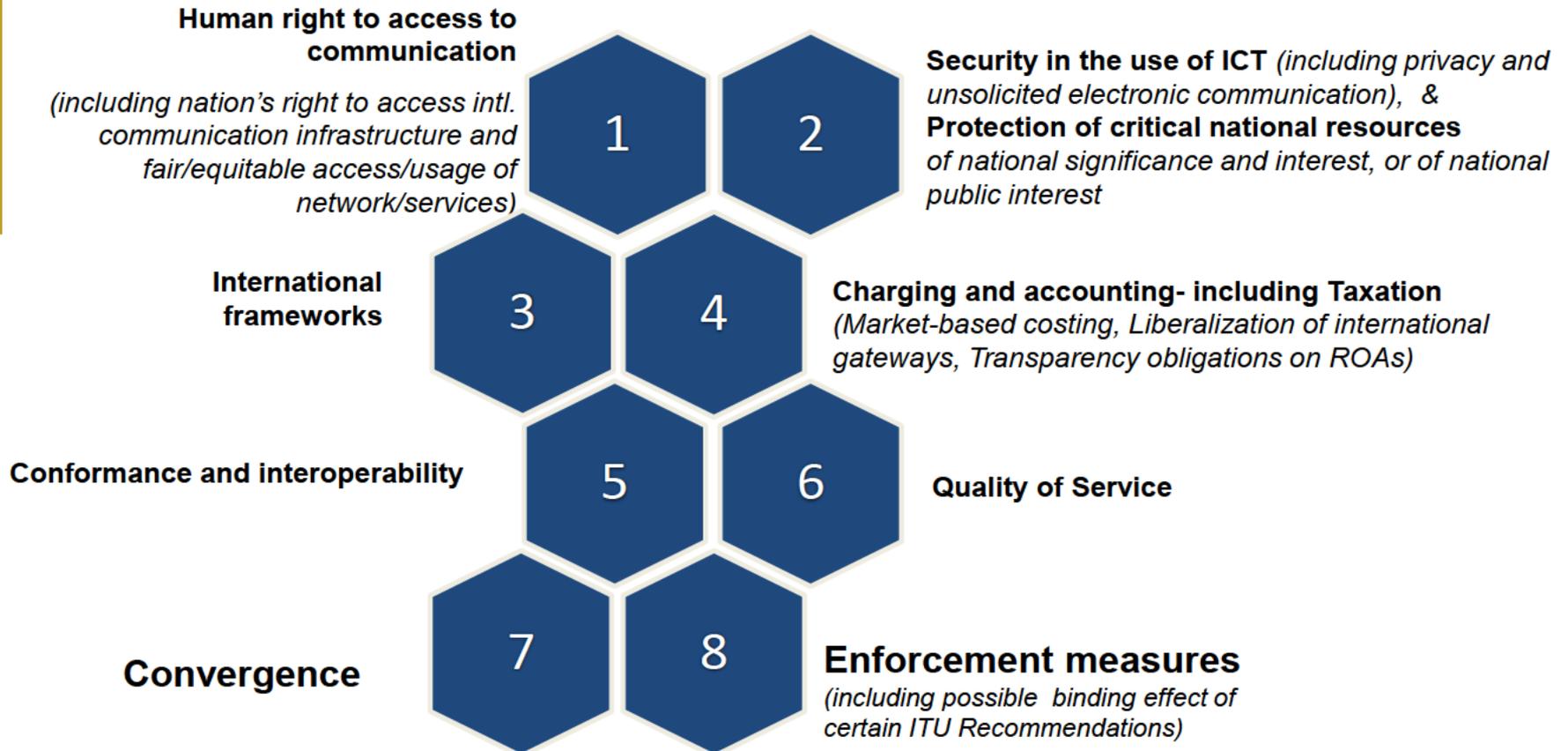
# The Arab Group General Approach on Revising the ITRs

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- I. The ITRs have provided a foundation for growth in the international telecommunications market, contributing to overall economic development around the world.
- II. ITRs shall continue to provide General Principles to promote fair and healthy competition environment among the different players
- III. It shall protect the rights of stakeholders as well as the end user
- IV. Recognizing the States sovereign rights; the proposals shall focus on matters with international nature
- V. Proposals should be on matters that are within the scope of the ITU framework and studies
- VI. Content regulations and censorship is not within the scope of ITRs
- VII. ITRs shall not prevent States or relevant stakeholders of having their own bi/multi-lateral agreements that may differ from the ITRs; however for parties not part of these agreements the ITRs will prevail.
- VIII. The ITRs should continue to allow the multi-stakeholder institutions (such as ICANN, ISOC), to function effectively and should continue to ensure the continued vibrancy of the Internet and its positive impact on individuals and society.

# Proposals made during the preparatory process

Proposals made could be grouped as follows:



# General modifications

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## Examples:

- Replace “Administration” or “Recognized Operating Agencies” with “Member States” and “Operating Agencies”.
- Replace “ CCITT Recommendations and Instructions ” with “ Recommendations of the ITU ”.
- Replace “Convention” with “ Constitution and Convention”.
- Replace “Member” with “Member States”.

## Key Issues for the GCC & Arab Group

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- i. Updating Telecom Definition to reflect convergence (i.e. ICT)
- ii. Cybersecurity
- iii. Fraud
- iv. SPAM
- v. Management of numbering, addressing, and naming resources and limiting Misuse of these resources
- vi. Over The Top Services
- vii. Reference to ITU Recommendations mainly to ensure Satisfactory QoS
- viii. Traffic Routing (Government right to know the routes)
- ix. Dissemination of Roaming Information (transparency in pricing)

## Introducing the ICT definition

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**Proposal:** To include a definition for Telecommunication/ICTs by slightly enhancing the current Telecommunication definition.

**Comments:** The convergence between the Information and Telecommunication technologies is today's reality. Most if not all services and applications today are running over the IP and all studies today under the ITU are based on this convergence and most if not all the activities today under the ITU are using the Term ICTs. In addition many of the PP, WTDC, WTSA, Council Resolutions today carry the Term ICTs. Moreover what is proposed is a new definition "Telecommunication/ICT" so we are not modifying the existing definition of "Telecommunication" in the CS&CV.

# Cybersecurity

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**Proposal:** To include new Article that calls for Global Commitment, Cooperation and partnership to ensure security in the use of the ICTs

**Response:** Cybersecurity is both national and global important matter. There is a lot of issues in the field of Cybersecurity that cannot be solved without Global cooperation and partnership. ITU Has number of Resolutions on Cybersecurity, and has several Global initiatives in this area. ITU has a definition on the area of Cybersecurity. ITU has SG17 on ICTs Security Issues.

# SPAM and Fraud

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**Proposal:** to include new provision/Article that calls for Global cooperation to fight/limit SPAM as well as Fraud.

**Response:** When proposed to deal with these issues it is only proposing for the ITU Membership to introduce and implement technical and policy/regulatory measures to limit both SPAM and Fraud and to cooperate globally accordingly. The issues of Fraud and SPAM have been studied under relevant Study Groups in the ITU. Both issues are very critical and have negative impact financially and in the confidence in the use of ICTs. Both could only be solved via Global commitment and cooperation.

# Numbering Management

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**Proposal:** To include new provision the recognize Member States the right to Manage/Control their numbering, addressing, naming, and Identification resources used within their territories. In addition to introduce new provision against Misuse of these resources, and that they should be used taking into account the ITU-T Recommendations.

**Response:** The convergence between the Information and Telecommunication technologies is today's reality. Most if not all services and applications today are running over the IP and all studies today under the ITU are based on this convergence. Adequate, efficient, and trusted management of the naming, numbering, and addressing resources shall continue to be ensured. Member States shall take appropriate measures to ensure the confidence in using these important resources and using ICTs as a whole. The matter has been dealt with voluntarily for quite some time but the number of incidents of misuse is however increasing, and with IP applications and services it is even easier to misuse these resources. Hence Global cooperation is therefore required in this regard. Unlike ITU; ICANN is not UN organization and its decision is taken by its Board and not by the whole Membership. A great example of ICANN's inability to adequately respond to a critical international request ; Is the 28 IGOs letter that was sent to ICANN regarding **“Protection Against the Misleading Use of the Names and Acronyms Of International Intergovernmental Organizations in the Domain Name System”** to which ICANN had serious difficulty to adequately deal with this matter and was not able to satisfy these IGOs request. In all cases the new provision(s) will only empower ITU and ICANN to be able to take much more conclusive decision when it comes to similar issues of Misuse/Misleading of Resources.

## Over the Top Services (under study)

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**Proposal:** To include new provision that calls for Global cooperation to drive the Direct and Indirect Service Providers, to establish mutual commercial, legal and operational agreements, prior to commercial offering of products & services, and in alignment with principles of fair competition, security, innovation, transparency and satisfactory/adequate quality of service.

**Response:** The convergence between the Information and Telecommunication technologies is today's reality. Most if not all services and applications today are running over the IP and all studies today under the ITU are based on this convergence. The proposal is neither anti-innovation nor against competition. It is rather made to ensure sustainability in both the innovation and the growth in the ICTs Sector and to ensure trust and fairness in the ICTs Market competition.

# Satisfactory QoS

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**Proposal:** To concentrate on ensuring a satisfactory and above limit quality of service on the global networks.

**Response:** This is to enhance global networks for better interconnectivity in alignment with principles of fair competition, innovation, adequate quality of service and security. In addition to better service delivery to the customer .

# Traffic Routing (Government right to know the routes)

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**Proposal:** To encourage member states to ensure that operation agencies for mutual agreement which international routes are to be used

**Response:** This proposal modifies the original provision with the objective of recognizing that most of the international routes are determined through mutual agreements between the operators. However Member States shall continue to be able to know how its traffic is routed, mainly for purposes of security and preventing fraud and spam

## Dissemination of Roaming Information (transparency in pricing)

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**Proposal:** To encourage Member States shall promote transparency with respect to retail prices and to try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation, and they shall ensure transparency.

**Response:** This proposal modifies the original provision with the objective of ensuring equally roaming prices for the end users. In addition to discourage member states applying high amount of taxes.

# Preamble

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- Change county to state.
- Replace supplement to complement.
- Replace convention with constitution and convention.

# Article 1 (Purpose and Scope of the Regulations)

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- 1.1 Add “/ICT” to the telecommunication terminology.
- 1.1 Replace “administrations” with “member states and operating agencies”.
- 1.3a Add “/ICT” to the telecommunication terminology.
- 1.3a Add “security” word to the provision.
- 1.3a Add “and the availability, operation, and use of advanced telecommunications facilities in all countries” to the provision.
- 1.3b Add “including of information” to the provision.
- 1.4 Add “Unless otherwise specified in these Regulations” to the provision.
- 1.4 Replace “CCITT” with “Recommendation of the ITU”.
- 1.5 Add “/ICT” to the telecommunication terminology.
- 1.5 Replace “administrations” with “member States and/or operating agencies”
- 1.6 Replace “administrations” with “member states”.
- 1.6 Replace “CCITT” with “Recommendation of the ITU, especially those having policy or regulatory implications”.
- 1.7a Add “/ICT” to the telecommunication terminology.
- 1.7a Add “state” to “member” word.
- 1.7c Add “states and operating agencies ” to “member” word.

## Article 2 (Definitions)

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- 2.2 Create “International telecommunication service” definition.
- 2.2bis Create “International telecommunication service” definition.
- 2.3 Add “World Health Organization” to the provision.
- 2.3 Replace “telegram” with “telecommunications”
- 2.10B Create “Operating Agency” definition.
- 2.13 Create “spam” definition.
- 2.16 Create “fraud” definition.
- 2.21 Create “Originating Identification” definition”.

## Article 3 (International Network)

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- 3.1 Add “ states” to the “member” word.
- 3.1 Replace “administrations” with “operating agencies”
- 3.1 Add the “and above a minimum level taking into consideration the relevant Recommendations of the ITU” to the provision.
- 3.2 Replace “administrations” with “member states”.
- 3.2 Add “shall establish policies that promote the provision of technical facilities that support international telecommunication, and shall ensure that operating agencies” to the provision.
- 3.2 Add “/ICT” to “telecommunication” word.
- 3.3 Replace “administrations” with “operating agencies”.
- 3.3 Add “A Member State has the right to know the route of its traffic where technically feasible” to the provision.
- 3.4 Replace “administrations” with “member states”.
- 3.4 Add “and above a minimum level ” to “satisfactory quality of service”
- 3.4 Replace “CCITT” with “ recommendations of ITU”.

## Article 4 (International Telecommunication Services)

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- 4.1 Add “states” to the “member” word.
- 4.1 Add “and development” to the provision.
- 4.1 Add “/ICT” to “telecommunication”.
- 4.1 Add “ensure that operating agencies” to the provision.
- 4.2 Add “state” to “member” word.
- 4.2 Replace “administrations” with “operating agencies”
- 4.2 Add “/ICT” to “telecommunication” word
- 4.2 Replace “CCITT” with “ recommendations of ITU”.
- 4.3 Add “states” to the “member” word.
- 4.3 Replace “administrations” with “operating agencies”.
- 4.3 Add “and above a minimum level taking into consideration” to the provision.
- 4.3 Replace “CCITT” with “ recommendations of ITU”.
- 4.3a Remove the word “ dedicated”.
- 4.3c Add “/ICT services” to “telecommunication”.

## Article 5 (Safety Life and Priority of Telecommunications)

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- 5.1 Replace the word “such as” with “including”.
- 5.1 Add “emergency telecommunication services and telecommunications for disaster relief” to the provision.
- 5.1 Replace “and taking due account of ” with “ in accordance with”.
- 5.1 Add “ constitution” to the “convention”.
- 5.1 Replace “CCITT” with “ resolutions and recommendations of ITU”.
- 5.2 Add “ other types of telecommunications “ to the provision.
- 5.2 Add “ constitution” to the “convention”.
- 5.2 Replace “CCITT” with “ recommendations of ITU”.
- 5.3 Replace “all” with “any”.
- 5.3 Replace “CCITT” with “ recommendations of ITU”.
- 5.5 Add “Member States should cooperate to introduce in addition to their existing national emergency numbers a global number for calls to the emergency services” provision.
- 5.5 Add “Member States shall ensure that operating agencies inform every roaming user, promptly and free of charge, of the number to be used for calls to the emergency services” provision.

# New Article 5A (Confidence and Security of Telecommunications/ICTs)

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This a new proposed article with the following provision:

- 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 of networks; cybersecurity, cyberthreats, and cyber attacks; denial of service attacks; other online threats; 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.
- 5A.6 Member States shall ensure that operating agencies take the appropriate measures to prevent the propagation of spam.
- 5A.7 Member States shall ensure that operating agencies take the appropriate measures to combat network fraud.

## Article 6 (Charging and Accounting)

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- The following provisions are proposed for General Economic and Policy Principles
- 6.0.1. Member States should foster continued investment in high-bandwidth infrastructures.
- 6.0.2. Member States shall promote transparency with respect to retail prices and quality of service.
- 6.0.3 Member States should promote cost-oriented wholesale pricing to the extent that it fosters competition. Regulatory measures may be imposed by the Member States to the extent that this cannot be achieved through market mechanisms and to the extent that such measures do not hinder competition.
- 6.0.4 Member States shall take measures to ensure that fair compensation is received for carried traffic (e.g. interconnection or termination). Regulatory measures may be imposed by the Member States to the extent that this cannot be achieved through market mechanisms and to the extent that such measures do not hinder competition.
- 6.0.5 Member states shall ensure that their regulatory frameworks drive the operating agencies to establish mutual commercial agreements with providers of international communication applications and services in alignment with principles of fair competition, innovation, adequate quality of service and security.
- 6.0.6 The Member States shall take measures to ensure that operating agencies have the right to charge providers of international communication applications and services appropriate access charges based on the agreed quality of service. Regulatory measures may be imposed in case that this cannot be achieved through commercial arrangements and to the extent that such measures do not hinder competition.
- 6.0.7 Members States may take necessary measures to optimize the utilization of the facilities of operating agencies in their territories and to ensure their sustainable development.

## Cont. Article 6 (Charging and Accounting)

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The following modification for collection charges principles

- 6.1.1 Replace “administration” with “operating”.
- 6.1.1 Remove the “The level of the charges is a national matter; however,” from the provision.
- 6.1.1 Replace “administration” with “member states”.
- 6.1.1 Add “Member States should take measures to ” to the provision.
- 6.1.1 Add “and they shall ensure transparency” to the provision.
- 6.1.2 Replace “administrations” with “operating agencies”.
- 6.1.2 Add “transit and termination ” to the provision.
- 6.1.2 Replace the “CCITT” with “recommendation of ITU”.
- 6.4.1 Replace “administrations” with “operating agencies”.

## Article 7 (Suspension of Services)

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- 7.1 Add “state ” to the “ member”
- 7.1 Add “ constitution” to the “convention”.
- 7.2 Add “state ” to the “ member”

## Article 8 (Dissemination of Information)

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- 8.1 Replace “administrations” with “member states”.
- 8.1 Remove “ administrative” twice from the provision.
- 8.1 Replace “plenary” with “component”.
- 8.1 Remove “of the International Consultative Committees” from the provision.
- 8.1 Add “If so authorized by the concerned Member State, the information may be transmitted to the Secretary-General directly by an operating agency and shall then be disseminated by the Secretary-General” to the provision.

## Article 9 (Special Arrangements)

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- 9.1 Remove “Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982),” from the provision.
- 9.1 Add “states” to “member” three times in the provision.
- 9.1 Replace “members, administrations” with “operating agencies”
- 9.1b Replace “should” with “shall”.
- 9.1b Replace “and ” with “or services and shall not breach nor diminish the security and confidence of telecommunications/ICTs ”
- 9.1b Replace “countries” with “parties.,and shall not breach the rights of third parties under these Regulations”.
- 9.2 Replace “members” with “member states.
- 9.2 Replace “CCITT with “Recommendation of ITU”.

## Article 10 (Entry into force and provisional application)

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- Change the title from “final provision” to “Entry into force and provisional application”.
- 10.1 change it to “These Regulations, of which [Appendices 1, 2 and 3 form integral parts], and which complement the provisions of the Constitution and Convention of the International Telecommunication Union, shall enter into force on 1 July 1990 at 0001 hours UTC January 201[5] and shall be applied as of that date pursuant to Article 54 of the Constitution.”

# Appendix1(General Provisions Concerning Accounting)

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- 1.1 Replace “administration” with “operating agencies” twice in the provision.
- 1.1 Replace “CCITT” with “ITU”.
- 1.2 Replace “CCITT” with “ITU”.
- 1.2a Replace “administration or ROA” with “operating agencies”.
- 1.2a Replace “CCITT” with “ITU”.
- 1.3 Replace “administration” with “operating agencies” twice in the provision.
- 1.4 Replace “administration” with “operating agencies” five times in the provision.
- 1.5 Replace “administration” with “operating agencies” in the provision.
- 1.6 Replace “administration” with “operating agencies” in the provision.
- 2.1 Replace “administration” with “operating agencies” in the provision.
- 2.3 Replace “administration” with “operating agencies” in the provision.
- 2.4 Replace “administration” with “operating agencies” in the provision.
- 2.5 Replace “administration” with “operating agencies” twice in the provision.
- 2.6 Replace “administration” with “operating agencies” three times in the provision.
- 3.3.1 Replace “administration” with “operating agencies” twice in the provision.
- 3.4.1 Replace “administration” with “operating agencies” twice in the provision.
- 3.4.3 Replace “administration” with “operating agencies” in the provision.

## Appendix2(Additional Provisions Relating to Maritime Telecommunications)

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- 1 Replace “CCITT” with “ITU”.
- 2.1 b Remove “a recognized private ”.
- 2.2 Replace “administration” with “member states” in the provision.
- 2.2 Remove “a recognized private ”.
- 2.3 Replace “administration” with “operating agencies” in the provision.
- 2.4 Replace “CCITT” with “ITU”.
- 4.2 Replace “administration” with “member states” in the provision.

## Appendix3(Service and Privilege Telecommunications)

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- 1.1 Replace “administration” with “member states” in the provision.
- 1.1 Replace “provide” with “require that” in the provision.
- 1.1 Add “be provided”.
- 1.2 Replace “administration” with “operating agencies” in the provision.
- 1.2 Replace “International Telecommunication Convention” with “Constitution and Convention of the International Telecommunication Union ”
- 2 Replace “administration” with “member states” in the provision.
- 2 Replace “provide” with “require that” in the provision.
- 2 Add “operating agencies”.
- 2 Replace “International Telecommunication Convention” with “Constitution and Convention of the International Telecommunication Union ”
- 3 Replace “CCITT” with “Recommendation of the ITU”.

## Media Campaign

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- There has been media awareness which is being raised in relation to the WCIT-12 and its preparatory process. We are fully aware of it.
- Unfortunately some of these media Articles and views are either false or provide incomplete picture of the WCIT-12 preparation or members inputs. All experts knows that.
- Many of these articles also trying to link the matter to *controlling the internet* or introduce global *content censorship* system. Some of them are even trying to question the *transparency* of the ITU.
- That is not the case at all. The ITU is fully transparent and open to all its members (Governments and Industry). Moreover the treaty as mentioned earlier is all about ensuring access, quality of service, confidence in the use of ICTs, and promoting healthy competition.
- In order to clarify the situation and provide true picture, it was agreed during the Council 2012 to give the relevant document of the CWG-WCIT12 a public access. Further more it was agreed to have and ITU webpage for exchanging comments and views.

## Expectations for WCIT-12

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- WCIT-12 presents key and long living opportunities to increase good collaboration between countries;
- Help countries and industry to reach new levels of economic and social development by means of efficient telecom services;
- Make ITRs relevant, and valuable to the full membership, so that they address and alleviate the many concerns that are out there.



# Thank you