|  |  |
| --- | --- |
| World Telecommunication Standardization Assembly (WTSA-20) Geneva, 1-9 March 2022 |  |
|  |  |
|  |  |
| PLENARY MEETING | Addendum 5 to Document 35-E |
|  | **15 December 2021** |
|  | **Original: English** |
|  | |
| African Telecommunication Union Administrations | |
| Proposed modifications to Resolution 40 | |
|  | |
|  | |

|  |  |  |
| --- | --- | --- |
| **Abstract:** | ATU proposes to modify Resolution 40, to highlight the importance and the need to address issues on user protection, and to study policy and regulatory aspects of hot topics such as OTT and emerging technologies. | |
| **Contact:** | Meriem Slimani  African Telecommunication Union  Kenya | Tel: +254726820362 E-mail: [m.slimani@atuuat.africa](mailto:m.slimani@atuuat.africa) |

MOD AFCP/35A5/1

RESOLUTION 40 (Rev. Geneva, 2022)

Regulatory aspects of the work of the ITU  
Telecommunication Standardization Sector

(Montreal, 2000; Florianópolis, 2004; Johannesburg, 2008; Dubai, 2012; Hammamet, 2016; Geneva 2022)

The World Telecommunication Standardization Assembly (Geneva, 2022),

recognizing

*a)* the provisions of Nos. 246D to 246H of the ITU Convention;

*b)* Resolution 20 (Rev. Hammamet, 2016) of this assembly, on the procedures for allocation and management of international telecommunication numbering, naming, addressing and identification resources;

*c)* Resolution 84 (Rev. Hammamet, 2016) of this assembly, on studies concerning the protection of users of telecommunication/ Information and communication technology services,

considering

*a)* that the tasks undertaken in the ITU Telecommunication Standardization Sector (ITU‑T) cover both technical matters and matters having policy or regulatory implications;

*b)* that rules pertaining to certain aspects of the Sector's work are being framed in terms that will rely upon clear and certain identification of the boundary between technical matters and matters having policy or regulatory implications;

*c)* that administrations are encouraging a larger role for Sector Members in the work of ITU‑T, particularly on technical matters;

*d)* that many matters having policy or regulatory implications may involve technical implementation and therefore need to be considered in appropriate technical study groups,

noting

*a)* that the ITU Member States have identified significant policy responsibilities in Chapter VI of the ITU Constitution (Articles 33‑43) and in Chapter V of the Convention (Articles 36‑40), and in relevant resolutions of plenipotentiary conferences;

*b)* that the International Telecommunication Regulations further describe policy and regulatory obligations incumbent upon Member States;

*c)* that No. 191C of the Convention empowers the World Telecommunication Standardization Assembly (WTSA) to assign matters within its competence to the Telecommunication Standardization Advisory Group (TSAG), indicating the action required on those matters,

resolves

1 that, when determining whether a Question or Recommendation has policy or regulatory implications, particularly Questions or Recommendations which relate to tariff and accounting issues, study groups shall more generally consider possible topics such as:

– the right of the public to correspond;

– protection of telecommunication channels and installations;

– use of the limited numbering and addressing resources;

– naming and identification;

– secrecy and authenticity of telecommunications;

– safety of life;

– protection of users of telecommunications services, including the protection of their personal data;

– practices applicable to competitive markets;

– misuse of numbering resources; and

– any other relevant matters, including those identified by a decision of Member States, or recommended by TSAG, or Questions or Recommendations where there is any doubt about their scope;

2 to request TSAG to consult Member States on any relevant issues other than those specified above, in particular issues on OTTs;

3 to instruct TSAG to study and identify the operational and technical areas related to quality of service/quality of experience (QoS/QoE) of telecommunications/information and communication technologies that might have policy and regulatory nature, taking into account the studies being carried out by the relevant study groups, and report that to the next WTSA;

4 to instruct TSAG to identify and study policy and regulatory aspects related to hot topics such as artificial Intelligence (AI), Big Data, Augmented Reality taking in account studies undertaken by competent study groups,

invites Member States

to contribute actively to the work to be carried out on this matter.