

Paper for the Commonwealth ITU Group (CIG) Meeting
19 June 2012, London

CIG Memorandum

The Commonwealth ITU Group (CIG) met on the 19 June 2012 to discuss preparations for the ITU World Conference on International Telecommunications (WCIT). The meeting reviewed positions developed by the ITU Regional Groups, as well as listening to the views of industry. At the conclusion of the meeting, it was agreed that the positions of the CIG members should be shaped by the following agreed Commonwealth common objectives (CCOs):

CCO 1

WCIT is an opportunity to ensure that the International Telecommunication Regulations (ITRs) continue to enable the development of telecoms markets and services while encouraging technological innovation. To achieve this, the ITRs should, as much as possible, focus on high-level policy issues relating to international telecommunications services. Given the treaty-binding nature of the ITRs, all actions associated with their various provisions should be directed toward Member States.,

CCO 2

The success of the ITRs will be achieved through closer cooperation among all relevant stakeholders to identify the most effective multi-lateral solutions for the current and future markets, whilst enabling innovation and technological development. Member States should also recognise the important role that industry can play in providing insights into current and future technology and business trends.

CCO 3

Since the ITRs were drafted in 1988, there has been a substantial evolution in the global telecommunications market, driven by innovative technology and business models. The update to the ITRs must take into account these market changes. In doing so, the ITRs should affirm the importance of competition and the liberalisation of markets which have been the drivers of growth and innovation in the telecommunications industry since 1988.

CCO 4

The use of terminology should be harmonized to the maximum extent possible. For example, the term "CCITT" should be systematically replaced by "ITU-T". The term "members" should be systematically replaced by "Member States". The only amendment to the Preamble to the ITRs should be as follows: Replace the word "supplement" with the word "complement" in order to conform to the terminology in Article 4, No. 30 of the Constitution.

CCO 5

There is no need to include in the revised ITRs references and texts which already exist in the ITU Constitution and Convention, as well as in ITU-T Recommendations. To the extent possible and feasible, and where a similar result is achievable, non-treaty instruments should be used (e.g. updates to existing ITU-T Resolutions and Recommendations) in lieu of new provisions to the ITRs (e.g. new definitions). In addition, overlaps between the revised ITRs and the Radio Regulations should be avoided.

CCO 6

In order to promote consensus on the revised texts of the ITRs, such texts need to ensure flexibility and, as much as possible, be non-prescriptive in order to preserve the sovereign right of each Member State to regulate its telecommunications, as reflected in the Preamble to the ITU Constitution and in the Preamble to the International Telecommunication Regulations. In order to preserve these objectives, and technological neutrality, the inclusion of revised text which is prescriptive and the incorporation by reference of ITU-T Recommendations, must be avoided.

CCO 7

Some elements of the ITRs are no longer applicable due to changing business models. However, for many Member States the ITRs provide important guidance on regulating international telecommunication service. The updated ITRs should continue to provide principles relating to international best practice, whilst remaining focused on issues relating to international telecommunication service.

CCO 8

Member States should take special care when reviewing all proposals to, as much as possible, avoid unintended consequences. In particular, Member States should avoid changes or additions to the ITRs that may impede competitive markets which have fuelled the growth of the telecom industry since 1988. Member States should also carefully consider how the principles agreed in the ITRs can actually be applied in practice.

CCO 9

Member States should remain aware of the limits of multi-lateral treaties, such as the ITRs. Pro-competitive policies should be used to achieve more efficient and balanced Internet interconnection flows, rather than using the ITRs to support regulation that could suppress traffic flows and investment incentives.

CCO 10

The ITRs should recognise the ability of suppliers to supply telecommunications services on a cross-border and technologically neutral basis in a manner that promotes interoperability of services and technologies, where appropriate.

CCO 11

The ITRs should foster innovation by avoiding language that can give the impression of preferring a specific technology or application. The updated ITRs should set out key principles for international cooperation.

CCO 12

The ITRs are not frequently updated so the final text needs to be flexible enough to accommodate changing unexpected future developments in telecommunications. Detailed market and technology specific points are not optimal for an international treaty as they will be quickly outdated by the highly dynamic telecommunications industry.

CCO 13

The increased use of international mobile telecommunications has led to a focus on the costs associated with mobile roaming. The updated ITRs should encourage competition and foster fair and reasonable roaming prices and greater transparency of such prices for consumers.,

CCO 14

Network security is important to reduce vulnerabilities and enable the continued vitality of international communication networks. This is best achieved through market-driven innovation, as well as the implementation of best practices through collaboration among all stakeholders.

CCO 15

It is important for Member States and other stakeholders to cooperate as far as possible to protect the integrity, stability, and security of the international communications network, in order to enable the network to continue to contribute to economic growth and development.

[CCO 16

A member state proposed that taking into consideration the lack of low capacity of developing countries to process electronic wastes ITRs should ensure that dumping of waste in developing countries is discouraged. The ITRs should also encourage use of systems that consume low energy or that are energy efficient.]