



INTERNATIONAL TELECOMMUNICATION UNION

# ITU-T

TELECOMMUNICATION  
STANDARDIZATION SECTOR  
OF ITU

WORLD TELECOMMUNICATION STANDARDIZATION  
ASSEMBLY  
Florianópolis, 5-14 October 2004

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## **Resolution 40 – Regulatory aspects of ITU-T work**

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## FOREWORD

The International Telecommunication Union (ITU) is the United Nations specialized agency in the field of telecommunications. The ITU Telecommunication Standardization Sector (ITU-T) is a permanent organ of ITU. ITU-T is responsible for studying technical, operating and tariff questions and issuing Recommendations on them with a view to standardizing telecommunications on a worldwide basis.

The World Telecommunication Standardization Assembly (WTSA), which meets every four years, establishes the topics for study by the ITU-T study groups which, in turn, produce Recommendations on these topics.

The approval of ITU-T Recommendations is covered by the procedure laid down in WTSA Resolution 1.

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## RESOLUTION 40

### **Regulatory aspects of ITU-T work**

*(Montreal, 2000; Florianópolis, 2004)*

The World Telecommunication Standardization Assembly (Florianópolis, 2004),

*recognizing*

the provisions of Nos. 246D to 246H of the ITU Convention,

*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 have agreed to encourage 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;
- e) that Resolution 82 (Minneapolis, 1998) of the Plenipotentiary Conference refers to the approval of some Questions and Recommendations using an alternative approval process;
- f) that Resolution 82 (Minneapolis, 1998) of the Plenipotentiary Conference provides some examples of matters having policy or regulatory implications,

*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 to assign matters within its competence to the Telecommunication Standardization Advisory Group (TSAG), indicating the action required on those matters,

*resolves*

1 that, further to the examples provided in Resolution 82 (Minneapolis, 1998) of the Plenipotentiary Conference, when determining whether a Question/Recommendation has policy or regulatory implications, study groups should more generally consider possible issues such as:

- the right of the public to correspond;
- protection of telecommunication channels and installations;
- use of limited natural resources such as unique numbering and addressing;
- secrecy and authenticity of telecommunications;
- safety of life;
- practices applicable to competitive markets; and

- any other relevant matters, including those identified by a decision of Member States, or recommended by TSAG;
- 2 to request TSAG to consult Member States on any relevant issues other than those specified above,  
*invites Member States*  
to contribute actively to the work to be carried out on this matter.