|  |  |  |
| --- | --- | --- |
| C:\Users\ponder\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Word\BDT-25th_anniversary_2017-Logo_411959-3_transparent.png | **World Telecommunication DevelopmentConference 2017 (WTDC-17)****Buenos Aires, Argentina, 9-20 October 2017** | C:\Users\ponder\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Word\BDT-25th_anniversary_2017-Logo_411959-1_transparent.png |
|  |  |
| PLENARY MEETING | **Addendum 23 toDocument WTDC-17/23-E** |
|  | **4 September 2017** |
|  | **Original: Russian** |
| ITU Member States, members of the Regional Commonwealth in the field of Communications (RCC) |
| Draft Revision to WTDC Resolution 64 - Protecting and supporting users/consumers of telecommunication/information and communication technology services |
|  |
|  |
| **Priority area:**Resolutions and Recommendations**Summary:**Taking into account the results of the work carried out by ITU-T and ITU-R, as well as the decisions taken by the Plenipotentiary Conference (Busan, 2014) and the World Telecommunication Standardization Assembly (Hammamet, 2016), the proposals herein contain additional recommendations for inclusion in the work of ITU-D in collaboration with ITU-T and ITU-R in this area of study, in particular:– to continue work to study and develop guidelines and relevant ITU‑T Recommendations in order to provide solutions ensuring and protecting the rights of users and consumers of telecommunication/ICT services, notably in the areas of quality, security and tariff mechanisms;– to expedite work on ITU texts that would provide additional detail and guidelines.**Expected results:**WTDC‑17 is invited to examine and approve the modifications to Resolution 64 (Rev. Dubai, 2014), as set forth in the annex hereto.**References:**Resolution 64 (Rev. Dubai, 2014) |

**MOD** RCC/23A23/1

RESOLUTION 64 (Rev. BUENOS AIRES, 2017)

Protecting and supporting users/consumers of telecommunication/
information and communication technology services

The World Telecommunication Development Conference (Buenos Aires, 2017),

considering

*a)* Article 1, No. 9, of the ITU Constitution, which states that the purpose of the Union is to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society;

*b)* Article 21, No. 127 of the Constitution, which states that the purpose of the ITU Telecommunication Development Sector is to offer advice and carry out or sponsor studies, as necessary, on technical, economic, financial, managerial, regulatory and policy issues;

*c)* § 13 e) of the Geneva Plan of Action of the World Summit on the Information Society, which states that governments should continue to update their domestic consumer-protection laws to respond to the new requirements of the information society;

*d)* §§ 4.4 and 4.5 of Article 4 of the International Telecommunication Regulations, requesting Member States to promote policies 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, and to encourage measures to ensure that telecommunication services in international roaming of satisfactory quality are provided to visiting users;

*e)* Resolution 196 (Busan 2014) of the Plenipotentiary Conference, on protecting telecommunication service users/consumers;

*f)* Resolution 188 (Busan, 2014) of the Plenipotentiary Conference, on combating counterfeit telecommunication/information and communication technology (ICT) devices;

*g)* Resolution 189 (Busan, 2014) of the Plenipotentiary Conference, on assisting Member States to combat and deter mobile device theft;

*h)* the International Telecommunication Regulations,

further considering

*a)* that counterfeit telecommunication/ICT devices may negatively impact on security and quality of service for users;

*b)* that consumer-related laws, policies and practices limit fraudulent, deceitful and unfair business conducts, and such protections are indispensable for building consumer trust and establishing a more equitable relationship between telecommunication/ICT entrepreneurs and consumers;

*c)* that the Internet permits the introduction of new applications in telecommunication/ICT services based on its highly advanced technology, such as cloud computing, e‑mail and text messaging, voice over IP, video and real-time TV (IPTV) over the Internet, which continue to record high levels of use, even though there are challenges regarding quality of service (QoS) and uncertainty of origin;

*d)* that the QoS of networks should be consistent with ITU Telecommunication Standardization Sector (ITU‑T) Recommendations and other recognized international standards;

*e)* that telecommunications/ICTs can offer new and substantial benefits to consumers, including convenience and access to a broad range of goods and/or services, and the ability to collect and compare information about these goods and/or services;

*f)* that consumer trust in telecommunications/ICTs is bolstered by the continuous development of transparent, effective consumer-protection mechanisms that limit the presence of fraudulent, deceitful or unfair business practices;

*g)* that education and dissemination of information on the consumption and use of telecommunication/ICT products and services must be encouraged;

*h)* that access to telecommunications/ICT must be open and affordable;

*i)* that a number of countries are introducing conformity-assessment regimes and procedures based on applicable ITU‑T Recommendations, leading to better QoS/quality of experience, and to higher probability of interoperability of equipment, services and systems;

*j)* that the migration of legacy networks to next-generation networks will affect point of interconnection, QoS and other operational aspects, which will also have an effect on costs to the end user;

*k)* that personal data are protected by national law,

taking into account

*a)* ITU's mandate to serve as coordinator and facilitator for Action Lines C5 and C6 of the Geneva Plan of Action;

*b)* that the basic principles of consumer and user relations include education and outreach on the appropriate consumption and use of products and services, in order to guarantee freedom of choice and fairness in contracting, together with clear and appropriate information on different products and services, with the correct specification of quantities, characteristics, composition, quality and price;

*c)* that information is the main input of the digital economy, for which reason it is recognized that the cross-border flow of personal consumer and user data demands the observance of national laws and regulations;

*d)* that the report entitled "Enforcing national telecommunications laws: Report and best practice guidelines"published in 2010*,* presented by the Rapporteur for Question 18-1/1, constitutes a first step in suggesting guidelines for enforcing user-protection regulations;

*e)* that policies on information transparency make it possible to increase the level and quality of the information provided by operators to users and consumers;

*f)* that the same policies should ensure access to telecommunications/information and communication technologies (ICTs) for persons with disabilities in conditions of use comparable to all other consumers and users;

*g)* that, for international roaming services, the quantity and quality of information provided to consumers and users would influence inversely the prices paid for those services,

noting

*a)* the importance of keeping users and consumers informed about the basic characteristics, quality, security and rates of the different services offered by operators, and of other protection mechanisms promoting consumer and user rights;

*b)* that landlocked countries pay higher overall costs for access than neighbouring countries on coastal areas;

*c)* that the issue of accessibility of telecommunication/ICT services and the establishment of fair costs depend on different factors,

resolves to instruct the Director of the Telecommunication Development Bureau in collaboration with the Directors of the Radiocommunication Bureau and the Telecommunication Standardization Bureau

1 to continue work to study and develop guidelines on the introduction of relevant ITU-R and ITU‑T Recommendations in order to provide solutions ensuring and protecting the rights of users and consumers of telecommunication/ICT services, notably in the areas of quality, security and tariff mechanisms;

2 to help expedite work on ITU texts that would provide additional detail and guidance for the implementation of this resolution;

3 to continue to support work aimed at raising awareness among decision-makers regarding telecommunications/ICTs as well as among regulatory agencies regarding the importance of keeping users and consumers informed about the basic characteristics, quality, security and rates of the different services offered by operators, and at creating other protection mechanisms to facilitate the exercise of consumers' and users' rights;

4 to collaborate with the Member States in order to identify the critical areas for the establishment of policies or regulatory frameworks for the protection of consumers and users;

5 to continue coordination with the ITU Telecommunication Standardization Sector on such topics as service quality, perceived quality and security;

6 to strengthen relations with other international organizations and entities involved in consumer and user protection;

7 to invite relevant regions to create their end-user and consumer associations,

urges Member States

1 to create and promote policies that favour providing end users with information on the characteristics of the telecommunication services offered by different providers, considering especially those that facilitate the provision of free-of-charge, transparent, up-to-date and accurate information to consumers and end users on international telecommunication services, including international roaming prices and the associated relevant conditions, in a timely manner;

2 to foster measures to ensure that telecommunication services in international roaming of satisfactory quality are provided to visiting users;

3 to provide inputs that will disseminate best practices and policies they have implemented to build capacity for the development of related public policies and legal, regulatory and technical measures to address consumer and user protection, including personal data protection, taking into consideration the guidelines and recommendations from ITU and other relevant organizations, as appropriate,

invites Sector Members of the ITU Telecommunication Development Sector

to contribute inputs that will allow the dissemination of best practices and activities they have undertaken related to the implementation of consumer- and user-protection policies, taking into consideration ITU guidelines and recommendations.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_