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| **Logo, company name  Description automatically generated** | A close up of a sign  Description automatically generated**World Telecommunication Development Conference (WTDC-22)**  **Kigali, Rwanda, 6-16 June 2022** | |
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| PLENARY MEETING | | **Addendum 10 to Document WTDC-22/24-E** |
|  | | **2 May 2022** |
|  | | **Original: English** |
| Member States of the Inter-American Telecommunication Commission (CITEL) | | |
| Proposal to modify WTDC Resolution 79 on the role of telecommunications/information and communication technologies in combating and dealing with counterfeit telecommunication/information and communication devices | | |
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| **Priority area:** - Resolutions and Recommendations  **Summary:**  The CITEL Member States propose modifications to WTDC Resolution 79, which take into consideration the need for streamlining resolutions as acknowledged by the 2018 Plenipotentiary Conference.  **Expected results:**  WTDC-22 is invited to examine and approve the proposal in this document.  **References:**  WTDC Resolution 79 | | |

**MOD** IAP/24A10/1

RESOLUTION 79 (Rev. Kigali, 2022)

The role of telecommunications/information and communication   
technologies in combating and dealing with counterfeit telecommunication/information and communication devices

The World Telecommunication Development Conference (Kigali, 2022),

recalling

*a)* Resolution 177 (Rev. Dubai, 2018) of the Plenipotentiary Conference, on conformance and interoperability (C&I);

*b)* Resolution 188 (Dubai, 2018) of the Plenipotentiary Conference, on combating counterfeit telecommunication/information and communication technology (ICT) devices;

*c)* Resolution 96 (Hammamet, 2016) of WTSA, on ITU Telecommunication Standardization Sector (ITU-T) studies for combating counterfeit telecommunication/ICT devices;

*d)* Resolution 174 (Rev. Busan, 2014) of the Plenipotentiary Conference, on ITU's role with regard to international public policy issues relating to the risk of illicit use of ICTs;

*e)* Resolution 64 (Rev. Buenos Aires, 2017) of this conference, on protecting and supporting users/consumers of telecommunication/ICT services;

*f)* Resolution 76 (Rev. Hammamet, 2016) of WTSA, on studies related to C&I testing, assistance to developing countries[[1]](#footnote-1)1, and a possible future ITU Mark programme;

*g)* Resolution 47 (Rev. Buenos Aires, 2017) of this conference, on enhancement of knowledge and effective application of ITU Recommendations in developing countries, including C&I testing of systems manufactured on the basis of ITU Recommendations, and in particular assistance to developing countries in addressing their fears in relation to counterfeit equipment,

recognizing

*a)* the noticeably growing sales and circulation of counterfeit and tampered telecommunication/lCT devices in the markets, which have a negative impact on governments, manufacturers, vendors, operators and consumers through: loss of revenues, erosion of brand value/intellectual property rights (IPRs) and reputation, network disruptions, poor quality of service (QoS), data theft and potential hazard to public health and safety, as well as the environmental impact of e‑waste;

*b)* that counterfeit telecommunication/ICT products and devices have become a growing problem in the world, adversely affecting to a large extent all stakeholders in the ICT field (vendors, governments, operators and consumers);

*c)* that counterfeit telecommunication/ICT devices may contain unacceptable levels of hazardous substances, threatening consumers and the environment,

*d)* that counterfeiting of these devices poses a complex challenge and increases the risks of network disruption and interoperability difficulties that reduce the quality of telecommunication/ICT services;

*e)* that a counterfeit telecommunication/ICT device is a product that explicitly infringes the trademark, copies hardware or software designs, or infringes brand or packaging rights of an original or authentic product and, in general, infringes applicable national and/or international technical standards, regulatory requirements or conformity processes, manufacturing licensing agreements, or other applicable legal requirements;

*f)* that tampered (making unauthorized changes to) telecommunication/ICT devices are devices that have components, software, a unique identifier, items protected by IPRs or a trademark tentatively or effectively altered without the explicit consent of the manufacturer or its legal representative;

*g)* that tampered telecommunication/ICT devices, especially the ones that replicate a legitimate unique identifier, may diminish the effectiveness of solutions adopted by the countries when addressing counterfeiting;

*h)* the ongoing work of ITU Telecommunication Standardization Sector (ITU-T) Study Group 11, as the leading expert in the study of combating counterfeit and tampered telecommunication/ICT devices at ITU, and also the related work and studies, in particular at ITU-T Study Groups 5, 17 and 20 and ITU-D Study Group 2,

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

1 to continue and develop ITU activities on combating, and ways of limiting the spread of, counterfeit and tampered devices;

2 to assist Member States, particularly developing countries, in addressing their concerns regarding counterfeit devices and tampered telecommunication/ICT devices, through information sharing at regional or global level;

3 to continue to work in collaboration with stakeholders (such as the World Trade Organization (WTO) and and the World International Property Organization (WIPO)), including academia and relevant organizations, to coordinate activities relating to combating counterfeit and tampered devices through study groups, focus groups and other related groups;

4 to organize seminars and workshops to raise awareness of the health and environmental risks of using counterfeit and tampered devices and ways of limiting them, particularly in developing countries, which are the most at risk from the dangers of counterfeit devices;

5 to continue assisting developing countries attending these workshops and seminars by providing fellowships and remote participation;

6 to work in close collaboration with relevant stakeholders, such as the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO), the World Health Organization (WHO) and the World Customs Organization (WCO), on activities relating to combating counterfeit and tampered telecommunication/ICT devices, including restricting the trading, export and circulation of these telecommunication/ICT devices internationally;

7 to submit periodic reports on the implementation of this resolution,

instructs Study Groups 1 and 2 of the ITU Telecommunication Development Sector, within their mandate, as appropriate, in collaboration with the relevant ITU study groups

1 to prepare and document examples of best practices on limiting counterfeit and tampered telecommunication/ICT devices, for distribution to ITU Member States and Sector Members;

2 to prepare guidelines, methodologies and publications to assist Member States in identifying counterfeit and tampered telecommunication/ICT devices and methods of increasing public awareness to restrict trade in these devices, as well as the best ways of limiting them, taking into account ongoing studies conducted by ITU-T Study Group 11;

3 to study the impact of counterfeit and tampered telecommunication/ICT devices being transported to developing countries;

4 to continue studying safe ways of disposing of the harmful e‑waste from the counterfeit devices currently in circulation in the world;

5 to cooperate with relevant ITU-T study groups, in particular Study Group 11 as the lead study group in the area of combating counterfeit and tampered telecommunication/ICT devices,

invites Member States

1 to take all necessary measures to combat counterfeit and tampered telecommunication/ICT devices and to review their regulations;

2 to cooperate and exchange expertise among themselves in this area;

3 to incorporate policies to combat counterfeit and tampered devices in their national telecommunication/ICT strategies;

4 to raise awareness among consumers regarding the negative impacts of counterfeit and tampered devices.

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1. 1 These include the least developed countries, small island developing states, landlocked developing countries and countries with economies in transition. [↑](#footnote-ref-1)