International Telecommunication Union

FINAL ACTS
WORLD CONFERENCE ON INTERNATIONAL TELECOMMUNICATIONS
(DUBAI, 2012)

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ITU

International Telecommunication Union

*FINAL ACTS**

OF THE WORLD CONFERENCE ON INTERNATIONAL TELECOMMUNICATIONS
(Dubai, 2012)

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* *As established and approved at the end of the conference and presented for signature by Member States in accordance with No. 162 of the General Rules of conferences, assemblies and meetings of the Union*

INTERNATIONAL TELECOMMUNICATION REGULATIONS

PREAMBLE

1 While the sovereign right of each State to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations (hereafter referred to as “Regulations”) complement the Constitution and the 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 worldwide telecommunications.

Member States affirm their commitment to implement these Regulations in a manner that respects and upholds their human rights obligations.

These Regulations recognize the right of access of Member States to international telecommunication services.

ARTICLE 1

Purpose and scope of the Regulations

2 1.1 *a)* These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. These Regulations do not address the content-related aspects of telecommunications.

2A *abis)* These Regulations also contain provisions applicable to those operating agencies, authorized or recognized by a Member State, to establish, operate and engage in international telecommunications services to the public, hereinafter referred as "authorized operating agencies".

3 *b)* These Regulations recognize in Article 9 the right of Member States to allow special arrangements.

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

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.

6 1.4 References to Recommendations of the ITU Telecommunication Standardization Sector (ITU-T) in these Regulations are not to be taken as giving to those Recommendations the same legal status as these Regulations.

7 1.5 Within the framework of these Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between authorized operating agencies.

8 1.6 In implementing the principles of these Regulations, authorized operating agencies should comply with, to the greatest extent practicable, the relevant ITU-T Recommendations.

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

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

11 *c)* The Member States, where appropriate, shall cooperate in implementing these Regulations.

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

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 telecommunications:* Telecommunications originating with any: Head of State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice, or replies to government telecommunications mentioned above.

17 2.4 *Service telecommunication:* A telecommunication that relates to public international telecommunications and that is exchanged among the following:

– Member States;

– authorized operating agencies; and

– the Chairman of the Council, the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux, the members of the Radio Regulations Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.

21 2.5 *International route:* Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.

22 2.6 *Relation:* Exchange of traffic between two terminal countries, always referring to a specific service, if there is between their authorized operating agencies:

23 *a)* a means for the exchange of traffic in that specific service:

– over direct circuits (direct relation), or

– via a point of transit in a third country (indirect relation), and

24 *b)* normally, the settlement of accounts.

25 2.7 *Accounting rate:* The rate agreed between authorized operating agencies, in a given relation that is used for the establishment of international accounts.

26 2.8 *Collection charge:* The charge established and collected by an authorized operating agency from its customers for the use of an international telecommunication service.

ARTICLE 3

International network

28 3.1 Member States shall endeavour to ensure that authorized operating agencies cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

29 3.2 Member States shall endeavour to ensure the provision of sufficient telecommunication facilities to meet the demand for international telecommunication services.

30 3.3 Authorized 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 authorized operating agencies concerned, the origin authorized operating agency has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination authorized operating agencies.

31 3.4 Subject to national law, any user, by having access to the international network, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to the relevant ITU-T Recommendations.

31A 3.5 Member States shall endeavour to ensure that international telecommunication numbering resources specified in 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.

31B 3.6 Member States shall endeavour to ensure that international calling line identification (CLI) information is provided taking into account the relevant ITU-T Recommendations.

31E 3.7 Member States should create an enabling environment for the implementation of regional telecommunication traffic exchange points, with a view to improving quality, increasing the connectivity and resilience of networks, fostering competition and reducing the costs of international telecommunication interconnections.

ARTICLE 4

International telecommunication services

32 4.1 Member States shall promote the development of international telecommunication services and shall foster their availability to the public.

33 4.2 Member States shall endeavour to ensure that authorized operating agencies cooperate within the framework of these Regulations to provide, by agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant ITU-T Recommendations.

34 4.3 Subject to national law, Member States shall endeavour to ensure that authorized operating agencies provide and maintain, to the greatest extent practicable, a satisfactory quality of service corresponding to the relevant ITU-T Recommendations with respect to:

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;

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

37 *c)* at least a form of telecommunication service which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and

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

38A 4.4 Member States shall foster measures to ensure that authorized operating agencies provide free-of-charge, transparent, up-to-date and accurate information to end users on international telecommunication services, including international roaming prices and the associated relevant conditions, in a timely manner.

38B 4.5 Member States shall foster measures to ensure that telecommunication services in international roaming of satisfactory quality are provided to visiting users.

38C 4.6 Member States should foster cooperation among authorized operating agencies in order to avoid and mitigate inadvertent roaming charges in border zones.

38E 4.7 Member States shall endeavour to promote competition in the provision of international roaming services and are encouraged to develop policies that foster competitive roaming prices for the benefit of end users.

ARTICLE 5

Safety of life and priority of telecommunications

39 5.1 Safety-of-life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant articles of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations.

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 (5.1) above, in accordance with the relevant provisions of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations.

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

41A 5.4 Member States should encourage authorized operating agencies to inform all users, including roaming users, in good time and free of charge, of the number to be used for calls to the emergency services.

ARTICLE 5A

Security and robustness of networks

41B Member States shall individually and collectively endeavour to ensure the security and robustness of international telecommunication networks in order to achieve effective use thereof and avoidance of technical harm thereto, as well as the harmonious development of international telecommunication services offered to the public.

ARTICLE 5B

Unsolicited bulk electronic communications

41C Member States should endeavour to take necessary measures to prevent the propagation of unsolicited bulk electronic communications and minimize its impact on international telecommunication services.

Member States are encouraged to cooperate in that sense.

ARTICLE 6

Charging and accounting

42A **International telecommunication arrangements**

42B 6.1 Subject to applicable national law, the terms and conditions for international telecommunication service arrangements may be established through commercial agreements or through accounting-rate principles established pursuant to national regulation.

42C 6.1.1 Member States shall endeavour to encourage investments in international telecommunication networks and promote competitive wholesale pricing for traffic carried on such telecommunication networks.

42D **Accounting-rate principles**

42DA ***Terms and conditions***

42E 6.2 The following provisions may apply where the terms and conditions of international telecommunication service arrangements are established through accounting-rate principles, established pursuant to national regulation. These provisions do not apply to arrangements established through commercial agreements.

42F 6.2.1 For each applicable service in a given relation, authorized operating agencies 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 the relevant ITU-T Recommendations.

42G 6.2.2 Unless otherwise agreed, parties engaged in the provision of international telecommunication services shall follow the relevant provisions as set out in Appendices 1 and 2.

42H 6.2.3 In the absence of special arrangements concluded between authorized operating agencies, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:

– either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;

– or freely convertible currencies or other monetary unit agreed between the authorized operating agencies.

42HA ***Collection charges***

42I 6.2.4 The charges levied on customers for a particular communication should in principle be the same in a given relation, regardless of the international route used for that communication. In establishing these charges, Member States should try to avoid dissymmetry between the charges applicable in each direction of the same relation.

42J **Taxation**

42K 6.3 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.

42KA **6.4 Service telecommunications**

42KB 6.4.1 Authorized operating agencies may in principle forgo the inclusion of service telecommunications in international accounting, under the relevant provisions of the Constitution and the Convention and these Regulations, having due regard for the need for reciprocal arrangements. Authorized operating agencies may provide service telecommunications free of charge.

42KC 6.4.2 The general operational, charging and accounting principles applicable to service telecommunications should take account of the relevant ITU-T Recommendations.

ARTICLE 7

Suspension of services

55 7.1 If a Member State exercises its right in accordance with the Constitution and the 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.

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

ARTICLE 8

Dissemination of information

57 8.1 Using the most suitable and economical means, the Secretary-General shall disseminate information provided, of an administrative, operational, or statistical nature, concerning international telecommunication services. Such information shall be disseminated in accordance with the relevant provisions of the Constitution and the Convention and of this Article, on the basis of decisions taken by the Council or by competent ITU conferences, and taking account of conclusions or decisions of ITU assemblies. If so authorized by the Member State concerned, the information may be transmitted to the Secretary-General directly by an authorized operating agency, and shall then be disseminated by the Secretary-General. Member States should transmit such information to the Secretary-General in a timely manner, taking into account the relevant ITU-T Recommendations.

ARTICLE 8A

Energy efficiency/e-waste

57B 8.2 Member States are encouraged to adopt energy-efficiency and e-waste best practices taking into account the relevant ITU-T Recommendations.

ARTICLE 8B

Accessibility

57D 8.3 Member States should promote access for persons with disabilities to international telecommunication services, taking into account the relevant ITU-T Recommendations.

ARTICLE 9

Special arrangements

58 9.1 *a)* Pursuant to Article 42 of the Constitution, special arrangements may be entered into on telecommunication matters which do not concern Member States in general. Subject to national laws, Member States may allow authorized operating agencies or other organizations or persons to enter into such special mutual arrangements with Member States and authorized operating agencies, or other organizations or persons that are so allowed in another country for the establishment, operation and use of special international telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Member States concerned, and including, as necessary, the financial, technical or operating conditions to be observed .

59 *b)* Any such special arrangements shall endeavour to avoid technical harm to the operation of the telecommunication facilities of third countries.

60 9.2 Member States should, where appropriate, encourage the parties to any special arrangements that are made pursuant to No. 58 (9.1) above to take into account relevant provisions of ITU-T Recommendations.

ARTICLE 10

Final provisions

61 10.1 These Regulations, of which Appendices 1 and 2 form integral parts, shall enter into force on 1 January 2015, and shall be applied as of that date, consistent with all the provisions of Article 54 of the Constitution.

62 10.2 If a Member State makes reservations with regard to the application of one or more of the provisions of these Regulations, other Member States shall be free to disregard the said provision or provisions in their relations with the Member State which has made such reservations.

IN WITNESS WHEREOF, the delegates of the Member 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. In case of discrepancies or dispute, the French text shall prevail. This copy shall be deposited 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.

APPENDIX 1

General provisions concerning accounting

1/1 1 Accounting rates

1/2 1.1 For each applicable service in a given relation, Member States shall endeavour to ensure that authorized operating agencies, by mutual agreement, establish and revise accounting rates to be applied between them, taking into account ITU-T Recommendations and trends in the cost of providing the specific telecommunication service, and divide such rates into terminal shares payable to the authorized operating agencies of terminal countries and, where appropriate, into transit shares payable to the authorized operating agencies of transit countries.

1/3 1.2 Alternatively, in traffic relations where ITU-T cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method:

1/4 *a)* authorized operating agencies shall establish and revise their terminal and transit shares taking into account ITU-T Recommendations;

1/5 *b)* the accounting rate shall be the sum of the terminal shares and any transit shares.

1/6 1.3 When one or more authorized operating agencies acquire, either by flat-rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another authorized operating agency, the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation.

1/7 1.4 In cases where one or more international routes have been established by agreement between authorized operating agencies and where traffic is diverted unilaterally by the authorized operating agency of origin to an international route which has not been agreed with the authorized operating agency of destination, the terminal shares payable to the authorized operating agency 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 authorized operating agency of origin, unless the authorized operating agency of destination is prepared to agree to a different share.

1/8 1.5 In cases where traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit authorized operating agency has the right to set the level of the transit share to be included in the international accounts.

1/9 1.6 Where an authorized operating agency 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 authorized operating agencies.

1/10 2 Establishment of accounts

1/11 2.1 Unless otherwise agreed, the authorized operating agencies responsible for collecting the charges shall establish a monthly account showing all the amounts due, and send it to the authorized operating agencies concerned.

1/12 2.2 The accounts should be sent as promptly as possible, taking into account relevant ITU-T Recommendations, and, except in cases of *force majeure*, before the end of a period of 50 days following the month to which they relate, unless otherwise mutually agreed.

1/13 2.3 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the authorized operating agency which sent it.

1/14 2.4 However, any authorized operating agency has the right to question the contents of an account within 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.

1/15 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 and issued as soon as possible by the creditor authorized operating agency, and shall be sent to the debtor authorized operating agency, which, after verification, shall return a copy endorsed with its acceptance.

1/16 2.6 In indirect relations where a transit authorized operating agency acts as an accounting intermediary between two terminal points, Member States shall endeavour to ensure that authorized operating agencies include accounting data for transit traffic in the relevant outgoing traffic account to authorized operating agencies beyond it in the routing sequence as soon as possible after receiving the data from the originating authorized operating agency, in accordance with the relevant ITU-T Recommendations.

1/17 3 Settlement of balances of accounts

1/18 3.1 Choice of the currency of payment

1/19 3.1.1 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.

1/20 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.

1/20A 3.1.3 Provided the periods of payment are observed, authorized operating agencies have a right, by mutual agreement, to settle their balances of various kinds by offsetting:

a) credits and debits in their relations with other authorized operating agencies;

b) any other mutually agreed settlements, if appropriate.

This rule also applies in case payments are made through specialized payment agencies in accordance with arrangements with authorized operating agencies.

1/21 3.2 Determination of the amount of payment

1/22 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.

1/23 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.

1/24 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.

1/26 3.2.4 If, in accordance with a special arrangement, the balance of the account is not expressed in the monetary unit of the IMF, the payment shall also be the subject of this special arrangement and:

1/27 *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;

1/28 *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.

1/29 3.3 Payment of balances

1/30 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 dispatched by the creditor authorized operating agency. Beyond this period, the creditor authorized operating agency 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 cent per annum, reckoned from the day following the date of expiry of the said period.

1/31 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.

1/32 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 other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor.

1/33 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.

1/34 3.4 Additional provisions

1/36 3.4.1 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 3.2 above, and if the difference resulting from such variations exceeds 5 per cent of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor.

1/37 3.4.2 Should there be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, authorized operating agencies 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

2/1 1 General

2/2 The provisions contained in Article 6 and Appendix 1, taking into account the relevant ITU-T Recommendations, shall also apply to maritime telecommunications when establishing and settling accounts under this Appendix, insofar as the following provisions do not provide otherwise.

2/3 2 Accounting authority

2/4 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:

2/5 *a)* by the administration that has issued the licence; or

2/6 *b)* by an authorized operating agency; or

2/7 *c)* by any other entity or entities designated for this purpose by the administration referred to in *a)* above.

2/8 2.2 The administration or the authorized operating agency or the designated entity or entities listed in 2.1 above are referred to in this Appendix as the “accounting authority”.

2/9 2.3 References to authorized operating agency 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.

2/10 2.4 Member States 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 and Maritime Mobile Service Identity Assignments. The number of such names and addresses shall be limited, taking into account the relevant ITU-T Recommendations.

2/11 3 Establishment of accounts

2/12 3.1 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the service provider that sent it.

2/13 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, even after the account has been paid.

2/14 4 Settlement of balances of account

2/15 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 4.3 below.

2/16 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 steps, within the limits of applicable national law, to ensure settlement of the accounts from the licensee.

2/17 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 service provider 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.

2/18 4.4 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than twelve calendar months after the date of the traffic to which the accounts relate, unless provided otherwise under national law in which case the maximum deadline can be within eighteen calendar months.

RESOLUTION PLEN/1 (DUBAI, 2012)

Special measures for landlocked developing countries and small island developing states for access to international optical fibre networks

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 (LLDCs);

b) Resolution 30 (Rev. Guadalajara, 2010) of the Plenipotentiary Conference, on special measures for the least developed countries (LDCs), small island developing states (SIDS), LLDCs 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 LLDCs within a new global framework for transit transport cooperation for landlocked and transit developing countries,

recalling

a) 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;

b) the Declarations of the ministers of communications of the Union of South American Nations (UNASUR) and the Roadmap for South American connectivity for integration of the Telecommunications Working Group of the South American Infrastructure and Planning Council (COSIPLAN);

c) Mandate No. 7 arising from the sixth Summit of the Americas, held in Cartagena, Colombia, on 14-15 April, 2012, in which the Heads of State and Government of the Americas resolved *"To foster increased connection of telecommunication networks in general, including fibre-optic and broadband, among the region's countries, as well as international connections, to improve connectivity, increase the dynamism of communications between the nations of the Americas, as well as reduce international data transmission costs, and, thus, promote access, connectivity, and convergent services to all social sectors in the Americas"*,

reaffirming

a) the right of access of landlocked countries to the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with applicable rules of international law;

b) that transit 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 SIDS;

b) that current difficulties of LLDCs and SIDS continue to adversely affect their development,

noting

that access to international optical fibre networks for LLDCs and the laying of optical fibre across transit countries are not specified in the infrastructure development and maintenance priorities in the Almaty Programme of Action,

conscious

a) that fibre-optic cable is a profitable telecommunication transport medium;

b) that access by LLDCs and SIDS to international fibre-optic networks 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 call for close cooperation between LLDCs and transit countries;

d) that, for the basic investment in laying fibre-optic cable, capital investments are required,

resolves to instruct the Director of the Telecommunication Development Bureau

1 to study the special situation of telecommunication/ICT services in LLDCs and SIDS, taking into account the importance of access to international fibre-optic networks at reasonable cost;

2 to report to the ITU Council on measures taken with respect to the assistance provided to LLDCs and SIDS under *resolves to instruct* 1 above;

3 to assist LLDCs and SIDS to develop their required plans containing practical guidelines and criteria to govern and promote sustainable regional, subregional, multilateral and bilateral projects affording them greater access to international fibre-optic networks,

instructs the Secretary-General

to bring this resolution to the attention of the Secretary-General of the United Nations, with a view to bringing it to the attention of the United Nations High Representative for LDCs, LLDCs and SIDS,

invites the Council

to take appropriate measures to ensure that ITU continues to collaborate actively in the development of telecommunication/ICT services in LLDCs and SIDS,

invites Member States

1 to cooperate with LLDCs and SIDS in promoting regional, subregional, multilateral and bilateral projects and programmes for telecommunication infrastructure integration that afford LLDCs and SIDS greater access to international fibre-optic networks;

2 to assist LLDCs and SIDS and transit countries in executing telecommunication infrastructure integration projects and programmes,

encourages landlocked developing countries and small island developing states

to continue to accord high priority to telecommunication/ICT activities, by putting in place technical cooperation activities in order to promote integral socioeconomic development,

invites Member States, Sector Members, Associates and Academia

to continue to support ITU Telecommunication Development Sector studies of the situation of telecommunication/ICT services in LDCs, LLDCs, SIDS and countries with economies in transition so identified by the United Nations and requiring special measures for telecommunication/ICT development.

RESOLUTION PLEN/2 (DUBAI, 2012)

Globally harmonized national number for access to emergency services

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

considering

that it is important for travellers to be aware of a single well-known number to access local emergency services,

noting

that Recommendation ITU-T E.161.1, on guidelines to select emergency number for public telecommunication networks, specified two globally harmonized emergency numbers,

resolves to instruct the Director of the Telecommunication Standardization Bureau

to take the necessary action in order that Study Group 2 of the ITU Telecommunication Standardization Sector (ITU-T) continue exploring the option of introducing a single globally harmonized national number for access to emergency services in the future,

invites Member States

to introduce, in addition to their existing national emergency numbers, a globally harmonized national number for access to emergency services, taking into consideration the relevant ITU-T Recommendations.

RESOLUTION PLEN/3 (DUBAI, 2012)

To foster an enabling environment for the greater growth of the Internet

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

recognizing

a) the outcome documents of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society (WSIS);

b) that the Internet is a central element of the infrastructure of the information society, which has evolved from a research and academic facility into a global facility available to the public;

c) the importance of broadband capacity to facilitate the delivery of a broader range of services and applications, promote investment and provide Internet access at affordable prices to both existing and new users;

d) the valuable contribution of all stakeholder groups in their respective roles, as recognized in § 35 of the Tunis Agenda for the Information Society, to the evolution, functioning and development of the Internet;

e) that, as stated in the WSIS outcomes, all governments should have an equal role and responsibility for international Internet governance and for ensuring the stability, security and continuity of the existing Internet and its future development and of the future internet, and that the need for development of public policy by governments in consultation with all stakeholders is also recognized;

f) Resolutions 101, 102 and 133 (Rev. Guadalajara, 2010) of the Plenipotentiary Conference,

resolves to invite Member States

1 to elaborate on their respective positions on international Internet-related technical, development and public-policy issues within the mandate of ITU at various ITU forums including, *inter alia*, the World Telecommunication/ICT Policy Forum, the Broadband Commission for Digital Development and ITU study groups;

2 to engage with all their stakeholders in this regard,

instructs the Secretary-General

1 to continue to take the necessary steps for ITU to play an active and constructive role in the development of broadband and the multistakeholder model of the Internet as expressed in § 35 of the Tunis Agenda;

2 to support the participation of Member States and all other stakeholders, as applicable, in the activities of ITU in this regard.

RESOLUTION PLEN/4 (DUBAI, 2012)

Periodic review of the International Telecommunication Regulations

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

recalling

Resolution 171 (Guadalajara, 2010) of the Plenipotentiary Conference, on preparations for this conference on the International Telecommunication Regulations (ITRs),

considering

a) that the ITU Council Working Group to prepare the 2012 world conference on international telecommunications (WCIT-12) held extensive discussions on the ITRs;

b) that there have been wide consultations in all ITU regions, involving ITU Member States, ITU Sector Members, Associates and Academia and civil society groups, showing great interest in the revision of the ITRs;

c) that many input documents have been submitted by the ITU membership;

d) the outcome of this conference,

recognizing

a) Articles 13 and 25 of the ITU Constitution;

b) No. 48 (Article 3) of the ITU Convention;

c) that the ITRs are one of the pillars supporting ITU's mission;

d) that 24 years elapsed between the approval of the ITRs and their review at this conference;

e) that the ITRs consist of high-level guiding principles that should not require frequent amendment, but in the fast moving sector of telecommunications/ICTs may need to be periodically reviewed,

noting

a) that technological development and demand for services that require high bandwidth continue to increase;

b) that the ITRs:

i) establish general principles on the provision and operation of international telecommunications;

ii) facilitate global interconnection and interoperability;

iii) promote efficiency, usefulness and availability of international telecommunication services,

resolves

to invite the 2014 plenipotentiary conference to consider this resolution and to take necessary action, as appropriate, to convene periodically (for example every eight years) a world conference on international telecommunications to revise the ITRs, taking into account the financial implications for the Union,

instructs the Secretary-General

1 to bring this resolution to the attention of the Plenipotentiary Conference;

2 to provide information to enable the Plenipotentiary Conference to consider the cost implications of convening WCIT,

invites Member States

to contribute to the work outlined in this resolution.

RESOLUTION PLEN/5 (DUBAI, 2012)

International telecommunication service traffic termination and exchange

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

considering

a) that the transition from dedicated phone and data networks to converged IP-based networks raises regulatory, technical and economic issues which need to be taken into consideration;

b) that many Member States have expressed a need for the initiation and implementation of commercial agreements between authorized operating agencies and service providers of international services, with the objective of empowering all the participants in the new value chain,

noting

a) that some Member States are observing a deterioration in the quality of international services and voice traffic;

b) that Study Group 3 of the ITU Telecommunication Standardization Sector (ITU-T) is mandated to study the development of Recommendations, resolutions and guidelines related to these issues;

c) that there is a need for broader understanding of alternative dispute resolution mechanisms arising out of commercial arrangements;

d) that some Member States have concerns for the prevention and mitigation of fraud in international telecommunications,

resolves to invite concerned Members States

to collaborate so that:

i) each party in a negotiation or agreement related to or arising out of international connectivity matters can seek the support of relevant authorities of the other party's State in alternative dispute resolution;

ii) their regulatory frameworks promote the establishment of commercial agreements between authorized operating agencies and the providers of international services in alignment with principles of fair competition and innovation,

instructs the Director of the Telecommunication Standardization Bureau

to take necessary action in order that ITU-T Study Group 3 study recent developments and practices with regard to the termination and exchange of international telecommunication traffic under commercial agreements, so as to develop a Recommendation, if appropriate, and guidelines for concerned Member States, for the use of providers of international telecommunication services in regard to issues they consider relevant, such as:

i) conditions for the establishment of invoices

ii) conditions for sending invoices

iii) conditions for the payment of invoices

iv) conditions for dispute resolution

v) conditions on fraud prevention and mitigation

vi) conditions for charges for international telecommunication service traffic termination and exchange,

invites Member States

to provide contributions on international telecommunication service traffic termination and exchange to Study Group 3 for the furtherance of its work,

invites Sector Members

to provide information to Study Group 3 and share best practices in the area of international telecommunication services traffic termination and exchange, including in particular, invoicing.

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