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RESOLUTION 96 (Rev.Geneva, 2022)

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

(Hammamet, 2016;Geneva, 2022)

The World Telecommunication Standardization Assembly (Geneva, 2022),

considering

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

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

*c)* Resolution 79 (Rev. Buenos Aires, 2017) of the World Telecommunication Development Conference (WTDC), on the role of telecommunications/ICT in combating and dealing with counterfeit telecommunication/lCT devices;

*d)* that this assembly has adopted Resolution 76 (Rev. Hammamet, 2016), on studies related to conformance and interoperability testing, assistance to developing countries, and a possible future ITU Mark programme,

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 and reputation, network disruptions, poor quality of service (QoS), data theft, and potential hazard to public health and safety as well as the environmental 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 at ITU-T Study Groups 5, 17 and 20 and ITU-D Study Group 2;

*c)* 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;

*d)* that tampered telecommunication/ICT devices are devices that have components, software, 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,

resolves

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

2 that Study Group 11 should be the lead study group in the area of combating counterfeit and 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 groups, focus groups and other related 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,

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 with (making unauthorized changes to) 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 ICT equipment to support the Member States in anti-counterfeiting activities;

2 to collect, analyse and exchange information about counterfeiting and tampering practices in the ICT sector, and how ICTs could be used as a tool to combat them;

3 to study existing as well as new reliable, unique, persistent and secure identifiers, in collaboration with ITU‑T Study Groups 2, 17 and 20, that have the potential to be used in combating counterfeit and tampered products and telecommunication/ICT devices, including their scope of application and level of security in the context of their possible replication/cloning;

4 to develop methods of assessing and verifying identifiers used for purposes of combating counterfeit production;

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

6 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 adopt 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;

4 to consider solutions to be used to differentiate between authentic/genuine and counterfeit or tampered telecommunication/ICT devices, e.g. establishing a centralized 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,

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.