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| ITU Member States, Members of the RCC |
| DRAFT NEW RESOLUTION [RCC-2] - Studies on combating counterfeit products including telecommunication/ICT devices |
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| **Abstract:** | This contribution proposes a draft new Resolution concerning studies on combating counterfeit products including telecommunication/ICT devices.  |

Introduction

In conditions marked by rapid growth of the ICT market, issues relating to the sale and dissemination of counterfeit devices are becoming increasingly relevant for operators, regulators and end users worldwide. The use of counterfeit devices can have an adverse effect on telecommunication networks by undermining their stability, and on users in terms of harm to their health.

In this regard it is important to develop relevant measures to identify counterfeit production and creating means for combating it by applying means for universal identification of original products using promising ICT technologies that ensure a high level of security.

Proposal

It is proposed to adopt a new WTSA Resolution concerning studies on combating counterfeit products including telecommunication/ICT devices, as set out in the text that follows.

ADD RCC/47A11/1

DRAFT NEW RESOLUTION [RCC-2]

Studies on combating counterfeit products including telecommunication/ICT devices

(Hammamet, 2016)

The World Telecommunication Standardization Assembly (Hammamet, 2016),

recalling

*a)* Resolution 176 (Rev. Busan, 2014) of the Plenipotentiary Conference (PP), on human exposure to and measurement of electromagnetic fields;

*b)* Resolution 177 (Rev. Busan, 2014) of the Plenipotentiary Conference, on conformity and interoperability;

*c)* Resolution 182 (Rev. Busan, 2014) of the Plenipotentiary Conference, on the role of telecommunications/information and communication technologies in regard to climate change and the protection of the environment;

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

*e)* Resolution 72 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly (WTSA), on measurement concerns related to human exposure to electromagnetic fields;

*f)* Resolution 79 (Dubai, 2012) of the World Telecommunication Standardization Assembly (WTSA), on the role of telecommunications/information and communication technologies in handling and controlling e-waste from telecommunication and information technology equipment and methods of treating it;

*g)* Resolution 47 (Rev. Dubai, 2014) of the World Telecommunication Development Conference (WTDC), on enhancement of knowledge and effective application of ITU recommendations in developing countries[[1]](#footnote-1), including conformance and interoperability testing of systems manufactured on the basis of ITU recommendations;

*h)* Resolution 62 (Rev. Dubai, 2014) of the World Telecommunication Development Conference (WTDC), on measurement concerns related to human exposure to electromagnetic fields;

*i)* Resolution 79 (Dubai, 2014) of the World Telecommunication Development Conference (WTDC), on the role of telecommunications/information and communication technologies in combating and dealing with counterfeit telecommunication/information and communication devices,

recognizing

*a)* the growing problem related to the sale and circulation of counterfeit devices in the market, as well as the adverse consequences thereof for users, governments and the private sector;

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

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

*d)* that some countries have adopted measures to raise awareness of this issue and deployed successful solutions to deter the spread of counterfeit telecommunication/ICT devices, and that both developing and developed countries may benefit from learning from those experiences;

*e)* that Recommendation ITU-T X.1255, which is based on the digital object architecture (DoA), provides a framework for discovery of identity management information;

*f)* that the general framework agreement between ITU and the DONA Foundation is intended to create a stable platform for developing and introducing DoA including for purposes of combating counterfeit products and devices;

*g)* that some of the measures adopted by countries rely on unique telecommunication/ICT device identifiers, such as the International Mobile Equipment Identity (IMEI), to limit and deter the dissemination of counterfeit mobile devices;

*h)* that industry initiatives have been created to coordinate activity between operators, manufacturers and consumers;

*i)* that Member States face significant challenges in finding effective solutions to combat counterfeit devices, given the innovative and creative ways used by persons engaged in this illicit activity to evade enforcement/legal measures;

*j)* that the ITU's Conformity and Interoperability and Bridging Standardization Gap programmes are intended to help by bringing clarity to standardization processes and product conformity with international standards;

*k)* that providing interoperability, safety and reliability should be a key objective of ITU recommendations,

considering

*a)* that, in general, telecommunication/ICT devices that do not comply with a country's applicable national conformity processes and regulatory requirements or other applicable legal requirements should be considered unauthorized for sale and/or activation on telecommunication networks of that country;

*b)* that ITU and other relevant stakeholders have key roles to play in fostering coordination between the parties concerned in order to study the impact of counterfeit devices and the mechanism for limiting their use, and to identify ways of dealing with them internationally and regionally;

*c)* the importance of maintaining user connectivity;

*d)* the conclusions of the ITU conference on “Combating counterfeit and substandard ICT devices” (Geneva, Switzerland, 17-18 November 2014);

*e)* the conclusions set out in the ITU-T Technical Report on “Counterfeit ICT Equipment” approved at the ITU-T Study Group 11 meeting held in Geneva, 2-11 December 2015),

aware

*a)* that governments play an important role in combating the manufacture and international trade of counterfeit products including telecommunication/ICT devices, by formulating appropriate strategies, policies and legislation;

*b)* of the current work and studies of ITU study groups, in particular Study Group 11 of the ITU Telecommunication Standardization Sector (ITU-T), which is engaged in a study of methodologies and use cases for combating counterfeit and substandard ICT products, and of relevant activities in other relevant forums;

*c)* that tampering with unique device identifiers diminishes the effectiveness of solutions adopted by countries;

*d)* that there is ongoing cooperation with the World Trade Organization and World Intellectual Property Organization on matters related to counterfeit products,

instructs the Director of the Telecommunication Standardization Bureau

1 in cooperation with the Radiocommunication Bureau (BR) and the Telecommunication Development Bureau (BDT), to continue to conduct as necessary exploratory activities in each region in order to identify and prioritize key problems and means of combating counterfeit production, including using conformance assessment systems;

2 using mechanisms and technologies standardized by ITU and other standardization organizations, and also the signed Framework Agreement between ITU and the DONA Foundation, to carry out a pilot project on setting up a universal system [base model] for combating counterfeit production using various types of product identifiers, use of which is feasible for different sectors and not restricted to the ICT sector;

3 to establish cooperation with international organizations (WHO, WTO, WIPO and so on) with a view to their participation in the pilot project on combating counterfeit production;

4 to assist all the ITU membership, considering relevant ITU-T Recommendations, in taking the necessary actions to apply relevant ITU-T Recommendations for purposes of combating counterfeit products, and in collaborating with other telecommunication standards-development organizations related to these matters;

5 to involve experts and external entities as appropriate;

6 to submit the results of these activities to the Council for its consideration and required actions,

instructs Study Group 11 of the ITU Telecommunication Standardization Sector, in collaboration with other concerned Study Groups, in particular

1 to draw up a list of identifiers used for combating counterfeit production including their areas of application and level of security as regards possible duplication/cloning;

2 with the involvement of relevant standardization organizations, to draw up mechanisms as appropriate for identifying production, unique identifiers that are resistant to duplication and respond to confidentiality/security requirements;

3 to develop the questions linked to the implementation of the pilot project on combating counterfeit production as outlined in *instructs the Director of the Telecommunication Standardization Bureau* 2 above;

4 to define a list of technologies/products, testing of which for compliance with ITU-T Recommendations may help in efforts to combat counterfeit ICT production;

5 to develop methods of assessing and verifying identifiers used for purposes of combating counterfeit production,

invites the Council

to consider the Director’s report on implementation of this Resolution,

invites Member States

1 to contribute to the implementation of this Resolution;

2 to encourage national and regional testing entities to assist ITU-T in implementing this Resolution;

3 to take all necessary measures to combat counterfeit products in their country/region;

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

5 to encourage participation in industry programmes combating counterfeit telecommunication/ICT devices,

invites all the ITU membership

1 to participate actively in ITU studies relating to combating counterfeit products by submitting contributions;

2 to take the necessary actions to prevent or detect tampering with unique telecommunication/ICT device identifiers,

further invites Member States and Sector Members

to bear in mind the legal and regulatory frameworks of other countries concerning equipment that negatively affects the quality of their telecommunication infrastructure and services, in particular recognizing the concerns of developing countries with respect to counterfeit equipment.

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