



Journal Title: Telecommunication Journal

Journal Issue: Vol. 56, no. 3 (1989)

Article Title: Union Activities: International Telecommunications Regulations signed in Melbourne

Page number(s): pp. 141 -143

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Union Activities

International Telecommunication Regulations signed in Melbourne

On 9 December 1988, a significant historical landmark occurred in the field of telecommunications and international law, as representatives from 113 nations adopted at Melbourne, Australia, the world's first treaty for integrated international telecommunication services and networks. The International Telecommunication Regulations, to take effect on 1 July 1990, will provide the basic foundation of norms and administrative mechanisms required not only for implementing the "networks of the 90s" and beyond, but also for assuring the continued availability of traditional existing telecommunication services among the public throughout the world.

Work of the Conference

The new treaty was drafted by the 1988 World Administrative Telegraph and Telephone Conference (WATTC-88). Such administrative conferences are legislative organs of the International Telecommunication Union (ITU). WATTC-88 was expressly convened by the ITU's 166 Member countries to provide a broad, basic framework for today's and tomorrow's telecommunications. Although the Conference was part of a continuum spanning more than 120 years, WATTC-88 is particularly notable for its embarkation on a new telecommunication framework to enable harmonious and innovative growth of international telecommunications world-wide.

The Final Acts of the Conference include the new International Telecommunication Regulations as well as various Resolutions, Recommendations, and an Opinion of the Conference, all carefully drafted in recognition of the new and rapidly changing telecommunication environment.

Major issues and accomplishments

The Conference focussed on how international economic progress and the interests of a vast array of traditional and new telecommunication service providers could best be fostered to their satisfaction and that of the ever-increasing groups of users. These were fundamental considerations that guided the work of the Conference. Different national representatives had varying views on how these objectives could best be reflected in the text of the treaty. The dialogue and negotiations of the Conference were directed towards reconciling the divergent views.

Against this background and on the basis of more than 1000 individual proposals laid down before the delegates, specific flexible provisions were drafted to reflect the differing perceptions. In this respect, whilst arranging for the future establishment and operation of all types of telecommunication services including advanced services and technologies, each member

country would choose the policy and technological approach it considers suitable. Thus the Conference provided suitable regulatory texts required for the essential multilateral agreements and rules necessary for the establishment and effective operation of basic international telecommunication networks; it also catered for the telecommunication facilities and services to customers of administrations and recognized private operating agencies. The Conference also took full account of the provision of international services to the public provided both by traditional network operators, as well as new entrants and organizations in the international telecommunication network.

Sovereignty

An important issue was the balancing of national sovereignty and the evolution of a vast range of telecommunication service providers through the common global telecommunication network. Hence the significance of the number of the regulatory provisions which explicitly recognize the importance of national sovereignty (i.e. the application of national law and its continued exercise under agreed conditions) between the parties concerned. This is particularly relevant in the context of the vast array of advanced services which are being made available by different organizations through the international telecommunication network. The Conference also laid down responsibilities for reciprocal co-operation between Members, should difficulties arise when services are provided by a foreign operator in a particular country.

Special arrangements

Special recognition was given to Members allowing administrations, recognized private operating agencies or other organizations or persons to enter into arrangements with counterparts so allowed in another country for



General view of Melbourne

890045
(Melbourne Tourism)

the establishment of special telecommunication networks, systems and services to meet special international telecommunication needs.

As an extension of the very general "special arrangement" provision of the International Telecommunication Convention (Article 31), the Conference, in recognizing concerns of sovereignty, endorsed the role of mutually agreed special arrangements that would include, as necessary, the agreed financial, technical and operational conditions to be observed by all the parties concerned. These special arrangements should avoid technical

harm to the operation of the telecommunication facilities of third countries. This concept of "technical harm" had existed for many years in the Radio Regulations, but had not been necessary for specific and dedicated networks.

Interconnectivity

Among the significant considerations of the Conference was the important recognition given to interconnection/interconnectivity. This theme, used repeatedly by delegates speaking to the Conference, has been set forth as one of the basic purposes of the new international telecommunication regula-

tions with a view to enabling a more orderly development and interworking between the public and private networks and services; the continued reliance on the present Telegraph and Telephone Regulations drawn up in 1973 were definitely not a viable alternative.

Technology and its implementation has made an unprecedented level of interconnectivity possible. Indeed, the new regulations support interconnection in many innovative provisions that emphasize the appropriate use of technology and operational Recommendations (i.e. standards) developed through the International Telegraph and Telephone Consultative Committee (CCITT), thus facilitating global connectivity and interoperability of telecommunication facilities. The wide range of these standards was generally recognized by all participants at WATTC-88 together with the fact that the observance of many standards are highly desirable to allow true customer choices among competing equipment and service vendors, as well as universal compatibility. For the new service suppliers or for special arrangements where greater flexibility may be required, the new regulations provide for the encouragement to apply the relevant CCITT Recommendations, where appropriate.

In addition, the Conference stressed the importance of reciprocal information exchange periodically disseminated through the General Secretariat as another specific tool for assuring effective and harmonious international telecommunication world-wide.

Other elements

The Conference recognized the means to ensure not only harmonious development of new services and networks, but also the responsibilities of all Members to ensure interworking so as to facilitate international communication; it also adopted measures to ensure the continued availability of

traditional international services through the available communications infrastructure to assure the continuation of effective connections on a world-wide basis to those members of the public in areas and countries that may not be in a position to adopt new and advanced services in the near future.

The Conference was mindful of the Report of the Independent Commission for World Wide Telecommunications Development—*The Missing Link*—and the Recommendation to set aside accounting revenues for the development of national networks of developing countries; the Conference was aware of the recent cost studies carried out by the Secretary-General on the cost of services and on the potential benefits that could result in changing the apportionment of international accounting revenues. The Conference invited all administrations to co-operate with the Secretary-General in furthering these studies. In this context, if such studies lead to variation in the traditional sharing of revenue on a 50/50 basis to the developing countries, the additional revenue would be used for improving their telecommunications, and possibly as contributions to the Centre for Telecommunication Development.

In the Resolutions, Recommendations and Opinion adopted by the Conference, the ITU Plenipotentiary Conference, which will meet in Nice in May-June 1989, has been asked to consider the impact of the changing telecommunication environment and the consequences of diverse policies, as well as the opportunities offered by new technologies and new types of services, keeping in mind the importance of ensuring their appropriate and harmonious introduction world-wide.

The Conference resolutions recognized the importance of the CCITT in accelerating the formulation of world-wide standards in the form of Recommendations, when appropriate to new technologies and services. The Conference endorsed the decisions taken at the IXth Plenary Assembly of the CCITT which preceded the WATTC Conference in Melbourne. These are also matters to be considered at the Plenipotentiary Conference in Nice for an appropriate modification to the International Telecommunication Convention.

The actions of WATTC-88 can also be considered complementary to the promotion of international negotiations in other forums. ITU forums in the past have implicitly addressed and

resolved many significant situations being envisaged today as trade in services. At WATTC-88, however, the interventions of some delegations drew attention to the General Agreement on Tariffs and Trade (GATT). The Conference set down the ground rules which may well assist GATT in the search of its objectives, keeping in mind that world-wide telecommunication transport needs are key ingredients for development of the service industries.

At the closing of the Conference, the Final Acts were signed in the presence of over 500 government representatives including ministers, telecommunication leaders and other representatives of telecommunication organizations as well as 11 international organizations and six regional telecommunication organizations.

Australia's invitation to hold the Conference in Melbourne was to honour its bicentennial.

History may well confirm that the adoption of the new International Telecommunication Regulations will be comparable to the adoption of the First International Telegraph Convention of the Paris Conference of 1865 and the adoption of the first international law in respect of radiocommunications during the Berlin Conference of 1906.

17 May 1989
World Telecommunication
Day

“International cooperation”