

**Forthcoming World Conference on International Telecommunications (WCIT-2012) of the International Telecommunications Union**

**European Parliament resolution of 22 November 2012 on the forthcoming World Conference on International Telecommunications (WCIT-12) of the International Telecommunication Union, and the possible expansion of the scope of international telecommunication regulations (2012/2881(RSP))**

*The European Parliament,*

- having regard to Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009<sup>1</sup> amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services,
- having regard to Commission Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009<sup>2</sup> amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws,
- having regard to Directive 2002/77/EC of 16 September 2002<sup>3</sup> on competition in the markets for electronic communications networks and services,
- having regard to its resolution of 17 November 2011 on the open internet and net neutrality in Europe<sup>4</sup>,
- having regard to its resolution of 15 June 2010 on 'internet governance: the next steps'<sup>5</sup>,
- having regard to UN Human Rights Council resolution A/HRC/20/L13,
- having regard to the Commission proposal for a Council decision establishing the EU Position for the review of the International Telecommunications Regulations to be taken at the World Conference on International Telecommunications or its preparatory instances (COM(2012)0430),
- having regard to Rule 110(2) and (4) of its Rules of Procedure,

A. whereas the International Telecommunication Regulations (ITRs) were adopted by the

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<sup>1</sup> OJ L 337, 18.12.2009, p. 37.

<sup>2</sup> OJ L 337, 18.12.2009, p. 11.

<sup>3</sup> OJ L 249, 17.9.2002, p. 21.

<sup>4</sup> Texts adopted, P7\_TA(2011)0511.

<sup>5</sup> OJ C 236 E, 12.8.2011, p. 33.

World Administrative Telegraphy and Telephone Conference in Melbourne in 1988 and have not been revised since;

- B. whereas the 27 Member States of the European Union are signatories to these ITRs;
- C. whereas the International Telecommunication Union (ITU) has called a meeting in Dubai from 3 to 14 December 2012, named the World Conference on International Telecommunications (WCIT), to agree to a new text for these ITRs;
1. Calls on the Council and the Commission to ensure that any changes to the International Telecommunication Regulations are compatible with the EU *acquis* and further the Union's objective of, and interest in, advancing the internet as a truly public place, where human rights and fundamental freedoms, particularly freedom of expression and assembly, are respected and the observance of free market principles, net neutrality and entrepreneurship are ensured;
  2. Regrets the lack of transparency and inclusiveness surrounding the negotiations for WCIT-12, given that the outcomes of this meeting could substantially affect the public interest;
  3. Believes that the ITU, or any other single, centralised international institution, is not the appropriate body to assert regulatory authority over either internet governance or internet traffic flows;
  4. Stresses that some of the ITR reform proposals would negatively impact the internet, its architecture, operations, content and security, business relations and governance, as well as the free flow of information online;
  5. Believes that, as a consequence of some of the proposals presented, the ITU itself could become the ruling power over aspects of the internet, which could end the present bottom-up, multi-stakeholder model; expresses concern that, if adopted, these proposals may seriously affect the development of, and access to, online services for end users, as well as the digital economy as a whole; believes that internet governance and related regulatory issues should continue to be defined at a comprehensive and multi-stakeholder level;
  6. Is concerned that the ITU reform proposals include the establishment of new profit mechanisms that could seriously threaten the open and competitive nature of the internet, driving up prices, hampering innovation and limiting access; recalls that the internet should remain free and open;
  7. Supports any proposals to maintain the current scope of the ITRs and the current mandate of the ITU; opposes any proposals that would extend the scope to areas such as the internet, including domain name space, IP address allocation, the routing of internet-based traffic and content-related issues;
  8. Calls on the Member States to prevent any changes to the International Telecommunication Regulations which would be harmful to the openness of the internet, net neutrality, the end-to-end principle, universal service obligations, and the participatory governance entrusted to multiple actors such as governments, supranational institutions, non-governmental organisations, large and small businesses, the technological community and internet users and consumers at large;

9. Calls on the Commission to coordinate the negotiation of the revision of the ITRs on behalf of the European Union, on the basis of inclusively gathered input from multiple stakeholders, through a strategy that primarily aims at ensuring and preserving the openness of the internet, and at protecting the rights and freedoms of internet users online;
10. Recalls the importance of safeguarding a robust best-effort internet, fostering innovation and freedom of expression, ensuring competition and avoiding a new digital divide;
11. Stresses that the ITRs should state that the ITU recommendations are non-binding documents which promote best practices;
12. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.