
PLENARY MEETING

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PROPOSALS FOR THE WORK OF THE CONFERENCE

I Revision of Resolution 64 (Rev. Guadalajara, 2010)

**Non-discriminatory access to modern
telecommunication/information and communication technology
facilities, services and applications, including applied research and
transfer of technology, on mutually agreed terms**

II Revision of Resolution 130 (Rev. Guadalajara, 2010)

**Strengthening the role of ITU in building confidence
and security in the use of information and
communication technologies**

III Revision of Resolution 174 (Rev. Guadalajara, 2010)

**ITU's role with regard to international public policy issues
relating to the risk of illicit use of information and
communication technologies**

I Revision of Resolution 64 (Rev. Guadalajara, 2010)

Non-discriminatory access to modern telecommunication/information and communication technology facilities, services and applications, including applied research and transfer of technology, on mutually agreed terms

1 Summary

This contribution proposes an updating of Resolution 64 (Rev. Guadalajara, 2010), bearing in mind that since its approval there has been an increase in the application by States of discriminatory access to telecommunication/ICT resources, examples of which include the following:

- 1.1 denial of access to public sites and Internet resources;
- 1.2 restrictions on access to and the transfer of modern telecommunication/ICT technologies, services and applications.

2 Background and current situation

The most recent world telecommunication standardization and development conferences approved resolutions relating to non-discriminatory access to telecommunication/ICT facilities and services, including as follows:

- 2.1 The World Telecommunication Standardization Assembly (Dubai, 2012) adopted Resolution 69, inviting Member States to refrain from taking actions that could impede another Member State from accessing public Internet sites and resources.
- 2.2 The World Telecommunication Development Conference (Dubai, 2014) adopted Resolution 37 (Rev. Dubai, 2014), on reducing the digital divide, and recognized the importance of Resolution 15 (Rev. Hyderabad, 2010), on applied research and transfer of technology, and Resolution 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/information and communication technology facilities, services and related applications.
- 2.3 The following also form the basis for this proposal:
 - i) the outcomes of the World Summit on the Information Society (WSIS), in particular §§ 15, 18 and 19 of the Tunis Commitment, and §§ 90 and 107 of the Tunis Agenda;
 - ii) ITU's role in the global development of telecommunications/ICT, in line with its mandate under Action Lines C2, C5 and C6 of the Tunis Agenda, and its participation in the application of other Action Lines of that Agenda, specifically Action Lines C7 and C8;
 - iii) the objective set out in *resolves* 3 of Resolution 64, which recognizes the need for ITU to "encourage to the greatest extent possible cooperation among the members of the Union on the question of non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations with a view to satisfying user demand for modern telecommunication/ICT services and applications".

In view of the above, the Administration of Cuba proposes a revision of Resolution 64 (Rev. Guadalajara, 2010) to take account of the proposals summarized below.

3 Summary of the proposal for modification of Resolution 64 (Rev. Guadalajara, 2010)

The annex contains, in the format laid down for the 2014 Plenipotentiary Conference, the proposal for modification of Resolution 64 (Rev. Guadalajara, 2010), the main points of which are as follows.

The "*considering*" of the resolution is amended to take account of the recent adoption of resolutions aimed at avoiding discriminatory access to telecommunication resources, through the addition of the following text:

ADD Resolution 69 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly, which invites all Member States to refrain from taking actions that could impede another Member State from accessing public Internet sites and resources.

Amend the "*invites the governments of the Member States of the Union*" by adding the following provision:

ADD to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing public Internet sites and telecommunication resources or from acquiring new telecommunication technologies and modern telecommunication/ICT facilities, services and related applications, within the spirit of Article 1 of the ITU Constitution and the principles of WSIS.

In view of the above, the Administration of Cuba proposes that the conference approve the modification of Resolution 64 as set out in proposal CUB/70/1.

MOD CUB/70/1

RESOLUTION 64 (REV. ~~GUADALAJARA, 2010~~BUSAN, 2014)

**Non-discriminatory access to modern
telecommunication/information and communication technology
facilities, services and applications, including applied research and
transfer of technology, on mutually agreed terms**

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

recalling

- a) the outcomes of the Geneva (2003) and Tunis (2005) phases of the World Summit on the Information Society, especially §§ 15, 18 and 19 of the Tunis Commitment, and §§ 90 and 107 of the Tunis Agenda for the Information Society;
- b) Resolution 64 (Rev. ~~Antalya, 2006~~ Guadalajara, 2010) of the Plenipotentiary Conference;
- c) the outcomes of the World Telecommunication Development Conference, especially Resolutions 15 (Rev. Hyderabad, 2010), on applied research and transfer of technology, 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/ICT

facilities, services and related applications and 37 (Rev. ~~Hyderabad, 2010~~ Dubai, 2014), on bridging the digital divide;

d) Resolution 69 (Rev. Dubai, 2012) of the World Telecommunication Standardization Assembly, which invites Member States to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing public Internet sites and using resources,

taking into account

the importance of telecommunications/information and communication technology (ICT) for political, economic, social and cultural progress,

taking into account also

a) that ITU plays an essential role in the promotion of global development of telecommunications/ICTs and ICT applications, within the mandate of ITU, specifically with respect to Action Lines C2, C5 and C6 of the Tunis Agenda, in addition to participating in the implementation of other action lines, particularly Action Lines C7 and C8 of the Tunis Agenda;

b) that, to this end, the Union coordinates efforts aimed at securing harmonious development of telecommunication/ICT facilities, permitting non-discriminatory access to these facilities and to modern telecommunication services and applications;

c) that this access will help to bridge the digital divide,

taking into account further

the need to draw up proposals on issues determining a worldwide strategy for development of telecommunications/ICTs and ICT applications, within the mandate of ITU, and to facilitate the mobilization of the necessary resources to that end,

noting

a) that modern telecommunication/ICT facilities, services and applications are established, in the main, on the basis of recommendations of the ITU Telecommunication Standardization Sector (ITU-T) and the ITU Radiocommunication Sector (ITU-R);

b) that ITU-T and ITU-R recommendations are the result of the collective efforts of all those taking part in the standardization process within ITU and are adopted by consensus by the members of the Union;

c) that limitations on the access to telecommunication/ICT facilities, services and applications on which national telecommunication development depends and which are established on the basis of ITU-T and ITU-R recommendations constitute an obstacle to the harmonious development and compatibility of telecommunications worldwide;

d) Resolution 15 (Rev. Hyderabad, 2010), on applied research and transfer of technology;

e) Resolution 20 (Rev. Hyderabad, 2010), on non-discriminatory access to modern telecommunication/ICT facilities, services and related applications;

f) the strategic plan for the Union set out in Resolution 71 (Rev. ~~Guadalajara, 2010~~ Busan, 2014) of this conference,

recognizing

that full harmonization of telecommunication networks is impossible unless all countries participating in the work of the Union, without exception, have non-discriminatory access to new telecommunication technologies and modern telecommunication/ICT facilities, services and related applications, including applied research and transfer of technology, on mutually agreed terms, without prejudice to national regulations and international commitments within the competence of other international organizations,

resolves

- 1 to continue, within the mandate of ITU, fulfilling the need to promote non-discriminatory access to telecommunication and information technologies, facilities, services and related applications, including applied research and transfer of technology, on mutually agreed terms, established on the basis of ITU-T and ITU-R recommendations;
- 2 that ITU should facilitate non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations;
- 3 that ITU should encourage to the greatest extent possible cooperation among the members of the Union on the question of non-discriminatory access to telecommunication and information technologies, facilities, services and applications established on the basis of ITU-T and ITU-R recommendations with a view to satisfying user demand for modern telecommunication/ICT services and applications,

instructs the Directors of the three Bureaux

within their respective spheres of competence, to implement this resolution and achieve its goals,

invites the governments of the Member States of the Union

- 1 to help telecommunication/ICT equipment manufacturers and providers of services and applications in ensuring that telecommunication/ICT facilities, services and applications established on the basis of ITU-T and ITU-R recommendations may be generally available to the public without any discrimination, and in facilitating applied research and technology transfer;
- 2 to cooperate with one another in the implementation of this resolution;
- 3 to refrain from taking any unilateral and/or discriminatory actions that could impede another Member State from accessing public Internet sites and telecommunication resources or from acquiring new telecommunication technologies and modern telecommunication/ICT facilities, services and related applications, within the spirit of Article 1 of the ITU Constitution and the principles of WSIS,

instructs the Secretary-General

to transmit the text of this resolution to the Secretary-General of the United Nations with a view to bringing to the attention of the world community the viewpoint of ITU, as a specialized agency of the United Nations, on the issue of non-discriminatory access to new telecommunication and information technologies and modern telecommunication/ICT, services and related applications, within the mandate of ITU, as an important factor for world technological progress, and on applied research and technology transfer between Member States, on mutually agreed terms, as a factor that may help to bridge the digital divide.

II Revision of Resolution 130 (Rev. Guadalajara, 2010)

Strengthening the role of ITU in building confidence and security in the use of information and communication technologies

1 Summary

This contribution proposes an updating of Resolution 130 (Rev. Guadalajara, 2010), in the interests of preserving confidence and security in the use of ICTs, considering that in recent years they have been increasingly used for perpetrating actions which threaten the functioning of telecommunication infrastructures, the preservation of peace and the economic and social development of Member States, examples of which are as follows:

- violation of the privacy of communications and of users' personal data protection;
- spamming via e-mail or mobile messaging systems (SMS or MMS) for political or marketing purposes;
- modification of traffic routing and deterioration of telecommunication quality of service.

2 Background

Resolution 130 (Rev. Guadalajara, 2010) recognizes the need for monitoring the impact of such threats, stating:

"*b*) that, with the application and development of information and communication technologies (ICTs), new threats from various sources have emerged that have had an impact on confidence and security in the use of ICTs by all Member States, Sector Members and other stakeholders, including all users of ICTs, and on the preservation of peace and the economic and social development of all Member States";

"*e*) that, in order to protect these infrastructures and address these challenges and threats, coordinated national, regional and international action is required for prevention, preparation, response and recovery from computer security incidents".

Also to be taken into account are the resolutions adopted by the World Telecommunication Standardization Assembly (Dubai, 2012) and World Telecommunication Development Conference (Dubai, 2014), and in particular:

- i) Resolution 50, on cybersecurity, and Resolution 52, on countering and combating spam, approved by WTSA;
- ii) Resolution 45, on mechanisms for enhancing cooperation on cybersecurity, including countering and combating spam, and Resolution 69, on the creation of national computer incident response teams, particularly for developing countries, and cooperation between them, adopted by WTDC.

In view of the above, the Administration of Cuba proposes a revision of Resolution 130 (Rev. Guadalajara, 2010) to take account of the proposals summarized below.

3 Proposed modifications to Resolution 130 (Rev. Guadalajara, 2010)

The annex contains the proposed modifications, in the format laid down for the 2014 Plenipotentiary Conference, the main changes being as follows:

3.1 Modify *considering b)* to identify new forms of cyberattack by adding the following wording:

MOD "... new threats from various sources have emerged, such as phishing, botnets, distributed denial of service, and so on – the serious consequences of which include the possible covert and illegal use by individuals, organizations and States of the computer systems of other nations to attack third countries –".

3.2 Modify *instructs the Secretary-General and the Directors of the Bureaux 2* by adding the following provision:

MOD consistent with Resolution 45 (Rev. Dubai, 2014), to submit an annual report to the Council containing an analysis of the incident data provided by Member States together with an assessment of the effectiveness of the action plan to strengthen the role of ITU in building confidence and security in the use of ICTs;

3.3 Modify *instructs the Secretary-General* by including the following paragraph:

MOD 1 to examine within the Council, taking into account the activities of the three Sectors in this regard, the implementation of an effective action plan to strengthen the role of ITU in building confidence and security in the use of ICTs;

3.4 Modify the *invites Member States* by adding the following provisions:

ADD 2 to strengthen regional and international cooperation, taking into account Resolution 45 (Rev. Dubai, 2014), through the conclusion of agreements and implementation of measures to facilitate the reduction of risks and threats to confidence and security in the use of ICTs;

ADD 3 to refrain from using ICTs for activities:

- i) involving the extraterritorial interception and monitoring of communications in a way which violates the privacy of communications and users' personal data protection;
- ii) that undermine confidence and security in the use of ICTs, the preservation of peace and the economic and social development of other Member States; and
- iii) that affect traffic routing and telecommunication quality of service;

ADD to inform the Secretary-General of any incident of the kinds referred to above,

4 In view of the above, the Administration of Cuba proposes that the conference approve the modification of Resolution 130 as set out in proposal CUB/70/2.

MOD CUB/70/2

RESOLUTION 130 (REV. ~~GUADALAJARA, 2010~~BUSAN, 2014)

**Strengthening the role of ITU in building confidence
and security in the use of information and
communication technologies**

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

recalling

- a) Resolution 130 (Rev. ~~Antalya, 2006~~ Guadalajara, 2010) of the Plenipotentiary Conference;
- b) Resolution 69 (~~Hyderabad, 2010~~Rev. Dubai, 2014) of the World Telecommunication Development Conference (WTDC), on the creation of national computer incident response teams (CIRTs), particularly for developing countries, and cooperation between them;
- c) that ITU Council Resolution 1305, adopted at its 2009 session, identified the security, safety, continuity, sustainability and robustness of the Internet as public policy issues that fall within the scope of ITU,

considering

- a) the crucial importance of information and communication infrastructures and their applications to practically all forms of social and economic activity;
- b) that, with the application and development of information and communication technologies (ICTs), new threats from various sources have emerged, such as phishing, botnets, distributed denial of service, and so on – the serious consequences of which include the possible covert and illegal use by individuals, organizations and States of the computer systems of other nations to attack third countries – that have had an impact on confidence and security in the use of ICTs by all Member States, Sector Members and other stakeholders, including all users of ICTs, and on the preservation of peace and the economic and social development of all Member States, and that threats to and vulnerabilities of networks continue to give rise to ever-growing security challenges across national borders for all countries, in particular developing countries, including the least developed countries, small island developing states, landlocked developing countries and countries with economies in transition, while noting in this context the strengthening of ITU's role in building confidence and security in the use of ICTs and the need to further enhance international cooperation and develop appropriate existing national, regional and international mechanisms (for example, agreements, best practices, memorandums of understanding, etc.);
- c) that the ITU Secretary-General has been invited to support the International Multilateral Partnership Against Cyber-Threats (IMPACT), the Forum for Incident Response and Security Teams (FIRST) and other global or regional cybersecurity projects, as appropriate, and all countries, particularly developing countries, have been invited to take part in their activities;
- d) the ITU Global Cybersecurity Agenda (GCA);

e) that, in order to protect these infrastructures and address these challenges and threats, coordinated national, regional and international action is required for prevention, preparation, response and recovery from computer security incidents, on the part of government authorities, at the national (including the creation of national CIRTs), and sub-national levels, the private sector and citizens and users, in addition to international and regional cooperation and coordination, and that ITU has a lead role to play within its mandate and competencies in this field;

f) the need for continual evolution in new technologies to support the early detection of, and coordinated and timely response to, events or incidents compromising computer security, or computer network security incidents that could compromise the availability, integrity and confidentiality of critical infrastructures in ITU Member States, and for strategies that will minimize the impact of such incidents and mitigate the growing risks and threats to which such platforms are exposed,

recognizing

a) that the development of ICTs has been and continues to be instrumental for the growth and development of the global economy, underpinned by security and trust;

b) that the World Summit on the Information Society (WSIS) affirmed the importance of building confidence and security in the use of ICTs and the great importance of multistakeholder implementation at the international level, and established Action Line C5 (Building confidence and security in the use of ICTs), with ITU identified in the Tunis Agenda for the Information Society as moderator/facilitator for the action line, and that this task has been carried out by the Union in recent years, for example under GCA;

c) that WTDC-~~1014~~ has adopted the [Hyderabad-Dubai](#) Action Plan and its Programme 2, on [Cybersecurity and ICT applications and IP-based network related issues](#), which identifies cybersecurity as a priority activity of the Telecommunication Development Bureau (BDT) and defines activities to be undertaken by BDT; and has also adopted Resolution 45 ([Hyderabad, 2010Rev. Dubai, 2014](#)), on mechanisms for enhancing cooperation on cybersecurity, including countering and combating spam, calling on the Secretary-General to bring the resolution to the attention of the next plenipotentiary conference for consideration and required action, as appropriate; and Resolution 69 ([Hyderabad, 2010Rev. Dubai, 2014](#)), on the creation of national CIRTs, particularly for developing countries, and cooperation between them; and that moreover, a national IP-based public network security centre for developing countries is under study by Study Group 17 of the ITU Telecommunication Standardization Sector (ITU-T);

d) that, to support the creation of national CIRTs in Member States where these are needed and are currently absent, the World Telecommunication Standardization Assembly (WTSA) adopted Resolution 58 ([Johannesburg, 2008Rev. Dubai, 2012](#)), on encouraging the creation of national CIRTs, particularly for developing countries; and WTDC-~~1014~~ adopted Resolution 69 ([Hyderabad, 2010Rev. Dubai, 2014](#)), on the creation of national CIRTs, particularly for developing countries, and cooperation between them;

e) § 15 of the Tunis Commitment, which states that: "*Recognizing the principles of universal and non-discriminatory access to ICTs for all nations, the need to take into account the level of social and economic development of each country, and respecting the development-oriented aspects of the information society, we underscore that ICTs are effective tools to promote peace, security and stability, to enhance democracy, social cohesion, good governance and the rule of law,*

at national, regional and international levels. ICTs can be used to promote economic growth and enterprise development. Infrastructure development, human capacity building, information security and network security are critical to achieve these goals. We further recognize the need to effectively confront challenges and threats resulting from use of ICTs for purposes that are inconsistent with objectives of maintaining international stability and security and may adversely affect the integrity of the infrastructure within States, to the detriment of their security. It is necessary to prevent the abuse of information resources and technologies for criminal and terrorist purposes, while respecting human rights", and that the challenges created by this misuse of ICT resources have only continued to increase since WSIS;

f) that Member States, in particular developing countries, in the elaboration of appropriate and workable legal measures relating to protection against cyberthreats at the national, regional and international levels, may require assistance from ITU in establishing technical and procedural measures, aimed at securing national ICT infrastructures, on request from these Member States, while noting that there are a number of regional and international initiatives which may support these countries in elaborating such legal measures;

g) Opinion 4 (Lisbon, 2009) of the World Telecommunication Policy Forum, on collaborative strategies for creating confidence and security in the use of ICTs;

h) the relevant outcomes of WTSA-~~08~~12, notably:

- i) Resolution 50 (Rev. [Johannesburg, 2008 Dubai, 2012](#)), on cybersecurity;
- ii) Resolution 52 (Rev. [Johannesburg, 2008 Dubai, 2012](#)), on countering and combating spam;

i) that Resolution 69 ([Hyderabad, 2010 Rev. Dubai, 2014](#)) provides for the establishment of CIRTs,

aware

a) that ITU and other international organizations, through a variety of activities, are examining issues related to building confidence and security in the use of ICTs, including stability and measures to combat spam, malware, etc., and to protect personal data and privacy;

b) that ITU-T Study Group 17, Study Groups 1 and 2 of the Telecommunication Development Sector (ITU-D) and other relevant ITU study groups continue to work on technical means for the security of information and communication networks, in accordance with Resolutions 50 and 52 (Rev. [Johannesburg, 2008 Dubai, 2012](#)) and Resolutions 45 (Rev. [Hyderabad, 2010 Dubai, 2014](#)) and 69 ([Hyderabad, 2010 Rev. Dubai, 2014](#));

c) that ITU has a fundamental role to play in building confidence and security in the use of ICTs;

d) that Opinion 4 (Lisbon, 2009), on collaborative strategies for creating confidence and security in the use of ICTs, invites ITU to pursue, principally on the basis of membership contributions and direction, further initiatives and activities, in close partnership with other concerned national, regional and international entities and organizations, consistent with Resolution 71 (Rev. [Guadalajara, 2010 Busan, 2014](#)) of this conference, on the strategic plan for the Union for 2012-2015, and all other relevant ITU resolutions;

e) that ITU-D Study Group 1 continues to carry out the studies called for in ITU-D Question 22-1/1 (Securing information and communications networks: best practices for developing a

culture of cybersecurity), which has been reflected in United Nations General Assembly Resolution 64/211,

noting

- a) that, as an intergovernmental organization with private-sector participation, ITU is well-positioned to play an important role, together with other relevant international bodies and organizations, in addressing threats and vulnerabilities, which affect efforts to build confidence and security in the use of ICTs;
- b) §§ 35 and 36 of the Geneva Declaration of Principles and § 39 of the Tunis Agenda, on building confidence and security in the use of ICTs;
- c) that although there are no universally agreed upon definitions of spam and other terms in this sphere, spam was characterized by ITU-T Study Group 2, at its June 2006 session, as a term commonly used to describe unsolicited electronic bulk communications over e-mail or mobile messaging (SMS, MMS), usually with the objective of marketing commercial products or services;
- d) the Union's initiative concerning IMPACT and FIRST;
- e) that BDT Programme 2 in the [Hyderabad-Dubai](#) Action Plan was adopted with the understanding of the delegations to WTDC-~~10~~14 that BDT does not draft laws,

bearing in mind

the work of ~~the~~ ITU established by Resolutions 50 and 52 (Rev. ~~Johannesburg, 2008~~ [Dubai, 2012](#)) and 58 (~~Johannesburg, 2008~~ [Rev. Dubai, 2012](#)); Resolutions 45 (Rev. ~~Hyderabad, 2010~~ [Dubai, 2014](#)) and 69 (~~Hyderabad, 2010~~ [Rev. Dubai, 2014](#)); ~~the~~ BDT Programme ~~2~~[on Cybersecurity](#) in the [Hyderabad-Dubai](#) Action Plan; the relevant ITU-T Questions on technical aspects regarding the security of information and communication networks; and ITU-D Question 22-1/1,

resolves

- 1 to continue to give this work high priority within ITU, in accordance with its competences and expertise;
- 2 to give high priority to the work in ITU described under *bearing in mind* above, in accordance with its competences and areas of expertise, while being mindful of the need to avoid duplicating work among the Bureaux or the General Secretariat or work which more appropriately falls within the mandates of other intergovernmental and relevant international bodies;
- 3 that ITU shall focus resources and programmes on those areas of cybersecurity within its core mandate and expertise, notably the technical and development spheres, and not including areas related to Member States' application of legal or policy principles related to national defence, national security, content and cybercrime, which are within their sovereign rights, although this does not however exclude ITU from carrying out its mandate to develop technical recommendations designed to reduce vulnerabilities in the ICT infrastructure, nor from providing all the assistance that was agreed upon at WTDC-~~10~~14, including Programme ~~2~~[on Cybersecurity](#) activities such as "*assisting Member States, in particular developing countries, in the elaboration of appropriate and workable legal measures relating to protection against cyberthreats*" and in activities under Question 22-1/1,

instructs the Secretary-General and the Directors of the Bureaux

- 1 to continue to review:

- i) the work done so far in the three Sectors, under the ITU Global Cybersecurity Agenda initiative and in other relevant organizations, and initiatives to address existing and future threats in order to build confidence and security in the use of ICTs, such as the issue of countering spam, which is growing and on the rise;
 - ii) the progress achieved in the implementation of this resolution, with ITU continuing to play a lead facilitating role as the moderator/facilitator for Action Line C5, with the help of the advisory groups, consistent with the ITU Constitution and the ITU Convention;
- 2 consistent with Resolution 45 (Rev. ~~Hyderabad, 2010~~ Dubai, 2014), ~~to work towards the preparation of a document relating to a possible memorandum of understanding (MoU), including the legal analysis of the MoU and its scope of application, among interested Member States, to strengthen cybersecurity and combat cyberthreats, in order to protect developing countries and any country interested in acceding to this possible MoU, with the outcome of the meeting to be submitted to the Council session in 2011 for its consideration and any action, as appropriate to submit an annual report to the Council containing an analysis of the incident data provided by Member States together with an assessment of the effectiveness of the action plan to strengthen the role of ITU in building confidence and security in the use of ICTs;~~
- 3 to facilitate access to tools and resources, within the available budget, required for enhancing confidence and security in the use of ICTs for all Member States, consistent with WSIS provisions on universal and non-discriminatory access to ICTs for all nations;
- 4 to continue to maintain the cybersecurity gateway as a way to share information on national, regional and international cybersecurity-related initiatives worldwide;
- 5 to report annually to the Council on these activities and to make proposals as appropriate;
- 6 to further enhance coordination between the study groups and programmes concerned,
instructs the Director of the Telecommunication Standardization Bureau
- 1 to intensify work within existing ITU-T study groups in order to:
 - i) address existing and future threats and vulnerabilities affecting efforts to build confidence and security in the use of ICTs, by developing reports or recommendations, as appropriate, with the goal of implementing the resolutions of WTSA-~~0812~~, particularly Resolutions 50 and 52 (Rev. ~~Johannesburg, 2008~~ Dubai, 2012) and 58 (~~Johannesburg, 2008~~ Rev. Dubai, 2012), allowing work to begin before a Question is approved;
 - ii) seek ways to enhance the exchange of technical information in these fields, promote the adoption of protocols and standards that enhance security, and promote international cooperation among appropriate entities;
 - iii) facilitate projects deriving from the outcomes of WTSA-~~0812~~, in particular:
 - a) Resolution 50 (Rev. ~~Johannesburg, 2008~~ Dubai, 2012), on cybersecurity;
 - b) Resolution 52 (Rev. ~~Johannesburg, 2008~~ Dubai, 2012), on countering and combating spam;
 - 2 to continue collaboration with relevant organizations with a view to exchanging best practices and disseminating information through, for example, joint workshops and training sessions and joint coordination activity groups, and, by invitation, through written contributions from relevant organizations,

instructs the Director of the Telecommunication Development Bureau

- 1 to develop, consistent with the results of WTDC-10 and pursuant to Resolution 45 (Rev.-~~Hyderabad, 2010~~ Dubai, 2012), Resolution 69 (~~Hyderabad, 2010~~ Rev. Dubai, 2014) and Programme 2 in the Hyderabad Action Plan, the project for enhancing cooperation on cybersecurity and combating spam in response to the needs of developing countries, in close collaboration with the relevant partners;
- 2 upon request, to support ITU Member States in their efforts to build capacity, by facilitating Member States' access to resources developed by other relevant international organizations that are working on national legislation to combat cybercrime; supporting ITU Member States' national and regional efforts to build capacity to protect against cyberthreats/cybercrime, in collaboration with one another; consistent with the national legislation of Member States referred to above, assisting Member States, in particular developing countries, in the elaboration of appropriate and workable legal measures relating to protection against cyberthreats at national, regional and international levels; establishing technical and procedural measures, aimed at securing national ICT infrastructures, taking into the account the work of the relevant ITU-T study groups and, as appropriate, other relevant organizations; establishing organizational structures, such as CIRTs, to identify, manage and respond to cyberthreats, and cooperation mechanisms at the regional and international level;
- 3 to provide the necessary financial and administrative support for this project within existing resources, and to seek additional resources (in cash and in kind) for the implementation of this project through partnership agreements;
- 4 to ensure coordination of the work of this project within the context of ITU's overall activities in its role as moderator/facilitator for WSIS Action Line C5, and to eliminate any duplication regarding this important subject with the General Secretariat and ITU-T;
- 5 to coordinate the work of this project with that of the ITU-D study groups on this topic, and with the relevant programme activities and the General Secretariat;
- 6 to continue collaboration with relevant organizations with a view to exchanging best practices and disseminating information through, for example, joint workshops and training sessions;
- 7 to report annually to the Council on these activities and make proposals as appropriate,

further instructs the Director of the Telecommunication Standardization Bureau and the Director of the Telecommunication Development Bureau

each within the scope of his responsibilities:

- 1 to implement relevant resolutions of both WTSA-~~0812~~ and WTDC-~~1014~~, including the Programme-2 of action on providing support and assistance to developing countries in building confidence and security in the use of ICTs;
- 2 to identify and promote the availability of information on building confidence and security in the use of ICTs, specifically related to the ICT infrastructure, for Member States, Sector Members and relevant organizations;
- 3 without duplicating the work under ITU-D Question 22-1/1, to identify best practices in establishing CIRTs, to prepare a reference guide for the Member States and, where appropriate, to contribute to Question 22-1/1;

4 to cooperate with relevant organizations and other relevant international and national experts, as appropriate, in order to identify best practices in the establishment of CIRTs;

5 to take action with a view to new Questions being examined by the study groups within the Sectors on the establishment of confidence and security in the use of ICT;

6 to support strategy, organization, awareness-raising, cooperation, evaluation and skills development;

7 to provide the necessary technical and financial support, within the constraints of existing budgetary resources, in accordance with Resolution 58 (~~Johannesburg, 2008~~Rev. Dubai, 2012);

8 to mobilize appropriate extrabudgetary resources, outside the regular budget of the Union, for the implementation of this resolution, to help developing countries,

instructs the Secretary-General

pursuant to his initiative on this matter:

1 to ~~propose to examine within~~ the Council, taking into account the activities of the three Sectors in this regard, the implementation of an effective action plan to strengthen the role of ITU in building confidence and security in the use of ICTs;

2 to cooperate with relevant international organizations, including through the adoption of MoUs, subject to the approval of the Council in this regard, in accordance with Resolution 100 (Minneapolis, 1998) of the Plenipotentiary Conference,

requests the Council

to include the report of the Secretary-General in the documents sent to Member States in accordance with No. 81 of the Convention,

invites Member States

1 to consider joining appropriate competent international and regional initiatives for enhancing national legislative frameworks relevant to the security of information and communication network;

2 to strengthen regional and international cooperation, taking into account Resolution 45 (Rev. Dubai, 2014), through the conclusion of agreements and implementation of measures to facilitate the reduction of risks and threats to confidence and security in the use of ICTs;

3 to refrain from using ICTs for activities:

i) involving the extraterritorial interception and monitoring of communications in a way which violates the privacy of communications and users' personal data protection;

ii) that undermine confidence and security in the use of ICTs, the preservation of peace and the economic and social development of other Member States; and

iii) that affect traffic routing and telecommunication quality of service;

4 to inform the Secretary-General of any incident of the kinds referred to above,

invites Member States, Sector Members and Associates

1 to contribute on this subject to the relevant ITU study groups and to any other activities for which the Union is responsible;

2 to contribute to building confidence and security in the use of ICTs at the national, regional and international levels, by undertaking activities as outlined in § 12 of the Geneva Plan of Action, and to contribute to the preparation of studies in these areas;

3 to promote the development of educational and training programmes to enhance user awareness of risks in cyberspace.

III Revision of Resolution 174 (Guadalajara, 2010)

ITU's role with regard to international public policy issues relating to the risk of illicit use of information and communication technologies

1 Summary

This contribution proposes an updating of Resolution 174 (Guadalajara, 2010), on ITU's role with regard to international public policy issues relating to the risk of illicit use of information and communication technologies, in view of the increasing trend towards the illicit use of ICTs. It is proposed that a new indent be added under *resolves*, stating that ITU should continue promoting the need to defend information and telecommunication systems against the threat of cyberattacks, and continue fostering cooperation between international and regional organizations to that end.

2 Background

Following the Plenipotentiary Conference (Guadalajara, 2010), the World Telecommunication Standardization Assembly and World Telecommunication Development Conference examined the question of the threat of cyberattacks, adopting resolutions such as the following:

- i) the resolutions adopted by WTDC (Dubai, 2014), and in particular Resolutions 45, on mechanisms for enhancing cooperation on cybersecurity, including countering and combating spam, and 69, on the creation of national computer incident response teams, particularly for developing countries, and cooperation between them;
- ii) the resolutions adopted by WTSA (Dubai, 2012), and in particular Resolutions 52, on countering and combating spam, and 50, on cybersecurity, which recognizes the need to monitor the effects of such threats by means of the following *resolves*:

"that ITU-T continue to raise awareness, within its area of operation and influence, of the need to defend information and telecommunication systems against the threat of cyberattack, and continue to promote cooperation among appropriate international and regional organizations in order to enhance exchange of technical information in the field of information and telecommunication network security".

In view of the above, the Administration of Cuba proposes a revision of Resolution 174 (Rev. Guadalajara, 2010) to take account of the proposals summarized below.

3 Proposed modifications to Resolution 174 (Guadalajara, 2010)

The annex contains the proposals for modification, in the format laid down for the 2014 Plenipotentiary Conference, the main changes being as follows:

3.1 Modify the *reaffirming* of Resolution 174 by adding the following provision:

ADD e) Resolution 68/243 of the United Nations General Assembly, on developments in the field of information and telecommunications in the context of international security,

3.2 Modify the *recalling* of Resolution 174 by adding the following provision:

ADD *h)* that Question 22/1 of the Telecommunication Development Sector (ITU-D) deals with the securing of information and communication networks through the identification of best practices for developing a culture of cybersecurity, and that WTDC-14 adopted Resolution 45 (Rev. Dubai, 2014), on mechanisms for enhancing cooperation on cybersecurity, including countering and combating spam,

3.3 Modify the operative part of the resolution by adding the following provision under *resolves to instruct the Secretary-General*:

ADD *iii)* continue to raise awareness, within his area of operation and influence, of the need to defend information and telecommunication systems against the threat of cyberattack, and continue to promote cooperation among appropriate international and regional organizations in order to enhance exchange of technical information in the field of information and telecommunication network security,

4 In view of the above, the Administration of Cuba proposes that the conference approve the modification of Resolution 174 as set out in proposal CUB/70/3.

MOD CUB/70/3

RESOLUTION 174 (~~GUADALAJARA, 2010~~REV. BUSAN, 2014)

**ITU's role with regard to international public policy issues
relating to the risk of illicit use of information and
communication technologies**

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

aware

- a)* that technological innovation driven by information and communication technologies (ICTs) has significantly modified the ways in which people access telecommunications;
- b)* that the illicit use of ICTs could have a detrimental impact on a Member State's infrastructure, national security and economic development;
- c)* that the definition of "telecommunication", as stated in the ITU Constitution, reads as follows: "*Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems*",

reaffirming

- a)* Resolutions 55/63 and 56/121 of the United Nations General Assembly, which established the legal framework on countering the criminal misuse of information technologies;
- b)* Resolution 57/239 of the United Nations General Assembly, on the creation of a global culture of cybersecurity;
- c)* Resolution 58/199 of the United Nations General Assembly, on the creation of a global culture of cybersecurity and the protection of essential information infrastructures;

d) Resolution 41/65 of the United Nations General Assembly, on principles relating to remote sensing of the Earth from outer space;

e) Resolution 68/243 of the United Nations General Assembly, on developments in the field of information and telecommunications in the context of international security,

considering

a) that, in the Geneva Declaration of Principles, the World Summit on the Information Society (WSIS) (Geneva, 2003) supported the activities of the United Nations to prevent the potential use of ICTs for purposes that are inconsistent with the objectives of maintaining international stability and security, and may adversely affect the integrity of the infrastructure within States, to the detriment of their security, and that it is necessary to prevent the use of information resources and technologies for criminal and terrorist purposes, while respecting human rights (§ 36, WSIS Geneva Declaration of Principles);

b) that Action Line C5 (Building confidence and security in the use of ICTs) of the Geneva Plan of Action stipulates the following: "*Governments, in cooperation with the private sector, should prevent, detect and respond to cybercrime and misuse of ICTs by: developing guidelines that take into account ongoing efforts in these areas; considering legislation that allows for effective investigation and prosecution of such misuse; promoting effective mutual assistance efforts; strengthening institutional support at the international level for preventing, detecting and recovering from such incidents; and encouraging education and raising awareness*",

considering further

that WSIS (Tunis, 2005) identified ITU as moderator for the implementation of Action Line C5 (Building confidence and security in the use of ICTs),

recalling

a) Resolution 130 (Rev. ~~Antalya, 2006~~ Guadalajara, 2010) of the Plenipotentiary Conference, on strengthening the role of ITU in building confidence and security in the use of ICTs;

b) Resolution 102 (Rev. ~~Antalya, 2006~~ Guadalajara, 2010) of the Plenipotentiary Conference, on ITU's role with regard to international public policy issues pertaining to the Internet and the management of Internet resources, including domain names and addresses;

c) Resolution 71 (Rev. ~~Antalya, 2006~~ Guadalajara, 2010) of the Plenipotentiary Conference, in particular strategic goal 4: "*Developing tools, based on contributions from the membership, to promote end-user confidence, and to safeguard the efficiency, security, integrity and interoperability of networks*";

d) Resolutions 1282 and 1305 of the ITU Council, the latter of which listed issues pertaining to the use and misuse of the Internet among the main tasks of the role of the Dedicated Group in identifying international Internet-related public policy issues;

e) Resolution 45 (Rev. ~~Hyderabad, 2010~~ Dubai, 2014) of the World Telecommunication Development Conference (WTDC), on mechanisms for enhancing cooperation on cybersecurity, including countering and combating spam;

f) the ~~Hyderabad-Dubai~~ Declaration adopted by WTDC, in particular the Cybersecurity Programme 2 (Cybersecurity, ICT applications and IP-based network-related issues);

g) Resolutions 50 and 52 (Rev. ~~Johannesburg, 2008~~ Dubai, 2012) of the World Telecommunication Standardization Assembly, on cybersecurity and countering and combating spam;

h) that Question 22/1 of the Telecommunication Development Sector (ITU-D) deals with the securing of information and communication networks through the identification of best practices for developing a culture of cybersecurity, and that WTDC-14 adopted Resolution 45 (Rev. Dubai, 2014), on mechanisms for enhancing cooperation on cybersecurity, including countering and combating spam,

recognizing further

a) that global cooperation and collaboration between the international organizations are necessary in order to address and prevent the illicit use of ICTs;

b) the moderating and facilitating role assigned to the Union under Action Line C5 as referred to above,

noting

a) the importance of ICTs, including telecommunications, for the social and economic development of countries, especially developing countries, through the creation of new public services that facilitate public access to information and enhanced transparency within public administrations and can be helpful for the monitoring and observation of climate change, the management of natural resources and reduction of the risk of natural disasters;

b) the vulnerability of critical national infrastructures, their increasing dependence on ICTs and the threats resulting from the illicit use of ICTs,

resolves to instruct the Secretary-General

to take the necessary measures in order to:

i) raise the awareness of Member States regarding the adverse impact that may result from the illicit use of information and communication resources;

ii) maintain the role of ITU to cooperate within its mandate with other United Nations bodies in combating the illicit use of ICTs;

iii) continue to raise awareness, within his area of operation and influence, of the need to defend information and telecommunication systems against the threat of cyberattack, and continue to promote cooperation among appropriate international and regional organizations in order to enhance exchange of technical information in the field of information and telecommunication network security,

requests the Secretary-General

in his capacity as facilitator for Action Line C5 on building confidence and security in the use of ICTs, to organize meetings of Member States and relevant ICT stakeholders, including geospatial and information service providers, to discuss alternative approaches to solutions to address and prevent the illicit application of ICTs, while taking into consideration the overall interests of the ICT industry,

invites Member States and relevant ICT stakeholders

to pursue their dialogue at the regional and national levels in order to find mutually acceptable solutions,

invites the Secretary-General

to collect best practices in terms of actions taken by Member States to prevent the illicit use of ICTs and to provide assistance to interested Member States, as appropriate,

instructs the Secretary-General

to report to the Council and to the next plenipotentiary conference on the implementation of this resolution,

invites Member States

to provide the necessary support for the implementation of this resolution.
