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|  | World Telecommunication Standardization Assembly (WTSA-24)New Delhi, 15–24 October 2024 |  |
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| PLENARY MEETING | Addendum 3 toDocument 39-E |
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| Member States of the Inter-American Telecommunication Commission (CITEL) |
| Proposed modifications to Resolution 96 |
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| **Abstract:** | CITEL proposes modifications to WTSA Resolution 96 that aims to streamline the text and reflect the discussion held on WTSA-20 until COM4 that where not reflected on the WTSA Resolution 96 since WTSA-20 decided at the Plenary to NOC it. CITEL also proposed to add new *instructs* for the TSB, in accordance with PP-22 Resolution 188, and updates to the references to other conferences. |
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MOD IAP/39A3/1

RESOLUTION 96 (Rev. New Delhi, 2024)

ITU Telecommunication Standardization Sector studies for combating counterfeit and tampered telecommunication/information and communication
technology devices

(Hammamet, 2016; New Delhi, 2024)

The World Telecommunication Standardization Assembly (New Delhi, 2024),

recalling

*a)* Resolution 188 (Rev. Bucharest, 2022) of the Plenipotentiary Conference, on combating counterfeit and tampered telecommunication/information and communication technology devices (ICT);

*b)* Resolution 177 (Rev. Bucharest, 2022) of the Plenipotentiary Conference, on conformance and interoperability;

*c)* Resolution 79 (Rev. Kigali, 2022) of the World Telecommunication Development Conference (WTDC), on the role of telecommunications/ICT in combating and dealing with counterfeit telecommunication/lCT devices;

 *d)* Resolution 76 (Rev. Geneva, 2022) of the World Telecommunication Standardization Assembly (WTSA), on studies related to conformance and interoperability testing, assistance to developing countries, and a possible future ITU Mark programme,

recognizing

*a)* the negative impact of counterfeit and tampered telecommunication/lCT devices on governments, manufacturers, vendors, operators , consumers and environment such as: loss of revenues erosion of brand value/intellectual property rights and reputation, network disruptions, poor quality of service (QoS), loss/theft of user data and potential hazard to public health and safety as well as the generation of e-waste;

*b)* 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 by ITU-T Study Groups 5, 17 and 20 and ITU Telecommunication Development Sector (ITU-D) Study Group 2;

recognizing further

*a)* that some countries, with a growing market for mobile devices, rely on unique device identifiers, such as International Mobile Equipment Identity (IMEI) in the Equipment Identity Register (EIR), to limit and deter the proliferation of counterfeit and tampered mobile devices;

*b)* that, as stated in Resolution 188 (Rev. Bucharest, 2022) of the Plenipotentiary Conference, Recommendation ITU‑T X.1255 provides a framework for the discovery of identity management information that could help in combating counterfeiting and tampering of telecommunication/ICT devices,

noting

*a)* that individuals or entities engaged in manufacturing and trading of counterfeit and tampered telecommunication/ICT devices are continually developing and enhancing their capabilities and means of illegal activities to circumvent Member States' and other affected parties' legal and technical efforts to combat counterfeit and tampered products and telecommunication/ICT devices;

*b)* that supply and demand economics for counterfeit and tampered telecommunication/ICT devices complicate attempts to tackle the global black/grey market, and that no single solution is easily envisaged,

aware

*a)* of the current work and output of ITU‑T Study Group 11, Recommendations ITU-T Q.5050 series and other ongoing studies such as guidelines and best practices, including the use of unique telecommunication/ICT device identifiers, for combating counterfeit and tampered telecommunication/ICT devices;

*b)* of the current work and studies in ITU‑T Study Group 20, on Internet of Things (IoT), IoT identity management and the increasing importance of IoT devices to society;

*c)* of the current related work and studies in ITU‑T Study Groups on emerging technologies, including distributed information-sharing solutions,

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 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;

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

*d)* that some countries have started implementing measures that aim to deter counterfeit and tampered telecommunication/ICT devices based on an identification mechanism, which can also be effective for the control of tampered telecommunication/ICT devices;

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

*f)* that a framework for discovery and management of identity information can assist in combating counterfeiting and tampering of telecommunication/ICT devices;

*g)* 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 and tampered telecommunication/ICT devices and the mechanism for limiting their use, and to identify ways of dealing with them both internationally and regionally;

*h)* the importance of maintaining user connectivity;

*i)* that reliable and efficient information sharing utilizing emerging technologies can assist in combating counterfeit and tampered telecommunication/ICT devices,

resolves

1 to explore ways and means, within the scope of the ITU, to combat and deter counterfeiting and tampering of telecommunication/ICT devices in order to protect governments, telecommunication providers, industry and consumers from the negative impacts of counterfeit and tampered telecommunication/ICT devices;

2 that Study Group 11 should be the lead study group in the area of combating counterfeit and tampered telecommunication/ICT devices;

3 to consider solutions to be used to differentiate between authentic/genuine and counterfeit or tampered telecommunication/ICT devices,

instructs the Director of the Telecommunication Standardization Bureau, in close collaboration with the Director of the Telecommunication Development Bureau

1 to organize workshops and events across the ITU regions to promote the work in this field, involving all stakeholders and raising awareness of the impact of counterfeit and tampered telecommunication/ICT devices;

2 to assist developing countries in preparing human resources to combat the spread of counterfeit and tampered telecommunication/ICT devices, by providing capacity-building and training opportunities;

3 to work in close collaboration with relevant stakeholders, such as WTO, WIPO, WHO and 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;

4 to coordinate activities relating to combating counterfeit and tampered telecommunication/ICT devices through Study Group 11 and focus groups;

5 to assist Member States in taking the necessary actions to apply relevant ITU‑T Recommendations for combating counterfeit and tampered telecommunication/ICT devices, including the use of conformity assessment systems;

6 to promote information sharing on best practices developed by industry or governments and promising trends in combating counterfeit and tampered telecommunication/ICT devices,

instructs the Director of the Telecommunication Standardization Bureau

1 to collaborate with industry associations, consortia, and forums to identify possible technological measures, both software and hardware, that may be developed to deter tampering and the use and spread of counterfeit and tampered telecommunication/ICT devices;

2 to submit the results of these activities to the ITU Council for its consideration and required action;

3 to involve experts and external entities as appropriate,

instructs the Director of the Telecommunication Standardization Bureau, in close collaboration with the Directors of the Radiocommunication and Telecommunication Development Bureaux

1 to assist Member States in addressing their concerns with respect to counterfeit and tampered telecommunication/ICT devices, through information sharing at regional or global level, including conformity assessment systems;

2 to assist all the membership, considering relevant ITU‑T Recommendations, in taking the necessary actions to prevent or detect the tampering (making unauthorized changes) and/or replication of unique telecommunication/ICT device identifiers, and interacting with other SDOs related to these matters,

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

1 to continue developing recommendations, technical reports and guidelines to address the problem of counterfeit and tampered telecommunication/ICT devices to support the Member States in anti-counterfeiting activities;

2 to collect, analyse and exchange information about counterfeiting and tampering trends in the telecommunications/ ICT sector;

3 to consider how emerging telecommunication technologies can be used for combating counterfeit and tampered telecommunication/ICT devices;

4 to study secure identifiers technologies, in collaboration with ITU‑T Study Groups 2, 17 and 20, and their potential to be used in combating counterfeit and tampered products and telecommunication/ICT devices, including their broad availability, scalability, security, stability, scope of application, cost, potential for confidentiality and vulnerability to replication/cloning;

5 to study methods of assessing and verifying identifiers used for purposes of combating counterfeit and tampered telecommunication/ICT devices;

6 with the involvement of relevant standardization organizations, to develop mechanisms as appropriate for identifying counterfeit and tampered telecommunication/ICT devices, by means of unique identifiers that are resistant to replication and respond to confidentiality/security requirements;

7 to study possible solutions, including frameworks to discover identity management information, that could support combating of counterfeit and tampered telecommunication/ICT devices,

invites Member States

1 to take all necessary measures, including collaboration, cooperation and exchange of experiences and expertise with other Member States, to combat counterfeit and tampered telecommunication/ICT devices in a country/region, as well as globally;

2 to promote the adoption of national legal and regulatory frameworks to combat counterfeit and tampered telecommunication/ICT devices;

3 to consider measures to mitigate the import, circulation and sale of counterfeit and tampered telecommunication ICT/devices from the market;

4to consider solutions to be used to differentiate between authentic/genuine and counterfeit or tampered telecommunication/ICT devices, e.g. establishing a centralized national reference database of authorized equipment;

5 to conduct awareness campaigns for consumers on the adverse impact of counterfeit and tampered products and telecommunication/ICT devices on the environment and on their own health, as well as on the degraded reliability, QoS and performance of such telecommunication/ICT devices;

6 to consider making available convenient and practical means for consumers to verify the authenticity of telecommunication/ICT devices using a centralized reference database of authorized equipment by establishing online platforms such as a website and/or mobile application as a supplemental tool,

invites Sector Members

to collaborate with governments, administrations and telecommunication regulators in combating counterfeit and tampered telecommunication/ICT devices,

invites all the membership

1 to participate actively in ITU studies relating to combating counterfeit and tampered telecommunication/lCT devices by submitting contributions;

2 to take the necessary actions to prevent or detect tampering of unique telecommunication/ICT device identifiers, in particular regarding cloned telecommunication/ICT devices;

3 to collaborate and share expertise in this area.