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CWG-WCIT12 CONTRIBUTION 96

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EGYPT**

EGYPT CONTRIBUTION TO THE 7th CWG-WCIT12 MEETING

Egypt, based on document TD52 (Draft compilation of options) would like to submit this contribution to revise some of its previous submissions based on the discussion in the previous CWG-WCIT meetings, and as well clarifies its position and comments on some options and proposals from regions.

It should be noted that Egypt is still developing its views concerning some provisions/proposals. Egypt also reserves the right to revise these proposals in light of the forthcoming Arab and African regional preparatory meetings that will convene late April and late May 2012 respectively, and on views and discussions in the coming CWG-WCIT meetings.

EGYPT proposals for ADD, MOD or SUP	Reasons and Comments
<p>3.1</p> <p>Option x MOD x: Members <u>States</u> shall ensure that administrations* <u>Operating Agencies</u> cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service and above a minimum level corresponding to the relevant ITU-T Recommendation.</p>	<p>It was noted during the discussions in the CWG-WCIT 6th meeting and in CWG-WCIT TD54 some confusion or insufficiency in the use of each of the words “minimum” or “satisfactory”.</p> <p>Egypt is in a view that the proper use may be a combination of both as shown in the modification of 3.1. The meaning is self explanatory.</p> <p>It was noted that reliance only on market forces according to competition mechanism to improve QoS offered to the users has not worked in many instances, but in the contrary, there exist agility in offering low quality services that makes the consumer more often prone to be a victim for such deteriorated services, in particular those based on VoIP.</p> <p>Assuring a level of QoS above a minimum set by the relevant ITU-T Recommendation shall help to a great extent to preserve users’ rights.</p> <p>The same applies for articles 3.4 and 4.3 below.</p>
<p>3.4</p> <p>Option x MOD x: Subject to national law, any user, by having access to the international network established by an administration<u>Operating Agency</u> has the right to send traffic. A satisfactory quality of service and above a minimum level corresponding to relevant CCITT <u>ITU-T</u> Recommendations <u>should be maintained to the greatest extent practicable.</u></p>	<p>See 3.1</p>
<p>4.3</p> <p>Option 3 MOD3: Subject to national law, Members <u>States</u> shall endeavour to ensure that administrations*<u>Operating Agencies</u> provide and maintain, to the greatest extent practicable, a satisfactory quality of service and above a minimum level corresponding to the relevant CCITT <u>ITU-T</u> Recommendations with respect to:</p> <p>.....</p> <p>.....</p>	<p>See 3.1</p>

EGYPT proposals for ADD, MOD or SUP	Reasons and Comments
<p>New 3.6</p> <p>Member States or Operating Agencies involved in a communication route – and in particular in transit nodes – shall ensure, to the greatest extent practicable, the provision, transport and forward of international calling party number delivery, calling line identification and/or origination identification, and its integrity end-to-end, in accordance with the relevant ITU-T Recommendations. Member States may provide for data privacy and data protection by authorizing the masking of information other than the country and operating agency identification codes or equivalent originating identifiers, but that masked information shall be made available to duly authorized law enforcement agencies.</p> <p><i>(note the companion definition:</i></p> <p>Option 1 ADD: new 2.21 <i>Originating Identification:</i> The Originating Identification is the service by which the terminating party shall have the possibility of receiving identity information in order to identify the origin of the communication. <i>Source C 80 (Egypt).</i></p>	<p><u>Modification to proposal of C80.</u></p> <p>Egypt, in line with the Arab proposal C67, C68 and the concept paper of the African countries C61, believes in the strong relation between masking or spoofing of the origin of a communication, and fraud, misuse and security. This was also emphasized in the information document CWG-WCIT12 INF 15 on the outcomes of the workshop on “<i>Alternate Calling Procedures and Origin Identification</i>”, and ITU-T SG2 document C140 and presentation by the GSMA Fraud Forum.</p> <p>Simply, this clause proposes a high level requirement for the identification of the true origin of a call - to the greatest extent practicable -and requests faithful transmission and forwarding of these identifiers.</p>
<p>3.3 Source C68 (Arab States)</p> <p>Administrations*<u>Operating Agencies</u> 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 administrations* <u>Operating Agencies</u> concerned, the origin administration* <u>Operating Agency</u> has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations*<u>Operating Agencies</u>. <u>Member States shall have the right to can request information on the routes used, and may impose any routing regulations in this regard, for the purposes of security and countering fraud.</u></p>	<p><u>Editorial and support</u></p> <p>Routing of traffic in nowadays environment is in many cases based on commercial agreements. Any commercial agreement is based on terms and conditions between the parties. According to the proposed provision in the ITR treaty, each Member Stats shall have the right to request OAs under its jurisdiction to include in their agreements a clause to make information on the route of the call be available to the MS if so requested. OAs should be able to identify the route of the traffic by applying, and according to, the relevant ITU-T Recommendations. MSs will also have the right if deemed necessary, e.g. for security reasons, or for countering fraud to request OAs to include in their agreements restrictions on some specific routes.</p> <p>Availability of routing information to the competent authority of a MS – if needed – shall not hinder the competitive environment.</p> <p>Mitigation or avoidance of harm resulting from fraud or security is privileged or prioritized over commercial competition, the preamble of the CS addresses communications to facilitate peaceful relations.</p>

EGYPT support and/or comments on options in document TD 52	Reasons and comments
<p><i>Egypt supports 1.5 Option 3 MOD2:</i></p> <p><i>Option 3 MOD2:</i> Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between <u>Operating Agencies administrations</u>[±]. <i>Source C 68 (Arab States)</i></p>	<p>Egypt supports the Arab proposal in the context that in spite that article 42 of the CS refer to special arrangements, and accordingly direct or complex commercial relations may exist between operators; however, there should be - and does not contradict – to have a legal binding document (agreement) between Operating Agencies operating under the jurisdiction of their relevant Member States in each of the relations, either bi- or multilateral, in order to preserve their mutual rights firstly, and secondly to preserve the rights of the involved Member States in case of a breach of this ITRs, e.g. instances of fraud, misuse ..etc which could have negative effects on the interests of this MS and /or its OAs or users.</p> <p>Indeed, Article 11 No. 76A of the CS allows the Secretary-General to act as depositary of special arrangements established in conformity with Article 42 of the CS.</p>

EGYPT proposals for ADD, MOD or SUP	Reasons and Comments
<p>2.16 Fraud</p> <p>Option 3 ADD3: Source C 57 (Egypt) and Côte d'Ivoire :</p> <p>(Support)</p> <p>new 2.16 <i>Fraud</i>: use of any telecommunications facilities or services with the intention of avoiding payment, without correct payment, with no payment at all, by making someone else pay, by using a wrongful or criminal deception in order to obtain a financial or personal gain from the use of those facilities or services or by intentional misrepresentation of identity which can lead to actual or potential disadvantage or financial harm to another individual or group.</p> <hr/> <p>Option 0 NOC: No ADD. Source C 71 (Portugal) :</p> <p>(No Support)</p>	<p>Some regions are in a view that a definition on Fraud should not be included as being a national matter.</p> <p>Egypt is in a view that fraud occurs as a result of mal-practices of some OAs affecting other OAs internationally, such as but not limited to: misuse, CLI spoofing or blocking, ...etc. Fraud definition can help in characterizing instances of violation of the ITR treaty in such cases or others.</p> <p>Although ITU <u>SO FAR</u> cannot enter into dispute resolution unless the two parties agree (CS §4/CV §41), however <u>at least</u> the ITRs should define what are the classes of practices that can be considered as fraudulent activities, so that MS can clearly identify these instances in relation to their rights and obligations under this treaty, and accordingly consider resolving the dispute either heuristically, or according to ITU mechanisms, or if not, then by other international mechanisms which may be cumbersome and costly for many MSs including developing countries.</p> <p>It is highly recommended to consider a stronger role of the ITU in resolving some appropriate classes of disputes.</p> <p>Egypt supports Africa proposal in C60 and TD52 §6 :</p> <p><i>“OPTION1 ADD: new provision on settlement of disputes by a body mutually agreeable to the parties in dispute (for example by a neutral body in one of the concerned countries or by a neutral international body). Text to be developed. Source Africa”</i></p>