

COMMITTEE 5 AHG

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**Note by the Chairman of Committee 5's Ad hoc Group on
Res. 177 and Draft new Res. on Counterfeit Devices**

COMPILATION OF PROPOSALS FOR REVISED RESOLUTION 177

Please find attached a compilation of the proposals for revised Resolution 177 on Conformance and Interoperability.

Nilo PASQUALI
Chairman

RESOLUTION 177 (~~Guadalajara, 2010~~rev. Busan, 2014) Conformance and interoperability

The Plenipotentiary Conference of the International Telecommunication Union (~~Guadalajara, 2010~~Busan, 2014),

recognizing

a) ~~that Resolution 76 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly adopted Resolution 76 (Johannesburg, 2008);~~

b) ~~that Resolution 47 (Rev. Dubai, 2014) of the World Telecommunication Development Conference adopted Resolution 47 (Rev. Hyderabad, 2010);~~

~~b) Resolution 62 (Geneva, 2012) that of the Radiocommunication Assembly (RA) adopted Resolution 62 (Geneva, 2012);~~

~~de) that, at its 2009~~2013 and 2014 sessions, the ITU Council ~~endorsed the following recommendations of the Director of the Telecommunication Standardization Bureau (TSB) (Document C09/28):~~has updated the Action Plan for the Conformance and Interoperability (C&I) Programme initially established in 2012, the pillars of which are: 1) conformity assessment, 2) interoperability events, 3) human resource capacity building, and 4) assistance in the establishment of test centres and C&I programmes in developing countries;

d) the progress reports by the Director of TSB made to the Council at its ~~2009~~2011, 2012, 2013 and ~~2010~~2014 sessions and to the ~~2010~~2014 plenipotentiary conference;

ADD by USA/27A2/4

e) the Report of the Council on the Implementation of the Strategic Plan and Activities of the Union provided to the 2014 plenipotentiary conference;

f) the focus of the Conformance and Interoperability Program Action Plan, agreed by Council 2013, on the four pillars of conformity assessment, interoperability events, capacity building, and establishment of test centres and C&I programmes in developing countries and away from questions related to the ITU Mark,

ADD by ARB/79A3/5

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

ADD by RCC/73A1/25

e) that WTDC adopted Resolution 79 (Dubai, 2014), on the role of telecommunications/information and communication technologies (ICTs) in combating and dealing with counterfeit¹ telecommunication/information and communication devices;

¹ Counterfeit telecommunication/ICT devices include counterfeit and/or copied devices and equipment as well as accessories and components.

f) that counterfeit ICT products have become a growing problem in the world (cf. Resolution 79 (Dubai, 2014));

g) that Study Group 11 of the ITU Telecommunication Development Sector (ITU-T) is engaged in a study of approaches for combating counterfeit ICT products;

h) that the use within public networks of certified ICT products with a unique identifying code assigned by the manufacturer is an effective means of combating the counterfeit trade,

ADD by ARB/79A3/5

noting

a) that several ITU-T Study Groups have already started pilot projects for conformity to ITU-T Recommendations, with a view to introducing the use of ITU Mark for a possible future ITU Mark;

ADD by IAP/34A1/36

recognizing

a) widespread conformance and interoperability of telecommunication/ICT equipment and systems through the implementation of relevant programmes, policies and decisions can increase market opportunities and reliability and encourage global integration and trade;

b) that technical training and institutional capacity building for testing and conformity are essential tools for countries to promote global connectivity;

c) that ITU Members shall benefit in using conformity assessment that many regional and national standards bodies already provide for conformity assessment, through mechanisms of collaboration with such organizations;

d) that providing interoperability, safety, and communications are one of the key objectives of ITU Recommendations;

considering

a) that some countries, especially the developing countries, have not yet acquired the capacity to test equipment and provide assurance to consumers in their countries;

b) that increased confidence in the conformity of telecommunication/ICT equipment to rules and standards in place promotes interoperability of equipment from different manufacturers, reduces interferences among communication systems, and assists developing countries in choosing high quality products;

ADD by VEN/88/2

f) that Resolution 123 (Guadalajara, 2010) of the Plenipotentiary Conference instructs the Secretary-General and the Directors of the three Bureaux to work closely with each other in pursuing initiatives that assist in bridging the standardization gap between developing and developed countries;

g) that conformity assessment is the accepted way of demonstrating that a product adheres to an international standard and is increasingly important in the context of World Trade Organization (WTO) members' international standardization commitments under the Agreement on Technical Barriers to Trade (TBT),

resolves

MOD by USA/27A2/4, IAP/34A1/36, RCC/73A1/25, ARB/79A3/5

1 to endorse the objectives of ~~both~~ Resolution 76 (~~Johannesburg, 2008~~Rev. Dubai, 2012) of WTSA, Resolution 62 (Geneva, 2012) of RA and Resolution 47 (Rev. Hyderabad, 2010) of WTDC, and the ~~recommendations of the Director of TSB endorsed by the Council at its 2009 session~~Action Plan for the C&I Programme reviewed by the Council at its 2014 session (Document C14/24(Rev.1));

MOD by USA/27A2/4, IAP/34A1/36, RCC/73A1/25, ARB/79A3/5

2 that this programme of work continue to be implemented ~~in parallel without any delay~~, including the informative pilot conformity database and its development into a fully functioning database; ~~bearing in mind the need for a business plan to be expeditiously developed by the Director of TSB, and approved by the Council, for its long term implementation~~, in consultation with each region, taking into consideration a) the outcome and effect that the pilot conformity database may have on Member States, Sector Members and stakeholders (e.g., other standards development organizations (SDOs)), b) the impact the database will have on bridging the standardization gap as relevant to each region, c) the potential liability issues for ITU and for Member States, Sector Members and stakeholders; and taking into account the results of ~~the~~ regional ITU conformity and interoperability consultations;

MOD by VEN/88/2 (rather ADD)

2 that this programme of work on C&I be implemented with the focus on the need to support, enhance and strengthen the standardization, metrology, testing, certification and accreditation components of the national quality infrastructure (NQI) within each Member State, with particular emphasis on the telecommunication sector, in order to achieve a more equitable and uniform geographical distribution of the level of development of the NQI components among all the Member States, which can use them as a fundamental tool for the local or regional implementation of conformance assessment schemes which satisfy their real needs and legitimate objectives as provided for in the WTO TBT Agreement;

MOD by [USA/27A2/4], [IAP/34A1/36], RCC/73A1/25, ARB/79A3/5

3 to assist developing countries in establishing regional or subregional conformity and interoperability centres suitable to perform conformity and interoperability testing as appropriate and according to [market][their] needs,

MOD by VEN/88/2 (rather ADD)

3 to assist developing countries in establishing regional or subregional conformity and interoperability centres, and in upgrading and enhancing existing centres, with a view to securing the accreditationsuitable needed to perform interoperability-equipment testing, calibration and certification, thereby enabling them to provide their geographic area with internationally recognized testing, calibration and certification services, as appropriate in line with their real needs and legitimate objectives as provided for in the WTO TBT Agreement,

ADD by RCC/73A1/25

4 to contribute to combating counterfeit products by creating within ITU a single register of ICT product codes, and by inviting manufacturers belonging to ITU (including Sector Members) to

register their ICT products, and the administrations of ITU Member States to avail themselves of the full database for combating counterfeit ICT products at the national level,

instructs the Director of the Telecommunication Standardization Bureau,

MOD by USA/27A2/4, IAP/34A1/36, RCC/73A1/25, ARB/79A3/5

1 to continue [the consultation [with all stakeholders] and assessment studies in all regions, taking into consideration the needs of each region, on] implementation of the ~~recommendations-~~ Action Plan endorsed by the Council, including, in collaboration with the Director of BDT, the recommendations on human capacity building and assistance in the establishment of test facilities in developing countries;

MOD by VEN/88/2

1 to continue the consultation, with support from the regional and area offices, with all stakeholders in all regions, chiefly in developing countries, taking into consideration the needs of each region, ~~on implementation of the recommendations endorsed by the Council, and including them in the elaboration and implementation of the Action Plan of the C&I Programme endorsed and reviewed by the Council, including the activities under pillar 3) in collaboration with the Director of BDT, the recommendations on human~~ resource capacity building, and pillar 4) assistance in the establishment of test facilities in developing countries, and in the upgrading and enhancement of those already in existence, in collaboration with the Director of the Telecommunication Development Bureau (BDT);

SUP by USA/27A2/4, IAP/34A1/36, VEN/88/2

NOC by RCC/73A1/25

MOD by ARB/79A3/5

[2 to continue to carry out pilot projects for conformity to ITU-T Recommendations the- ~~necessary studies~~ with a view to introducing the use of ITU Mark for a possible future ITU Mark programme, as a voluntary programme permitting manufacturers and service providers to make a visible declaration that their equipment conforms to applicable recommendations of the ITU Telecommunication Standardization Sector (ITU-T) and increasing the probability of interoperability, and to consider its possible application as an indication of a degree of interoperability capability in the future;]

MOD by VEN/88/2 (rather ADD)

2 to conduct appropriate studies aimed at identifying common factors among the various conformance assessment schemes based on existing mandatory national or regional certification requirements under the WTO TBT Agreement, such as FCC, CE, NOM, CCC and ANATEL, among others, such that the different areas of concern (electromagnetic compatibility, human safety, non-ionizing radiation, environmental conditions, etc.) can in the future be brought together to ensure equivalent quality levels for all users, irrespective of their geographic location;

MOD by USA/27A2/4

3 to enhance and improve standards-setting processes in order to improve interoperability-~~through conformity;~~

MOD by VEN/88/2 (rather ADD)

3 to establish cooperation mechanisms with standards-development organizations (SDOs) to facilitate and expedite the processes involved in the elaboration of ITU Recommendations on equipment and system conformity assessment, and in the national or regional adoption by developing countries of SDO technical standards and/or ITU Recommendations on equipment and system conformity assessment;

MOD by VEN/88/2

4 to elaborate and execute, in collaboration with the Directors of BDT and BR, prepare a business an annual Action pPlan for the long-term implementation of this resolution;

ADD by RCC/73A1/25

4 to continue to engage in studies for the development of standards for use in the creation of mechanisms for combating counterfeit ICT products

NOC

5 to provide the Council with progress reports, including the results of studies, relating to the implementation of this resolution,

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

MOD by ARB/79A3/5, IAP/34A1/36, USA/27A2/4

1 to advance the implementation of Resolution 47 (Rev. Hyderabad, 2010Dubai, 2014) and the relevant parts of the Action Plan, and to report to the Council;

MOD by RCC/73A1/25

1 to advance the implementation of Resolution 47 (Rev. HyderabadDubai, 20102014) and Resolution 79 (Dubai, 2014) and to report to the Council;

MOD by VEN/88/2

1 to advance the implementation of Resolution 47 (Rev. HyderabadDubai, 20102014) of WTDC, with support from the regional and area offices, with particular focus on the organization and hosting in developing countries of human resource training events (pillar 3) to encourage the participation of local professionals, and on supporting, upgrading and enhancing C&I centres in order to secure the accreditation needed to perform equipment and system testing, calibration and certification (pillar 4), and to report to the Council;

SUP by USA/27A2/4, VEN/88/2

~~2 to assist Member States in addressing their concerns with respect to counterfeit equipment,~~

ADD by VEN/88/2

2 to advance the implementation of Resolution 62 (Geneva, 2012) of RA, with support from the regional and area offices in particular, and to report to the Council,

MOD by ARB/79A3/5, RCC/73A1/25, IAP/34A1/36

2 to assist Member States in addressing their concerns with respect to counterfeit equipment, and unauthorized telecommunication/ICT devices, taking into consideration WTDC Resolution 79 (Dubai, 2014);

ADD by IAP/34A1/36

3 to continue providing on-the-job capacity building activities in collaboration with recognized institutions and benefiting from ITU Academy ecosystem, including those related to preventing radiocommunications interferences caused or received by ICT equipment,

ADD by RCC/73A1/25

3 to continue working in cooperation with the World Trade Organization and World Intellectual Property Organization on coordinating activities to combat counterfeit products and implement an approach aimed at curbing the trafficking of counterfeit products at the international level,

invites the Council

1 to consider the reports of ~~the Director of TSB~~ ITU Directors and to take all necessary measures so as to contribute to the achievement of the objectives of this resolution;

NOC

2 to report to the next plenipotentiary conference on the progress made with respect to this resolution,

MOD by IAP/34A1/36

invites ~~Sector Members~~ membership

1 to populate the pilot conformity database with details of products tested to applicable ITU-T recommendations in accredited test laboratories (first, second or third party), or by accredited certification bodies, or according to procedures adopted by a standards development organization or forum qualified in accordance with Recommendation ITU-T A.5;

MOD by IAP/34A1/36

2 to participate in ~~ITU-facilitated interoperability events;~~ the work of ITU's Study Groups related to conformity and interoperability issues;

ADD by RCC/73A1/25

2 to register telecommunication/ICT equipment in the single register of ICT product codes;

NOC

3 to take an active role in building developing countries' capacity in conformity and interoperability testing, including on-the-job training, particularly as part of any supply contract for telecommunication equipment, services and systems to these countries;~~;~~

ADD by ARB/79A3/5

4 to support the establishment of regional conformity testing facilities, particularly in developing countries

ADD by IAP/34A1/36

4 to participate in ITU assessment studies to promote the establishment of harmonized conformity and interoperability regimes in the regions,

NOC

invites organizations qualified in accordance with Recommendation ITU-T A.5

1 to participate in the ITU pilot conformity database activities and, sharing links on a mutual basis, to enrich its extent by referring to more recommendations and standards within a product, and to allow for more exposure of vendors' products and widen the portfolio of selection to the users;

2 to participate in developing countries' capacity-building programmes and activities facilitated by TSB and BDT, in particular offering opportunities for developing-country experts – particularly from operators – to gain on-the-job experience,

MOD by ARB/79A3/5, IAP/34A1/36

SUP by USA/27A2/4, VEN/88/2

[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, and unauthorized ICT equipment,]

invites Member States

NOC

1 to contribute to the implementation of this resolution;

2 to encourage national and regional testing entities to assist ITU in implementing this resolution;

MOD by USA/27A2/4

3 ~~to adopt conformity assessment regimes and procedures based on applicable ITU-T recommendations~~ to support implementation of the Conformance and Interoperability Action Plan, leading to better quality of service/quality of experience, and to higher probability of interoperability of equipment, services and systems;

MOD by VEN/88/2

3 to adopt conformity-assessment regimes and procedures ~~based on applicable ITU-T recommendations~~ in line with the provisions of the WTO TBT Agreement, leading to better quality of service/quality of experience, ~~and to~~ higher probability of interoperability of equipment, services and systems, and the achievement of legitimate objectives,

ADD by USA/27A2/4

4 to encourage acceptance of test results developed by accredited laboratories in order to increase confidence, minimize the cost associated with conformity assessment, enhance timely access to equipment and reduce barriers to trade.

ADD by RCC/73A1/25

4 to use the single register of ICT equipment codes in the fight against counterfeit equipment at the global and national levels,

further invites Member States

to contribute to the next radiocommunication assembly in 2012-2016 in order for it to consider and take appropriate actions as deemed necessary with respect to C&I.
